



Local Authorities and the governance of the Single Market

Aggregate report

September 2011

Eurobarometer Qualitative Studies

Local Authorities and the governance of the Single Market

Conducted by TNS Qual+ at the request of the European Commission, Directorate-General for Internal Market and Services and co-ordinated by Directorate-General for Communication, “Research and Speechwriting” Unit

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Country Abbreviations¹

1. Austria	AT
2. Belgium	BE
3. Bulgaria	BG
4. Cyprus	CY
5. Czech Republic	CZ
6. Denmark	DK
7. Estonia	EE
8. Finland	FI
9. France	FR
10. Germany	DE
11. Greece	EL
12. Hungary	HU
13. Ireland	IE
14. Italy	IT
15. Latvia	LV
16. Lithuania	LT
17. Luxembourg	LU
18. Malta	MT
19. The Netherlands	NL
20. Poland	PL
21. Portugal	PT
22. Romania	RO
23. Slovakia	SK
24. Slovenia	SI
25. Spain	ES
26. Sweden	SE
27. The United Kingdom	UK

¹ In the body text of the report the listing of Member States in parentheses indicates that the relevant issue was primarily raised by individuals from that particular country.

1 EXECUTIVE SUMMARY

1.1 Background

Given the **importance of local authorities** in the overall governance of the Single Market and in view of their proximity to the EU citizens, the Directorate-General for Internal Market and Services (DG MARKT) wanted to engage them in discussion with the following **objectives** in mind:

- To identify potential areas of improvement of the EU policy making process.
- To let local authorities suggest ideas for strengthening the Single Market.

The method used for this survey was **in-depth interviews across all 27 EU Member States with two target groups**: elected representatives and senior employees (chief executives or similar high level executive staff) from a range of local governmental authorities.

- 5 interviews in each Member State with elected representatives from a range of local and government authorities.
- 9 interviews in each Member State with senior employees (chief executives or similar high level executive staff) from a range of local government authorities.

All respondents had to be responsible at a local level for implementing EU policy or regulating economic activities in the town/city.

1.2 EU policy making

In around a third of the Member States, respondents did not recognise that their role involved policy making or the implementation of legislation. Although the research was conducted primarily with local government level respondents, some interviews were conducted at national level (e.g. Luxembourg, Malta). In terms of **respondents' involvement in policy making at EU level**, the interviews suggested a **clear differentiation between** the roles of respondents at **national level** on the one hand, and those at **local level** on the other. It was respondents at national level who were more likely to regard themselves as interacting with the EU on policy making, while respondents at local level and often did not perceive this to be part of the remit of local government.

Many were often only spontaneously aware of EU funds and awareness was limited to their role as a participant in EU funding programmes. However, during the interview almost all respondents at local level could see their role in relation to the EU but it was almost exclusively as implementers of EU law. Only a handful said they were involved in the transposition process and this

tended to consist of limited consultation by national governments on draft policy.

"We don't have much to do with the European Union or with European law." (FR – civil servant)

In terms of which **information channels are used, respondents tend to hear about EU policy and policy making through formal structures and personal contacts.** Examples of more formalised communications include information on draft policies being received from the relevant central government department, internal information management structures (e.g. in-house research departments, information managers) and participation in expert groups including policy workgroups and industry bodies.

When respondents look for information themselves, the **internet and mass media** were the most commonly mentioned sources. Respondents from more than half of the Member States cited the internet as the main source of information. The EU website was the most commonly mentioned but the Commission and EUR-Lex were also used. Those who had used EUR-lex were particularly positive about the usefulness of the information contained. While respondents were happy with the content of EU websites, the structure of the websites was sometimes criticised. Information is known to be there, but it is not necessarily easy to access.

"It would be very good to have some kind of start kit to be able to navigate on EU websites. The few times I've visited one, cannot remember which, but I found it extremely confusing so it was difficult to find my way around." (DK – elected representative)

Some suggested a clearer, centralised, thematically organised way of providing information. Mass media was also popular – with TV and print media mentioned by around a third of Member States. However Internet and direct contact were the preferred sources of information.

Respondents were asked whether they have **access to all the information** they require and whether there are areas where they find it difficult to obtain information **on EU policy making.** Most were satisfied with the level of information they receive – mostly due to the fact that there was little perceived need for such information in their role. Indeed, some expressed the feeling that there was in fact too much information.

Despite this, a range of **information gaps** were still identified. The most prominent of these related to information on the **interpretation of legislation, information on the different steps in the law making process and specialist policy information.** Some expressed a wish for more guidance and less prescription – guidelines to help authorities understand how to interpret legislation, backed up with examples and case studies.

