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**COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT**

pursuant to Article 294(6) of the Treaty on the Functioning of the European Union

concerning the

**position of the Council on the adoption of a Regulation of the European Parliament and
of the Council on a mechanism to resolve legal and administrative obstacles in a cross-
border context**

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1. BACKGROUND

Date of transmission of the proposal to the European Parliament and to the Council (document COM(2018) 373 final – 2018/0198 COD)	29 May 2018
Date of the European Parliament’s position at first reading	14 February 2019
Date of transmission of the amended proposal to the European Parliament and to the Council (document COM(2023) 790 final – 2018/0198 COD)	12 December 2023
Date of the European Economic and Social Committee’s opinion	24 April 2024
Date of the European Committee of the Regions’ opinion	17 April 2024
Date of adoption of the Council’s position	[24 March 2025]

2. OBJECTIVE OF THE COMMISSION’S PROPOSAL

On 12 December 2023, the Commission adopted an amendment to its proposal for a regulation on a mechanism to resolve legal and administrative obstacles in a cross-border context (COM(2023) 790 amending COM(2018) 373). With that amendment, the Commission gave the proposed regulation the new title ‘Facilitating Cross-Border Solutions’. The amended proposal for a regulation aims to facilitate the resolution of obstacles and speed up the implementation of cross-border projects that directly affect people living in EU border regions, thereby contributing to strengthening the functioning of the single market and fostering the EU’s economic, social and territorial cohesion.

To help find solutions to legal and administrative obstacles stemming from national law or practice that potentially undermine cross-border interaction and the development of cross-border regions, the Commission is proposing a legal framework that applies to all Member States. In this way, the Commission seeks to complement at EU level the existing instruments that support territorial cooperation, namely the Interreg programmes and the European groupings of territorial cooperation.

That proposed legal framework takes the form of a standard procedure that obliges each Member State to set up at least one cross-border coordination point as a single contact point

for local stakeholders ('initiators') who require an analysis of the causes of – and the means to resolve – a potential obstacle to a cross-border interaction in EU border regions. That procedure is triggered via a bottom-up approach by initiators who demonstrate a legitimate interest in a cross-border public service or certain items of infrastructure. Furthermore, once the obstacle has been assessed and identified by the cross-border coordination point or by a competent authority, the amended proposal provides for a pre-established common procedure (the Cross-Border Facilitation Tool) for Member States to facilitate its resolution. This tool is entirely optional and does not replace other EU or international cooperation mechanisms.

In addition, the proposal enables the Commission to benefit from more comprehensive expertise on cross-border obstacles within the EU and requires the Commission to support Member States by: (i) supporting the enhancement of their institutional capacity to implement the Regulation; (ii) setting up a public register of files; (iii) encouraging exchanges of experience; and (iv) promoting the sharing of knowledge gained through the 'b-solutions' initiative.

3. COMMENTS ON THE COUNCIL'S POSITION

On 28 January 2025, the European Parliament and the Council reached a political agreement. The Council's position at first reading fully reflects this agreement, which makes a number of changes to the Commission's amended proposal.

- The agreement introduces the new title, 'Regulation on a Border Regions' instrument for development and growth (BRIDGEforEU)'.
- The agreement provides for cross-border coordination points to be set up on a voluntary basis in each Member State. Member States that choose not to set up at least one coordination point, and Member States that need time to set up a coordination point, must appoint a relevant authority. That authority can be contacted by coordination points in neighbouring Member States and it can deal with cross-border files.
- The agreement excludes natural persons from the definition of initiators to reduce the number of cross-border files that could be submitted by initiators to the cross-border coordination points.
- The agreement exempts the insular Member States from having to appoint a relevant authority.
- The agreement introduces the voluntary use of a similar coordination framework for the EU border regions to cooperate with candidate or associated countries.
- The agreement removes the requirement to set up national public registers of cross-border files in each Member State. Instead, a single register will be maintained at EU level, and will be fed with the data that the Member States have to send. A new annex clarifies the structured information to be provided.
- The agreement reduces the frequency with which data and information have to be sent to the Commission from four times a year to once a year. The annex sets out the reporting requirements for Member States with or without cross-border coordination points.
- The agreement clarifies: (i) that there will be no impact on Member States' right to use existing procedures or international agreements for resolving cross-border

obstacles, or to create new such procedures or agreements; (ii) the list of tasks of the cross-border coordination points; (iii) the possible transfers of files between cross-border coordination points; (iv) the scope of legal redress; (v) the possible sources of EU financial support; and (vi) the applicable deadlines for replying to initiators.

The Commission supports the agreement reached.

By proposing that cross-border coordination points must be set up in each Member State, the Commission's amended proposal aimed to support cross-border cooperation by promoting the creation of an effective network to share knowledge, build capacity and ensure the equal treatment of initiators in all Member States.

However, the voluntary approach would create a strong spillover effect through a gradual roll-out, also in Member States and regions without a cross-border coordination point but with a relevant authority. The agreement will also increase the visibility of cross-border files and enable the Commission to support the enhancement of Member States' institutional capacity, also through knowledge sharing.

The annex to this communication proposes a legislative financial and digital statement reflecting the impact on the Commission's resources of establishing a Union-wide register of cross-border files, without requiring Member States to set up national public registers for such files.

4. CONCLUSION

The Council's position is acceptable to the Commission. It reflects the objectives of the Commission's amended proposal and will facilitate the identification and resolution of cross-border obstacles stemming from diverging technical standards, administrative procedures and laws. Addressing these barriers that hinder the deployment of cross-border infrastructure or public services projects will: (i) improve the functioning of the EU single market; (ii) support the development of EU's border regions; and (iii) give people and businesses better access to services and economic opportunities.