

**SOLVIT**

**European Parliament resolution of 27 February 2014 on SOLVIT (2013/2154(INI))**

*The European Parliament,*

- having regard to Commission Recommendation 2013/461/EU of 17 September 2013 on the principles governing SOLVIT<sup>1</sup>,
- having regard to the Commission Communication of 17 September 2013 on ‘Empowering businesses and citizens in Europe’s single Market: An action plan for boosting Your Europe in cooperation with the Member States’ (COM(2013)0636),
- having regard to the Commission Staff Working Document of 24 February 2012 on ‘Reinforcing effective problem-solving in the Single Market – Unlocking SOLVIT’s full potential at the occasion of its 10<sup>th</sup> anniversary’ (SWD(2012)0033),
- having regard to the first Commission report of 28 November 2012 on ‘State of the Single Market Integration 2013 – Contribution to the Annual Growth Survey 2013’ (COM(2012)0752),
- having regard to the Commission Communication of 8 June 2012 entitled ‘Better Governance for the Single Market’ (COM(2012)0259),
- having regard to the Commission staff working document of 24 February 2012 entitled ‘Making the Single Market deliver – Annual governance check-up 2011’ (SWD(2012)0025),
- having regard to the online Single Market Scoreboard made public on 4 July 2013,
- having regard to the study ‘A European Single Point of Contact’ of July 2013, commissioned by its Committee on the Internal Market and Consumer Protection,
- having regard to its resolution of 7 February 2013 on the governance of the Single Market<sup>2</sup>,
- having regard to its resolution of 14 June 2012 entitled ‘Single Market Act – The Next Steps to Growth’<sup>3</sup>,
- having regard to its resolution of 6 April 2011 on governance and partnership in the single market<sup>4</sup>,
- having regard to its resolution of 9 March 2010 on SOLVIT<sup>5</sup>,

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<sup>1</sup> OJ L 249, 19.9.2013, p. 10.

<sup>2</sup> Texts adopted, P7\_TA(2013)0054.

<sup>3</sup> OJ C 332 E, 15.11.2013, p. 72.

<sup>4</sup> OJ C 296 E, 2.10.2012, p. 51.

<sup>5</sup> OJ C 349 E, 22.12.2010, p. 10.

- having regard to Rule 48 of its Rules of Procedure,
  - having regard to the report of the Committee on the Internal Market and Consumer Protection and the opinion of the Committee on Employment and Social Affairs (A7-0059/2014),
- A. whereas the rights of citizens and businesses in the single market need to be used effectively, and whereas EU law guaranteeing these rights needs to be enforced effectively to ensure that citizens and businesses all benefit from the internal market's potential;
  - B. whereas informing citizens about their rights and facilitating their enjoyment of those rights help to make the internal market work better;
  - C. whereas SOLVIT currently handles around 1 300 cases a year, and manages to find solutions for around 90 % of its clients within the deadline of 70 days;
  - D. whereas interest in and use of Your Europe is growing fast, and whereas, according to the online Single Market Scoreboard, more than 11 000 visitors consulted the portal each day in 2012, as compared to 6 500 the year before;
  - E. whereas it has repeatedly called for further reinforcement of the SOLVIT network, and for the availability of more and better information about EU rights;
  - F. whereas SOLVIT plays an important role as a key problem-solving tool and, hence, as a means of ensuring better compliance with Union law pertaining to the single market; whereas, in spite of this, SOLVIT remains under-used and has not fulfilled its potential;
  - G. whereas, if full use is made of it, the SOLVIT system can, in a large number of areas, become a useful way of preventing excessive use being made of court systems, which can be extremely complicated, thus making it difficult for citizens and businesses to resolve their problems;
  - H. whereas, according to its commissioned study 'A European Single Point of Contact', while an extensive array of online information, advice and assistance is available to European citizens and business, awareness of these services is very low, with 91,6 % of those asked having no knowledge of any online service to which to turn to in order to address problems relating to the single market;
  - I. whereas the effectiveness of the assistance provided by SOLVIT depends to a large extent on how well its staff are trained;
  - J. whereas greater effort should be made to integrate SOLVIT in a better way in the range of assistance services and enforcement tools available at national and Union level;
  - K. whereas citizens and businesses, in order to identify problems correctly when they occur and be able to resolve them, need to be aware of their rights within the single market, and whereas more still needs to be done to enhance that awareness;

***Introduction: effective use of rights and opportunities in the single market***

1. Reiterates that the potential of the single market can only be unleashed if citizens and businesses are aware of their rights and opportunities, and are able to make effective use of

them; recalls that these objectives can only be achieved if effective enforcement of single market legislation is ensured by the Member States and if good-quality information and efficient problem-solving mechanisms are made available;