"I feel that information on how to interpret the given EU rule is missing, which is often more important than the [rule] itself..." (CZ – civil servant)

The content was not the only information issue which respondents mentioned. As with the EU websites, **the way in which policy-related information is delivered** was just as **important** for many. Respondents identified a number of aspects of the process of looking for information and the **format** in which it was presented that concerned them, the most prominent of which was a need for the **clearer organisation** of information as information searches are time consuming and respondents are not always able to find the information they want amongst all the information available. **Language needs to be accessible and relevant documentation needs to be available on a regular basis, with adequate time to respond.**

"I would really need such short analytical reports let us say once a week about the legislation passed in Europe...a summary. Because if you subscribe to those news, you get hundreds of them a day and it is natural that you do not read anything..." (LT – elected representative)

There was also a feeling that information is stored in too many disparate places and that a centralised database would be useful.

"From the user[s] perspective, looking for information is complicated. Information should be organised by themes and within them by years, for instance." (PT - civil servant)

In general, attitudes to **EU policy-making is that it is far removed from the respondent's day to day role** – there is little awareness of personal involvement and it is seen as largely relevant to their work.

"People start mocking...some decisions made in Brussels, because they are totally irrelevant to their everyday reality. These decisions bring artificial solutions and discussions, wrong policies. And people expect completely different topics to be discussed." (BG – civil servant)

Many respondents did not feel they know enough to give an opinion. Where respondents felt qualified to comment, the **most positive aspect of the EU policy-making process was the idea of a unified approach to policy**, in other words, the harmonisation of policies across all Member States and closer co-operation between countries. The **most negatively regarded aspect** tended to relate to **the consultation process** itself – this was felt to be not extensive enough and not applied locally. It was also felt that stakeholders were not given enough time to respond. Conversely, the **transparency of the consultation process was felt to be positive**. Other negative aspects of policy-making included more general criticisms of an inflexible, "one size fits all" approach to policy which does not take into account local considerations, the fact that directives are often too detailed, and as a result the whole policy making process takes too long and is unable to respond quickly enough to local need.

"It's very laboured [because there are 27 Member States represented] and slow. Sometimes it's so slow that it lags behind what is actually happening on the ground." (BE – civil servant)

Finally there was a feeling amongst some that not all Member States have an equal voice in driving policy decisions.

Respondents had mixed views about whether they felt ownership of EU policies, or not and this often related to respondents' level of involvement in the policy-making process and to what extent people see their activities are related to the EU.

The majority of respondents were keen in **principle** to be more involved in EU policy-making but many were concerned about the resource constraints and the lack of time available to do this. The majority of respondents who expressed a view on this topic were in favour of web-based consultation.

"...of course I would be interested in becoming more involved in EU policy making..." (CY – civil servant)

Improving the consultation process will help to increase engagement. Increasing the consultation **at local level** (including more consultation with citizens) was also seen as important.

"Absolutely, always the best approach is to create the laws and the regulations from the bottom upwards. It is impossible to evaluate the needs, no matter if this concerns the business or the civil society, if they do not know what is going at the lowest level..." (BG – elected representative)

There were mixed opinions on the nature of this consultation, with respondents divided between the idea of direct communication with the EU or for recommendations to be collected at local level by national government who would be the intermediary. **The main recommendation for the consultation process was that it be meaningful – in other words, listened to and acted upon. If recommendations are not acted upon, the reasons for this need to be communicated.** Timeliness is also a key issue – stakeholders need to be given adequate time to formulate a response. Web-based consultations were generally recognised to be the preferred way of conducting these exercises for reasons of cost-efficiency and speed.

1.3 The Single Market Act

The interviews reported a mixed level of awareness of the Single Market Act amongst respondents, with some who were not really aware of the Act at all. Respondents were sent a list of the actions which comprise the Single Market Act prior to the interview and were asked which they felt were most or least important

Strong, sustainable and equitable growth for business

The table below summarises the most and least important actions identified by respondents in this section of the Act.

Strong, sustainable and equitable growth for business
Most important
1. Public procurement (no. 17)
2. Energy efficiency (no. 11)
3. SME access to finance (no.12)
Least important
1. EU project bonds (no.15)
2. Common consolidated corporate tax base (CCTB) (no.19)
3. EU patent (no. 1)

The most important aspects were public procurement (no.17), energy efficiency (no.11), and SME access to finance (no 12). The least important aspects were EU project bonds (no.15), Common consolidated tax base (no. 19) and EU patent (no. 1)

Public procurement was ranked as most important in around half of the Member States – **it was part of respondents' everyday responsibility at local level, was seen to encourage competition and transparency and respondents were positive about the principle of standardisation on policy.** However it was something many respondents tended to find particularly complex and difficult to implement. They also tended to find it time and resource intensive and would like to see it simplified.

