

## Institute for Transnational and Euregional cross-border cooperation and Mobility / ITEM

# ITEM CROSS-BORDER IMPACT ASSESSMENT 2024

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.



**THIS DOSSIER ENDORSES THE NEED FOR A BETTER FOCUS ON CROSS-BORDER TERRITORIES IN POLICIES AND LEGISLATION BOTH EX-ANTE AND EX-POST**

### DOSSIER 1 OPPORTUNITY ANALYSIS: EUROPEAN CROSS-BORDER IMPACT ASSESSMENT AND COHESION POLICY FOR BORDER REGIONS

IN LIGHT OF COHESION POLICY POST-2027, THIS DOSSIER ANALYSES THE STATUS QUO IN ADDRESSING THE NEEDS FOR BORDER REGIONS IN POLICY

- Border regions are a specific territorial category that should be considered with Territorial Cohesion, representing 40% of EU's territory.
- Border obstacles limit the well-functioning of a Single Market, costing around 458 billion euros at EU level, regional GDP losses in the Benelux + Germany area can be from 7,5% to 18,5%.
- Cohesion Policy should better address the reduction of cross-border barriers in the internal market by better focus and viable budget.
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### DOSSIER 2 PROPOSAL FOR AN EU REGULATION 'FACILITATING CROSS-BORDER SOLUTIONS' – CROSS-BORDER EFFECTS ACROSS EUROPEAN CROSS-BORDER REGIONS (ITEM-TEIN JOINT STUDY)

TOGETHER WITH TEIN PARTNERS, THIS DOSSIER EXAMINES THE CROSS-BORDER EFFECTS OF THE PROPOSED REGULATION ACROSS FOUR DIFFERENT CROSS-BORDER REGIONS IN EUROPE

- In 2023, the European Commission published an amended Regulation following the 'ECBM' proposal: a Regulation on 'Facilitating Cross-Border Solutions'. It is proposed that Member States set up Cross-border Coordination Points which would collect and resolve border obstacles.
- How does the impact of the proposed FCBS Regulation differ between cross-border regions? Some countries already have such institutional frameworks to solve border obstacles, others do not yet.
- The Regulation presents a transition from solving cross-border obstacles via a legal tool (the ECBM mechanism) to facilitating solutions to cross-border obstacles via a common governance structure.



**DESPITE THE SIGNIFICANT EFFECT THAT BORDER OBSTACLES PRESENT FOR CROSS-BORDER REGIONS, ON THE EU LEVEL THERE IS NO UNIFORM PROCEDURE TO RESOLVE SUCH OBSTACLES**

### DOSSIER 3 THE BENELUX POLICE TREATY, WILL BORDER REGIONS BECOME SAFER?

A STUDY BASED ON COMPARISON OF TREATIES, INTERVIEWS WITH EXPERTS AND AN ANALYSIS OF PARLIAMENTARY DOCUMENTS, LITERATURE AND MEDIA REPORTS



**THIS DOSSIER EXAMINES WHETHER THIS TREATY CAN BE SEEN AS A PARTICULAR MILESTONE IN BORDER REGIONAL CRIME CONTROL**

- On Oct. 1, 2023, the new Benelux Police Treaty between Belgium, Luxembourg and the Netherlands on police cooperation entered into force. The study leads to the following recommendations:
- Local cooperation should be improved as a matter of priority through the establishment of joint police stations and police centers in the "border region"
- More and better use should be made of the cooperation opportunities in the border region, such as neighbor consultations. Cooperation between e.g. control rooms can be intensified
- More and better use should be made of the cooperation opportunities in the border region, such as neighbor consultations.
- The structural establishment of joint training, which focuses not only on knowing each other's regulations, but also on understanding the cultural and organisational differences, should be implemented immediately.



GERMANY'S NEW CANNABIS LEGALISATION HAS THE POTENTIAL TO BRING BOTH POSITIVE AND NEGATIVE CROSS-BORDER EFFECTS: CAREFUL POLICY DESIGN, CONTINUOUS MONITORING, AND INTERNATIONAL COOPERATION WILL BE ESSENTIAL

#### DOSSIER 4 EFFECTS OF THE CANNABIS LEGALISATION IN GERMANY ON CROSS-BORDER DYNAMICS (PREMIUM-STUDY)

A STUDY CARRIED OUT BY A MULTIDISCIPLINARY TEAM OF STUDENTS IN CONTEXT OF A PREMIUM-PROJECT

- On 1 April 2024, the Cannabis-Gesetz entered into force in Germany. The bill legalises cannabis under certain conditions, such as a limit of 25 grams and a maximum of three cannabis plants in the home. It also allows sales under the umbrella of cannabis clubs.
- This dossier looks at the border effects of the Cannabis-Gesetz between Germany and the Benelux countries, with a focus on the Netherlands and Belgium. What does this mean for Dutch border municipalities and coffee shops, for example?

#### DOSSIER 5 THE IMPACT OF RECENT EU LEGISLATION IN THE FIELD OF EU INDUSTRIAL POLICY ON BORDER REGIONS

THE CROSS-BORDER DIMENSION OF THE THREE INDUSTRY-RELATED LEGAL ACTS WERE NOT SUFFICIENTLY ANALYSED VIA IMPACT ASSESSMENTS

- Benelux countries & Germany should be proactive: designate cross-border net-zero Acceleration Valleys that are part of the net zero regulation.
- For raw materials: The Benelux could search for agreements on raw materials that are recycled by industry close-by and give priority in licensing and access to financial instruments.
- For the due diligence directive: Benelux countries should use the time until 2026 to coordinate the transposition and avoid different administrative rules.



HOW WILL EU PROPOSALS AFFECT COMPANIES, INDUSTRIAL ACTIVITIES AND INVESTMENTS IN BE-NL-DE BORDER REGIONS?



AN EX-ANTE ASSESSMENT OF THE EFFECTS OF THE NEW TAX TREATY SIGNED IN 2023 FOR THE DUTCH-BELGIAN BORDER AREA

#### DOSSIER 6 NEW NETHERLANDS-BELGIUM TAX TREATY (2023): AN EX-ANTE ASSESSMENT

WHAT DOES THE NEW TAX TREATY MEAN FOR A DUTCH AND BELGIAN FRONTIER WORKER?

- Various changes internationally, especially of significance income-wise for (senior) teachers, athletes and artists.
- With regard to other workers, no or limited changes have been made in the new treaty. The home working issue for frontier workers in relation to Belgium has not been addressed in the new treaty.
- The general compensation scheme, intended for residents of the Netherlands working in Belgium, aims to achieve equality with one's neighbor down the street. This scheme has been maintained, but the question remains to what extent equality exists in the mirror situation (BE cross-border worker working in NL).