2. Highlights that many single market issues are the result of gold-plating, late or wrongful implementation by one or more Member States, or national rules that run counter to Union law; strongly calls on the Commission, in this regard, to put pressure on those Member States that are not complying with single market rules;
3. Points out that many problems relating to the implementation of single market rules are detected through the SOLVIT network, and commends the contribution of SOLVIT to administrative and regulatory changes to remedy such problems; urges the Council to take measures to improve the tasks of public administrations in order to strengthen the cooperation between national authorities and the Commission;
4. Stresses the need for SOLVIT to have an efficient means of alerting the Commission to internal-market problems arising from non-implementation of EU law that have come to its notice;
5. Stresses that proper implementation and enforcement of, and compliance with, single market legislation is of utmost importance for European consumers and businesses and, thereby, for the economy at large and citizens' trust in the functioning of the single market; stresses as well the Member States' legal obligations in this regard;
6. Reiterates its calls for further development of the applicable infringement proceedings, including by means of ensuring more stringent use of such proceedings for breaches of Union law provisions in the field of the single market, and by applying faster procedures;
7. Underlines, furthermore, the importance of making every effort to ensure that enforcement problems are prevented, detected or removed before it becomes necessary to initiate formal infringement procedures;
8. Highlights the use of zero-tolerance for non-compliance with, and of peer review in the implementation and transposition of, the Services Directive, as methods to ensure effective application of single market law;

***SOLVIT: helping individuals and businesses solve problems***

9. Welcomes the new Commission recommendation on the principles governing SOLVIT, paving the way for SOLVIT 2.0;
10. Notes that the SOLVIT network has achieved tangible results and proved its usefulness; notes, however, that there is ample room for improvement, in particular as regards settling business-related disputes and the time taken to resolve queries;
11. Welcomes the Commission's efforts to continue to improve the effective work of the SOLVIT network on the informal, swift resolution of cross-border disputes related to the internal market – a tool for addressing misapplications following transpositions – using procedures which are as accessible as possible for citizens, and suggests that Member States should work closely with the Commission to improve the SOLVIT system, as a free, user-friendly service;

12. Considers that the performance of SOLVIT centres should be continuously improved, especially as regards social security cases, and encourages better coordination of national social security systems;
13. Calls for a special focus on all cross-border labour law issues, social rights and equal treatment, paying particular attention to issues related to pensions, European Union workers and posted workers;
14. Highlights in particular the importance of SOLVIT for mobile workers with regard to questions of equal treatment and the solving of cross-border problems;
15. Notes that a large majority of SOLVIT clients are citizens; stresses the need to unleash the large potential of SOLVIT as a problem-solving tool for businesses; stresses that more needs to be done to make businesses, in particular small and medium-sized businesses, more aware of SOLVIT, educate them about its possibilities and enable them to make better use of it; welcomes the recent update of the Your Europe business portal as a positive step in that direction;
16. Calls for SOLVIT public relations to be stepped up in order to significantly raise awareness of the network; calls on the Member States, the Commission and Members of the European Parliament, in their constituencies, to engage in awareness-raising campaigns to promote the role of Your Europe and SOLVIT; underlines the fact that Member States have the option to further promote SOLVIT regionally while noting that all case handling must take place at national level;
17. Draws attention to the fact that SOLVIT is still attracting a large volume of non-SOLVIT cases, and that this is slowing down the handling of SOLVIT complaints; stresses, therefore, the need for SOLVIT's remit to be better explained to citizens and businesses;
18. Calls on the Member States to ensure that adequate resources are made available to maintain the SOLVIT network, with reference to the conditions governing the organisation of SOLVIT centres set out in the Commission recommendation of 17 September 2013;
19. Stresses the importance of maintaining the quality of the service offered by SOLVIT in spite of budgetary restrictions and limited human resources; stresses the importance of ensuring that SOLVIT centres have sufficient numbers of well-trained staff, with adequate legal expertise and knowledge of the relevant Union languages, and that staff are accordingly provided with appropriate training in order to continually upgrade their skills and knowledge;
20. Emphasises the importance of the SOLVIT centres in the various Member States all providing a similar standard of service, as this is key to effective problem resolution;
21. Stresses the importance of quick solutions to problems which only require clarification of Union law and adequate communication with applicants in complicated cases;
22. Calls for better streamlining with other complaint-handling procedures, in particular the EU Pilot;
23. Stresses the importance of gearing SOLVIT towards handling more business-related cases; notes that this requires broader knowledge about SOLVIT within the business community,

closer cooperation between SOLVIT and European and national business associations, for instance in the form of a working group bringing together SOLVIT centres and business associations, and a willingness in some SOLVIT centres to take on more complex cases;