"All our services and equipment contracts are made according to the code of public procurement, which is the application of an EU directive. Thus this simplification and greater flexibility would make our life much easier" (PT - elected representative)

Energy efficiency was seen as important in around a third of MS – climate change is an increasing priority at local level. It is often part of the procurement process and therefore impacts on many local development projects. The issue of increasing costs for the consumer also is an issue. The global nature of the issue means that many saw energy efficiency policy as ideally suited to a standardised EU-wide approach.

"We are currently having many projects concerning energy efficiency, we have for example a whole part of a town in Vantaa which is planned energy efficiently." (FI – civil servant)

Finally, the issue of **SME support** was also viewed as important. SMEs are seen to play a central role in the local economy and difficulties with access to funding (from banks) and to the market (being disadvantaged compared to bigger businesses during the procurement process) means that many respondents felt support was vital.

"In Greece, we have a lot of small-medium businesses...I think that the backbone of the Greek state is not its heavy industry, it is the SME sector. So, everything that supports the small and medium-sized business is important." (EL - elected representative)

Respondents did not really see the relevance of EU project bonds for local authorities. Similarly the issue of **EU patents** was seen as more appropriate to businesses and central government. A **common consolidated tax base** was not perceived to be relevant and also some did not see the benefits of such a system.

Respondents mentioned a range of **different issues** that they thought were **missing** from this section of the Act, including:

- Environment – more concrete objectives, improved pollution/ waste management, resource conservation
- Support for science, research and development
- Agriculture – improving trade, promoting organic food
- Innovation – broader encouragement
- E-government / a European public service – seen as important step to integration
- Currency control – maintaining stability of the Euro

Restoring confidence by putting Europeans at the heart of the single market:

The table below summarises the most and least important actions identified by respondents in this section of the Act.

Restoring confidence by putting Europeans at the heart of the single market
Most important
1. Recognition of professional qualifications (no. 33)
2. Transport infrastructures (no. 26) and energy infrastructures (no.27)
Least important
1. European radiospectrum (no.28)
2. Pensions (no. 31), corporate governance (no. 38), access to basic banking services (no. 40)

The most important aspects were the recognition of professional qualifications (no. 33), transport infrastructures (no. 26) and energy infrastructures (no. 27). The least important aspects were the European radiospectrum (no. 28), pensions (no. 31), corporate governance (no. 38) and access to basic banking services (no. 40)

The recognition of qualifications was seen as important by respondents in around two thirds of MS. **Respondents regarded the recognition of professional qualifications as crucial if the true mobility of workers in the EU is to be realised**, in other words, the harmonisation of the European professional space. **Respondents working at local authority level also often encounter people whose professional qualifications are not recognised**. This issue was seen as a key role for the EU as it needs a “European solution”.

“In order to increase mobility one’s professional qualifications have to be recognized in the European market. This is becoming more and more important. It would facilitate the Single Market.” (PT - civil servant)

Transport and energy infrastructure were mentioned in about a quarter of Member States each and were often seen as intrinsically linked.

Transport was seen as important in terms of its role in local economic development and was generally a key responsibility within the local authority remit. Energy was important for the same reasons as energy efficiency in that it is becoming an increasing priority at local level. Both issues were seen as needing a multilateral approach and therefore constitute a suitable focus for the EU.

Respondents did not really see the relevance of the European radiospectrum for local authorities. Similarly pensions, corporate governance and banking services were seen to be the responsibility of central government.

Respondents mentioned a range of **different issues** that they thought were **missing** from this section of the Act, with the main ones relating to employment and financial issues. In terms of employment, respondents

mentioned **support for women, equal pay and a minimum wage**. For finance, it was suggested that **lending and borrowing transactions should be allowed across borders**, credit should be extended to local governments, and **state subsidies should be more flexible**.

Dialogue, partnership, evaluation: the keys to good governance of the single market

The table below summarises the most and least important actions identified by respondents in this section of the Act.

Dialogue, partnership, evaluation: the keys to good governance of the single market
Most important
1. National transposition of EU rules (no. 47)
2. Information exchange between public authorities (no.45)
3. Consultation and dialogue with civil society (no. 48)
Least important
1. Evaluating implementation of rules with Member States (no.44)
2. Alternative dispute resolution and collective redress (no. 46) and informal problem-solving tools (no. 50)

The most important aspects were the national transposition of EU rules (no. 47), information exchange between public authorities (no. 45) and consultation and dialogue with civil society (no. 48). The least important aspects were evaluating implementation of rules with Member States (no. 44), alternative dispute resolution and collective redress (no. 46), and informal problem-solving tools (no. 50)

Respondents regarded the correct transposition of EU law as fundamental to the functioning of the single market. It is also important that countries do not transpose rules in different ways. It was regarded as important by respondents in over two-thirds of Member States. Although not a part of the local authority role, **it is essential to improve implementation to ensure the credibility of EU policy.** The priority was seen to be more local engagement, speeding up the entire process and closer monitoring of transposition as it was felt that there were significant differences between how and when Member States transpose directives.

