



ITEM CROSS-BORDER IMPACT ASSESSMENT 2022

With its annual Cross-Border Impact Assessment, ITEM provides more insight into the effects on cross-border regions of European and national legislative and policy initiatives. The report is intended as a valuable tool for policymakers at regional, national and European level in making decisions regarding (cross-)border regions. These impact assessments notably help to identify existing or future cross-border effects and are thus contributing to the political debate. Ideally, the results of the examination of individual dossiers allow for timely adaptation of legislative proposals while they are still in preparation.



DOSSIER 1 EUROPEAN HEALTH DATA SPACE

EX-ANTE ANALYSIS OF THE CROSS-BORDER EFFECTS FOR THE EUREGIO MEUSE-RHINE

- Sharing health data has an extra dimension in border regions such as the Euregio Meuse-Rhine (EMR), where individuals, healthcare professionals and healthcare services move across the border more frequently
- To address these obstacles, on May 2022, the European Commission published a proposal for Regulation on European Health Data Space (EHDS), creating a legal and technical framework on the use of electronic health data
- This dossier provides an ex-ante assessment of the possible effects of the proposed legislation on the Euregio Meuse-Rhine

IN GENERAL, THE PROPOSAL WAS RECEIVED POSITIVELY: STAKEHOLDERS INTERVIEWED IN THE COURSE OF THE RESEARCH INDICATED THAT THE EHDS COULD PROVIDE MANY POSSIBILITIES FOR THEM TO OVERCOME CURRENT OBSTACLES

DOSSIER 2 CROSS-BORDER EFFECTS OF THE EU PROPOSAL FOR A DIRECTIVE ON PLATFORM WORKERS (EX-ANTE)

AN EX-ANTE STUDY EXAMINING THE POTENTIAL EFFECTS OF THIS DIRECTIVE PROPOSAL

- Platform workers have almost no protection from labour and social security law as “regular” workers do
- In December 2021, the European Commission proposed a Directive on platform work
- The EU wants to improve the working conditions and social rights of platform workers and to support the sustainable development of platforms



POSSIBLE EFFECTS OF THE PROPOSED DIRECTIVE ARE UNCERTAIN; THE DOSSIER PROVIDES RECOMMENDATIONS

DOSSIER 3 ENERGY TRANSITION AND ENERGY SECURITY

THE EFFECTS OF THE CURRENT LEGAL, SPATIAL, AND ECONOMIC FRAMEWORK ON RENEWABLE CROSS-BORDER PROJECTS

- There are hardly any cross-border projects in the field of renewable energies at the German/Dutch situation
- This is caused by a lack of coordination of subsidy schemes, a lack of coordination of spatial planning with respect to wind and solar locations and a lack of joint efforts to stimulate the participation of citizens also across the border

ONLY IF THERE ARE SUBSTANTIAL CHANGES OF THE REGULATORY FRAMEWORK (SUBSIDIES, SPATIAL PLANNING, GRID), BORDER REGIONS CAN JOIN FORCES IN THE FIELD OF RENEWABLE ENERGIES



DOSSIER 4 CROSS-BORDER EXCHANGE OF INFORMATION IN THE FIGHT AGAINST ORGANISED CRIME (EX-ANTE)

AN EX ANTE ASSESSMENT OF THE PROPOSALS: DIRECTIVE ON INFORMATION EXCHANGE BETWEEN LAW ENFORCEMENT AUTHORITIES OF MEMBER STATES AND A COUNCIL RECOMMENDATION REINFORCING OPERATIONAL CROSS-BORDER POLICE COOPERATION

- Border regions are prone to criminal activities due to their very location, because border regions provide criminal market opportunities and the possibility to escape national jurisdictions
- The European Union focusses on solutions at the level of the EU and the Member States
- The regulation and organisation of crime control and law enforcement between public authorities in cross-border regions should be stimulated and supported