24. Regrets that many business-related cases that could be handled by SOLVIT are rejected on the grounds that they are too complex; considers that if some SOLVIT centres find such business-related cases to be too complex to handle, this is a problem that needs to be addressed locally at those SOLVIT centres;
25. Highlights the importance of the Commission providing informal assistance in case-handling, including informal legal advice in complex cases; calls on the SOLVIT centres to make use of such assistance;
26. Stresses the importance of exchanges of information between SOLVIT centres and recommends that Member States invest in improving cooperation between these centres; encourages SOLVIT centres across the Union to initiate more detailed and far-reaching exchanges of best practice, and stresses the importance of such exchanges between SOLVIT centres with regard to the implementation and promotion of the services provided;
27. Welcomes the clarification made in Commission Recommendation 2013/461/EU as regards SOLVIT's mandate in respect of cases where national rules run counter to Union law (also known as structural cases); welcomes the take-up of such cases by some SOLVIT centres; calls on all SOLVIT centres to provide effective assistance whenever such structural problems arise, including by helping to identify potential problems posed by proposed national legislation;
28. Calls on SOLVIT centres to be bolder and more efficient in responding to complaints and, in particular, in handling more complex cases;
29. Highlights that it is important that the applicant, the SOLVIT centres involved and the Commission maintain communication and close collaboration throughout the procedure; notes that in many cases the applicant is not consulted during the procedure but is only in contact with the SOLVIT centre when it submits the application and when the case is finished;
30. Believes that there should be closer cooperation between all levels of government in the Member States and SOLVIT;
31. Welcomes in particular the protection of personal data demonstrated by SOLVIT centres and calls for this protection to be continuously monitored and, whenever necessary, increased to meet the data protection demands of users;
32. Stresses the importance of increasing awareness of and the visibility of the SOLVIT network and of bringing it closer to people who are not aware of it; calls on the Member States and the Commission to ensure equal access to SOLVIT centres and online portals, e.g. for people with a disability and the elderly, and to develop all possible options as regards establishing contact between users and SOLVIT centres in this context; takes into account the Commission proposal for a directive on the accessibility of public sector bodies' websites (COM(2012)0721);

33. Stresses the need to link and integrate SOLVIT portals with other related actors and platforms in order to increase accessibility and visibility for all users; suggests that Member States should work closely with the Commission to improve the SOLVIT system by securing a coherent approach throughout the EU and improving its visibility; considers that the relevant European institutions' webpages should include a link to the Your Europe site;
34. Underlines the importance of spreading knowledge about the SOLVIT cases database and welcomes the Commission's recommendation regarding the need to provide information about alternative problem-solving networks or sources of information, including other possible means of redress, at both national and Union level, in cases which SOLVIT cannot handle;
35. Encourages SOLVIT centres to engage proactively by taking initiatives of their own to create contacts with citizens, businesses and national parliaments;
36. Welcomes the online Single Market Scoreboard, which provides data on the performance of the Member States with regard to SOLVIT and Your Europe, and on their performance with regard to EU legislation relevant to the functioning of the single market;
37. Calls on the Commission and the Member States to take further steps to disseminate information about the availability of these instruments among citizens, businesses and entrepreneurs, using all forms of media, including the internet, in order to ensure that the information reaches the largest possible number of citizens and businesses; calls on the Member States to organise information campaigns targeted at specific groups, including businesses – in particular small and medium-sized businesses;
38. Calls on the Commission to continue monitoring, within the annual report on the single market integration, the performance of the Union's problem-solving mechanisms – in particular SOLVIT – as part of the Annual Growth Survey; reiterates, furthermore, its call on the Commission to strengthen single market governance by establishing a specific pillar of the European Semester, including dedicated country-specific recommendations;
39. Remains committed to monitoring the progress of SOLVIT closely; urges the Commission to set up measurable milestones for the desired development of SOLVIT; encourages the Member States also to set their own measurable targets and deadlines for the development of case handling in local SOLVIT centres; considers, in this regard, that splitting up citizen- and business-related cases for the purpose of monitoring progress could be the way forward; believes that, if these targets are not reached, the possibility of replacing the informal procedure by a legislative act should be reconsidered, taking into account existing mechanisms such as those provided for in Directive 2013/11/EU on alternative dispute resolution and Regulation (EU) No 524/2013 on online dispute resolution; urges the Council to follow Parliament's ambition in this respect; calls on the Commission and the Member States to monitor closely the progress made towards these EU and national SOLVIT targets within the European Semester;

***Your Europe: responding better to the needs of citizens and businesses***

40. Notes the continuous increase in the use of the Your Europe portal;
41. Encourages the Commission and the Member States to make a clear difference between Your Europe and SOLVIT while coordinating their respective visibility campaigns;

42. Welcomes the aims set out in the Your Europe Action Plan, namely to complete the provision of practical, good-quality information on EU rights in the single market, to increase awareness about Your Europe and to put into practice a close partnership between the Commission and the Member States;
43. Encourages the Commission to take more effective steps to position Your Europe as a tool for businesses and to increase its visibility, including by making better use of the social media; considers, that through branding and with the inclusion of SOLVIT, the Your Europe portal should become the single access point for European consumers and businesses when confronted with problems or when seeking information; believes that such a single access point could serve as the reference point of citizens and businesses and better facilitate their access to different information tools and specialised problem solving mechanisms, including SOLVIT;
44. Calls on the Commission to widen the scope of Your Europe so as to fully cover rights, obligations and opportunities in the single market and to make it as user-friendly as possible;
45. Urges the Member States to provide information on national rules and procedures regarding EU rights; calls on the Member States to ensure that this information is practical, free of jargon, equally accessible for all, up to date and available in the relevant languages, and to link their national portals (e-government) with Your Europe;

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46. Instructs its President to forward this resolution to the Council, the Commission and the parliaments and governments of the Member States.