“If the State does not want to apply a certain EU rule, there are hundreds of mechanisms to postpone it forever or to change it drastically. The Commission should control this closely.” (BG – civil servant)

Information exchange between Member States was regarded as important by respondents in two-thirds of Member States. It was seen as a **potentially useful source of insight, especially in terms of best practice sharing and identifying improvements which could save time and resources.** Linking knowledge and databases has clear advantages – for example in relation to driving licences or medical history. It also **would facilitate a uniform implementation of EU policy across different countries.** The main reservations related to issues around data security and increased bureaucracy.

"This is important for development and sometimes one needs the experience on how one or another problem was solved in other countries." (LT – civil servant)

Finally, **consultation with citizens was seen as important** by respondents in around half of Member States. **It allows access to relevant expertise and is also a useful exercise in closing the perceived gap between EU institutions and the citizen.** It was seen as part of a broader emphasis on a wider consultation.

"It is always important to remain in contact with all parties who have to go with the implementation and use of legislation." (NL – civil servant)

Respondents regarded the **evaluating of the implementation of rules** with Member States as the least important aspect as **it was not seen as a priority**, it was not seen as practical, and it might in fact result in more work and bureaucracy. Reasons for regarding **alternative dispute resolution and collective redress as unimportant** were that they are also not seen as a priority and some felt it reminiscent of the American legal system with negative connotations of a "compensation culture". Problem solving tools were not seen as a priority as people had little experience of them and were not convinced of their usefulness.

Respondents mentioned a range of **different issues** that they thought were **missing** from this section of the Act including:

- Improving the quality of legislation – clearer legislation and communications, improved translations, more flexibility
- Devolution of powers to local government
- EU administration – needs to be simplified/ rationalized, more in-house feasibility studies on directives before transposition stage

1.4 Implementation of EU proposals at a local level

Virtually no respondents at local level had any direct involvement in the transposing of EU laws. Most received guidelines and regulations for implementation directly from national government. Most respondents believed that it was the sole responsibility of national government to transpose EU law although a minority had limited involvement in commenting on proposed legislation.

"[The local authority has] no role in transposing law. Local authorities have so little input into policy making. This is all done by central government. Our role is to lobby and if you are in the party structure, you can also lobby within this structure." (IE - elected official)

Where respondents had some involvement, the main support requirement identified from the EU was advice and guidance.

Although many were not spontaneously aware of it, almost all respondents from local authorities ultimately acknowledged their

role in the implementation of EU law. Most often this was associated with public procurement, participation in EU funding programmes and environmental regulations.

Interestingly, **respondents** from some local authorities **found it difficult to distinguish whether the legislation that they implement had its origin in national legislation or in transposed EU directives** and therefore supposed that they were involved in implementing EU law, although they were not always aware of it.

Some respondents were insistent that implementation was not part of their role and that EU directives and policy making had nothing to do with their responsibilities as a local authority.

The **challenges that local authorities face implementing EU legislation** were similar to those expressed by respondents in the transposing of EU law, and included a **lack of understanding of the content and aim of the directives**. Respondents feel that the guidelines they have to implement are not always adequate or do not take into account local circumstances, or that there are discrepancies or contradictions between the national and EU legislation. Respondents reported **regular resistance from citizens or other stakeholders to policy which was not always seen as in local or national interest**.

“There is always this problem with laws: those who write or transpose them are often not aware of the way they are applied in practice. Writing is very different from applying, they lack the contact with the reality.” (PT - civil servant)

Communication with national government was also criticised by some with more guidance sought on how to implement laws effectively. The other main issue for local authorities in implementation is that many felt they did not have sufficient financial or human resources to implement these laws effectively

There were mixed views on whether **national support** was required but certain themes emerged with **guidance and resources being** the two main requirements

- Training – in particular help with the interpretation and application of legislation
- Communication – for communication from national governments to be timely, clear, relevant and targeted
- Resources – more staff and funding to implement policy directives
- Stability – in terms of a stable political framework and also controlling the frequency of directives

Similar requirements were expressed for **support at the EU level** with a continued emphasis on **training and information and more EU funding**.