THE EMR REGION IS A PERFECT EXAMPLE OF CROSS-BORDER INITIATIVES TO COLLABORATE IN CRIME CONTROL AND LAW ENFORCEMENT



DOSSIER 5 BORDER EFFECTS OF THE DUTCH FIREWORKS PROHIBITION (EX-ANTE)

AN EX ANTE ASSESSMENT OF POSSIBLE EFFECTS OF THE DUTCH DRAFT LAW TO GENERALLY PROHIBIT FIREWORKS FOR CONSUMERS IN DUTCH BORDER REGIONS NEIGHBORING WITH GERMANY AND BELGIUM

- Different laws and policies regarding fireworks can cause problems in border regions, both regarding the selling, possession and use of it by consumers
- The enforcement of a national fireworks ban, when such a ban is not in force in the neighboring country, appeared to be very difficult in border regions, let alone in enclaves
- Interesting option that is explored is the (im)possibility of local deviations allowed by the three national (local) legal frameworks to enhance cross-border cooperation locally

THIS DOSSIER UNDERLINES THE NEED FOR MORE COOPERATION AND CONSULTATION BETWEEN NEIGHBORING COUNTRIES WHEN DRAFTING MUTUALLY DIFFERENT POLICIES

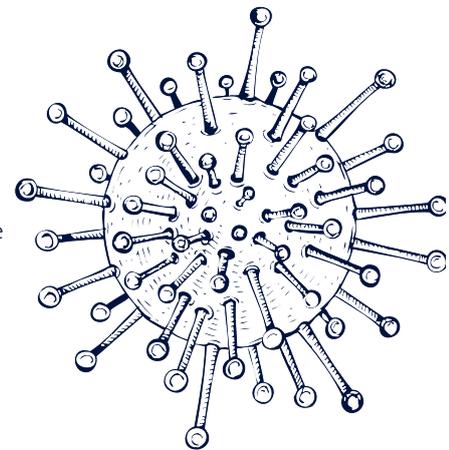


DOSSIER 6 BORDER RESIDENTS' PERCEPTIONS OF THE 'BORDER' AND 'IDENTITY' AFTER THE COVID-19 CRISIS: HOW DO WE ESTABLISH IT? (OPINION PIECE)

AN EXPLORATORY STUDY ON BORDER RESIDENTS' PERCEPTIONS OF THE 'BORDER' AND 'IDENTITY', AS A FOLLOW-UP TO THE DOSSIERS DONE IN 2020 AND 2021 ON THE COVID PANDEMIC.

- During the COVID-19 crisis, the (territorial) borders between EU member states became important once again. As a consequence, the border residents' perceptions of the border tended to alter
- Border regions are territorial areas where similarities and differences between both sides of the border become more apparent.
- The concepts of 'identity' and 'border' seem to have manifested themselves as dynamic and multidimensional concepts. Common ground among academics is the growing awareness that identity is characterised by hybridity; there is no single 'identity'.

THIS DOSSIER REVEALS THAT A BORDER-OVERARCHING, UNIFIED, CONCEPTUALISATION OF 'BORDER' AND 'IDENTITY' SEEMS PARTICULARLY DIFFICULT.



DOSSIER 7 THE CROSS-BORDER EFFECTS OF THE DUTCH NITROGEN POLICY (STUDENT DOSSIER)

IN 2019, THE DUTCH NITROGEN POLICY WAS DEEMED TO BE IN CONFLICT WITH EUROPEAN LEGISLATION BY THE DUTCH COUNCIL OF STATE.

- In response to these assessments, the Dutch government has rolled out a mix of measures to alleviate concerns. These range from reducing the maximum speed on motorways to establishing subsidy schemes for farm modification
- It is so far difficult to assess the emissions spill over across the border because of the lack of comparable data. And because national policies differ a lot despite common European legislation
- One concern in neighbouring regions (i.e. Wallonia) is that Dutch farmers will establish in the future their activities across the border

THE RESEARCH HAS BEEN CARRIED OUT IN THE CONTEXT OF A PREMIUM-PROJECT BY A MULTIDISCIPLINARY STUDENT TEAM