“Greater support from the Commission to the Member States would be important in the sense of conducting training initiatives regarding the

directives and laws they produce, because they end up being in the hands of half a dozen firms of lawyers and experts in European law. This should not be solved this way. This should flow easily within the public administration itself.” (PT - elected representative)

Although **cooperation with other Member States when applying EU law was not widespread**, respondents from just over a third of Member States had had some experience with this. The **main barriers to co-operation were the lack of resources to facilitate it, a lack of any perceived need to co-operate, and the language barrier.**

Respondents were generally not aware of any tools that could facilitate co-operation with other Member States. There was therefore **poor awareness of the IMI system amongst respondents although where people had used it, they were mostly positive about its usefulness.**

Hardly any of the respondents had participated in any EU network(s) concerning administrative cooperation dealing with the implementation of EU law although some could see the benefits in terms of information-sharing.

“The more self-contained we are, the more provincial we shall be. And such networks would be good for sharing best practices. We would thus share info in order not to reinvent the bicycle anew.” (LT - elected representative)

Generally, awareness of EU problem-solving mechanisms was quite low amongst respondents. Most mechanisms mentioned tended to be predominantly of a judicial nature, for example the European Court of Human Rights and the European Court of Justice. **A minority of respondents in different countries had heard of SOLVIT but few were able to explain what it is.**

Amongst the respondents who had not heard of SOLVIT, there were mixed views about the potential practicality and benefits of such a system.

However of those who had used SOLVIT almost all gave positive feedback.

“It is very good idea and it really works, because there you can find very useful information, explained in very simple and understandable language.” (BG - civil servant)

Some respondents were concerned that they had not heard about SOLVIT before and there was a widespread feeling that more effort should be put into promoting SOLVIT.

2 OBJECTIVES AND METHODOLOGY

This chapter sets out the rationale for the study and the background that informed its design. It explains who the respondents were, why they were selected for inclusion, and what topics were covered in the interviews.

2.1 Background and objectives

Much of the European legislation takes the form of **directives**. Directives set out a result to be achieved but leave national authorities the choice of methods. EU directives have to be written (in legal terms 'transposed') into every Member State's national law within the deadline agreed in order to produce the desired effects. Only a timely and correct transposition into national law by Member States ensures that the objectives sought by the EU directives are reached.

The **timely and correct transposition of EU directives into national law** is a legal obligation for all Member States under the Treaty of the Functioning of the European Union. Late or incorrect transposition by Member States is a serious violation as it deprives businesses and citizens from exercising their rights that they are entitled to under EU law. Complaints remain an important means of detecting infringements of EU law. Businesses and citizens have the possibility to alert the Commission on measures or practices in the Member States which they consider incompatible with the EU rules.

Responsibility for timely and correct transposing of directives mainly lies with the national authorities in the Member States, with the exception of federal States where the task may be divided between the regions.

The European Parliament and the Council may also pass legislation through regulations which are directly applicable in all Member States and therefore do not require transposition.

Once a directive is correctly transposed into national law, it has to be **applied on the ground by the national and local authorities**. The Commission monitors the transposition and application of directives as well as the compliance with EU law in a broader sense (such as: regulations, decisions and EC Treaty rules).

The **problems or challenges that local authorities might face** when applying EU law might include that such responsibility adds to their workload, or that they require additional knowledge or skills. Given the **importance of local authorities** in the overall governance of the Single Market and in view of their proximity to the EU citizens, the Directorate-General for Internal Market and Services (DG MARKT) wanted to engage them in discussion with the following **objectives** in mind:

- To identify potential areas of improvement of the EU policy making process.
- To let local authorities suggest ideas for strengthening the Single Market.

The method used for this survey was **in-depth interviews** with two target groups:

- 5 interviews in each Member State with elected representatives from a range of local and government authorities.
- 9 interviews in each Member State with senior employees (chief executives or similar high level executive staff) from a range of local government authorities.

2.2 Methodology and sampling

2.2.1 Design

The method used for this survey was **in-depth interviews**. The interview length varied between 45 and 60 minutes, depending on the respondents' profession.

There were **two target groups** for the in-depth interviews:

- 5 interviews in each Member State with elected representatives from a range of local government authorities.
- 9 interviews in each Member State with senior employees (chief executives or similar high level executive staff) from a range of local government authorities.

The **screening criteria** were that the respondent had to be responsible at a local level for implementing EU policy or regulating economic activities in the town/city. By regulating economic activities we meant granting permits, licensing recognition of qualifications, purchase of premises and/or to carry out economic activities, support for business in terms of information and training, etc.

The report is based on the combined responses from both groups (elected representatives and senior employees/civil servants) and provides an overview of the key issues identified in the study. The breakdown of the number of in-depth interviews per country is provided below.

COUNTRY	TOTAL	RESPONDENT TYPE	
		Elected	Civil servant
Austria	14	5	9
Belgium	13	5	8
Bulgaria	14	5	9
Cyprus	14	5	9
Czech Republic	14	5	9
Denmark	14	5	9
Estonia	14	5	9
Finland	14	5	9
France	14	5	9
Germany	14	5	9
Greece	14	7	7
Hungary	14	5	9
Ireland	14	5	9

Italy	13	4	9
Latvia	14	5	9
Lithuania	14	5	9
Luxembourg	12	4	8
Malta	14	2	12
The Netherlands	16	4	12
Poland	14	5	7
Portugal	14	5	9
Romania	14	5	9
Slovakia	14	5	9
Slovenia	14	5	9
Spain	14	5	9
Sweden	14	5	9
UK	13	4	9

The heterogeneity in government structures had some influence on who was recruited to participate in the study, for example in smaller countries respondents were sometimes chosen from national government structures as there was not a clear distinction between national and local government levels, while in larger countries it was possible to identify respondents at local government level. A small proportion of interviews were conducted based on referrals from transposition co-ordinators and this also included some national level respondents. National level respondents have been analysed separately during the course of this report.

Belgium – 4 interviews conducted at national level

Finland – 1 interview conducted at national level

Italy – 3 interviews conducted at national level

Luxembourg – 3 interviews conducted at national level

Malta – all interviews conducted at national level

Slovenia – 1 interview conducted at national level

More details of the type of respondents interviewed are available in the technical report for this study.

2.2.2 Discussion content

The interviews covered the following areas:

- Understanding the level of awareness, perception, and participation in EU policy making.
- Exploring respondents' interest and enthusiasm to know more, and to make a greater contribution in this area.
- Understanding the relevance of the Single Market Act (and the proposed actions) to the local authorities.
- Understanding respondents' involvement in both transposing and applying EU law.
- Understanding the support respondents currently have to work on the implementation of EU laws alongside their National government, and to determine what additional support they would like from the EU.

The discussion guide used in the study is included in the appendix of this report.

2.2.3 Timings

The overall start and end dates of the study in the respective countries ranged from the start of recruitment on the 7th of February to the submission of national reports on the 1st of April 2011.

2.3 Contextual considerations

There is a wide range of factors which might provide context to the extent to which potential respondents were willing to participate in the research, and recruited respondents were involved in the transposition and implementation of EU legislation. The local research team in each Member State provided input to the following section and the factors identified below are based on this input.

Government structures

What seems evident from the country reports is the **heterogeneity of government structures** and the way in which the state is conceptualised in the different EU Member States. This includes Federal Republics, Constitutional Monarchies, Republics, and so forth. The size of the Member States also influences the internal structure of government, for example smaller States might not have as clear a delineation between the supra (national and regional) and local levels of government (MT) than larger states, where it was possible to distinguish different levels of government such as national, regional, district, counties, local, etc. depending on the government structure adopted by each Member State (AT, CZ, DK, EE, DE, IT, LV, LT, NL, PT, UK, ES, SI, SK).

However, a trend that does appear to be fairly consistent across country reports, and that will be explored further in the different sections of this aggregate report, is that the **transposition of EU law** into national legislation is generally **regarded as the responsibility of national or central government**, or parliament; while **local and regional governments are predominantly seen as being involved in its implementation** (AT, BG, CY, CZ, DK, EE, FI, FR, DE, HU, IT, LV, LT, NL, PL, PT, RO, UK, ES, SI, SK, LU, BE). However, in select cases local authorities are involved in consultation with central government on the issue of EU legislation – this will be explored elsewhere in this report.

Fieldwork concerns

The heterogeneity in government structures inevitably had some influence on who was recruited to participate in the study, for example in smaller countries such as Malta and Luxembourg, respondents were often chosen from national government structures as there was not a clear distinction between national and local government levels, while in larger countries it was easier to identify respondents at local government level.

Fieldwork concerns generally related to **recruitment challenges**:

- Respondents' time constraints and therefore their availability to be interviewed which resulted in non-response and postponement. (BG, LT, MT, NL, PT, UK)
- Identifying appropriate people to interview because respondents did not see the interview topics are relevant to their work or because gatekeepers, such as secretaries and switchboard operators made access difficult. (UK, IT, LT, SI)
- Scepticisms about the benefits of participation. (UK)
- As scandals involving politicians dominate the headlines, it was difficult to find respondents who were willing to be interviewed as politicians are reluctant to be in the spotlight. (IT)

Other influences on fieldwork

Two other influences on fieldwork that were often cited include elections and the restructuring of government.

In seven countries, the influence of recent or forthcoming local or national **elections** was mentioned (BG, LT, EL, PL, IE, SK, FI). Recent elections had meant that some of the respondents were newly elected and perhaps not as knowledgeable as those who would have been in their positions for a longer period of time (EL, PL). The elections had made access to respondents difficult as some of them were running for office or involved in campaigning (IE, FI). In one country potential respondents had declined to be interviewed because they were new to their positions and therefore did not regard themselves as knowledgeable enough (SK).

A second influence on fieldwork mentioned in four countries is recent **government restructuring** (DK, EL, HU, BE). This took the form of a reduction in the number of municipalities and the establishment of larger municipalities, the replacement of government personnel because of a change in national political leadership, or the need to form a new government. This posed challenges in finding the right people to interview.

Four other influences were mentioned in individual Member States:

- The majority of locally elected representatives represent the opposition, who are general very critical of national government's support to local authorities as funding bases have been cut, while the authorities have been given greater areas of responsibility. This might have led these officials to be extra critical of government's engagement with local authorities. (FR)

- The national economic crisis – in the context of the global economic downturn – which is affecting government policies and confidence in governance systems. (EL)
- Some respondents' answers and opinions about the EU and national government might have been coloured by a negative view of the EU loan or aid package to the Irish government, the terms of which some find to be harsh. (IE)
- Forthcoming changes in the labour market and greater participation in the free movement of people and services as citizens from some of the newer Member States will be allowed to take up employment without the need for an official work permit. (AT)

3 EU POLICY MAKING

Before exploring their role in the transposition or implementation of EU laws, the interview concentrated on knowledge of EU policy making at local authority level.

3.1 Key findings

In around a third of the Member States, respondents did not recognise that their role involved policy making or the implementation of legislation. Although the research was conducted primarily with local government level respondents, some interviews were conducted at national level (e.g. Luxembourg, Malta). In terms of **respondents' involvement in policy making at EU level**, the interviews suggested a **clear differentiation between** the roles of respondents at **national level** on the one hand, and those at **local level** on the other. It was respondents at national level who were more likely to regard themselves as interacting with the EU on policy making, while respondents at local level and often did not perceive this to be part of the remit of local government.

Many were often only spontaneously aware of EU funds and awareness was limited to their role as a participant in EU funding programmes. However, during the interview almost all respondents at local level could see their role in relation to the EU but it was almost exclusively as implementers of EU law. Only a handful said they were involved in the transposition process and this tended to consist of limited consultation by national governments on draft policy.

"We don't have much to do with the European Union or with European law." (FR – civil servant)

In terms of which information channels are used, respondents tend to hear about EU policy and policy making through **formal structures and personal contacts**. Examples of more formalised communications include information on draft policies being received from the relevant central government department, internal information management structures (e.g. in-house research departments, information managers) and participation in expert groups including policy workgroups and industry bodies.

When respondents look for information themselves, the **internet and mass media** were the most commonly mentioned sources. Respondents from more than half of the Member States cited the internet as the main source of information. The EU website was the most commonly mentioned but the Commission and EUR-Lex were also used. Those who had used EUR-Lex were particularly positive about the usefulness of the information contained. While respondents were happy with the content of EU websites, the structure of the websites was sometimes criticised. Information is known to be there, but it is not necessarily easy to access.

"It would be very good to have some kind of start kit to be able to navigate on EU websites. The few times I've visited one, cannot

remember which, but I found it extremely confusing so it was difficult to find my way around.” (DK – elected representative)

Some suggested a clearer, centralised, thematically organised way of providing information. Mass media was also popular – with TV and print media mentioned by around a third of Member States. However Internet and direct contact were the preferred sources of information.

Respondents were asked whether they have access to all the information they require and whether there are areas where they find it difficult to obtain information on EU policy making. Most were satisfied with the level of information they receive – mostly due to the fact that there was little perceived need for such information in their role. Indeed, some expressed the feeling that there was in fact too much information.

Despite this, a range of **information gaps** were still identified. The most prominent of these related to information on the interpretation of legislation, information on the different steps in the law making process and specialist policy information. Some expressed a wish for more guidance and less prescription – guidelines to help authorities understand how to interpret legislation, backed up with examples and case studies.

“I feel that information on how to interpret the given EU rule is missing, which is often more important than the [rule] itself...” (CZ – civil servant)

The content was not the only information issue which respondents mentioned. As with the EU websites, the way in which policy-related information is delivered was just as important for many. Respondents identified a number of aspects of the process of looking for information and the **format** in which it was presented that concerned them, the most prominent of which was a need for the **clearer organisation** of information as information searches are time consuming and respondents are not always able to find the information they want amongst all the information available. Language needs to be accessible and relevant documentation needs to be available on a regular basis, with adequate time to respond.

“I would really need such short analytical reports let us say once a week about the legislation passed in Europe...a summary. Because if you subscribe to those news, you get hundreds of them a day and it is natural that you do not read anything...” (LT – elected representative)

There was also a feeling that information is stored in too many disparate places and that a centralised database would be useful.

“From the user[s] perspective, looking for information is complicated. Information should be organised by themes and within them by years, for instance.” (PT - civil servant)

In general, attitudes to EU policy-making is that it is far removed from the respondent’s day to day role – there is little awareness of personal involvement and it is seen as largely relevant to their work.

"People start mocking...some decisions made in Brussels, because they are totally irrelevant to their everyday reality. These decisions bring artificial solutions and discussions, wrong policies. And people expect completely different topics to be discussed." (BG – civil servant)

Many respondents did not feel they know enough to give an opinion. Where respondents felt qualified to comment, the most positive aspect of the EU policy-making process was the idea of a unified approach to policy, in other words, the harmonisation of policies across all Member States and closer co-operation between countries. The **most negatively regarded aspect** tended to relate to **the consultation process** itself – this was felt to be not extensive enough and not applied locally. It was also felt that stakeholders were not given enough time to respond. Conversely, the transparency of the consultation process was felt to be positive. Other negative aspects of policy-making included more general criticisms of an inflexible, "one size fits all" approach to policy which does not take into account local considerations, the fact that directives are often too detailed, and as a result the whole policy making process takes too long and is unable to respond quickly enough to local need.

"It's very laboured [because there are 27 Member States represented] and slow. Sometimes it's so slow that it lags behind what is actually happening on the ground." (BE – civil servant)

Finally there was a feeling amongst some that not all Member States have an equal voice in driving policy decisions.

Respondents had mixed views about whether they felt ownership of EU policies, or not and this often related to respondents' level of involvement in the policy-making process and to what extent people see their activities are related to the EU.

The majority of respondents were keen in **principle** to be more involved in EU policy-making but many were concerned about the resource constraints and the lack of time available to do this. The majority of respondents who expressed a view on this topic were in favour of web-based consultation.

"...of course I would be interested in becoming more involved in EU policy making..." (CY – civil servant)

Improving the consultation process will help to increase engagement. Increasing the consultation at local level (including more consultation with citizens) was also seen as important.

"Absolutely, always the best approach is to create the laws and the regulations from the bottom upwards. It is impossible to evaluate the needs, no matter if this concerns the business or the civil society, if they do not know what is going at the lowest level..." (BG – elected representative)

There were mixed opinions on the nature of this consultation, with respondents divided between the idea of direct communication with the EU or for recommendations to be collected at local level by national government

who would be the intermediary. The main recommendation for the consultation process was that it be meaningful – in other words, listened to and acted upon. If recommendations are not acted upon, the reasons for this need to be communicated. Timeliness is also a key issue – stakeholders need to be given adequate time to formulate a response. Web-based consultations were generally recognised to be the preferred way of conducting these exercises for reasons of cost-efficiency and speed.

3.2 Role and responsibilities in policy making

Respondents were eligible for the research if they were responsible for implementing EU policy at a local level or if they were responsible for regulating economic activities in their town or city. This section describes their role and how much respondents understood about the connection between their regulatory role and EU policy making.

3.2.1 Roles in relation to the EU

As an introduction to exploring the role of local authorities in policy making, the interviews set out to establish the **relationship between local authorities and the EU more generally**. In around a third of the Member States, respondents did not recognise that their role involved policy making or the implementation of legislation. In these instances the only role in relation to the EU they were aware of was as a recipient of EU funds and participant in EU funding programmes (CY civil servants, EE, FR, LV, PL, ES, UK, CZ elected representatives, FR). Other roles included receiving general information from the EU (CY, elected representatives), attending seminars related to EU matters (CY civil servants), and relations with local authorities in other EU countries (CY elected representatives).

“We don’t have much to do with the European Union or with European law. Apart from one instance of an exchange for young people. We got a subsidy for that.” (FR – civil servant)

3.2.2 Involvement in EU policy making

In terms of **respondents’ involvement in policy making at EU level**, respondents at local level saw their role in relation to the EU as primarily that of implementers of EU law..

They generally did not regard themselves as having much if any involvement in EU policy making and saw themselves rather as **implementing or applying EU law**. (CZ, AT, HU, LU, PT, RO civil servants, LT civil servants, IE, BG, DK, EE, FI, FR, DE, EL, IT, LV, NL, PL, SK, SI, ES, BE)

“No, there is no such feeling that local government is involved [in policy making].” (EE civil servant)

It was only in **individual cases** where respondents at local level recalled being indirectly or directly **involved in policy making**. These instances include:

- Generally commenting, or being invited to comment, on draft legislation. (BG, IE, CY, DK, LV, PL, SI, IE, RO, LT)

"When a draft law or amendments are submitted to the Cabinet...or Parliament...we [local authorities], of course, are asked for our opinion." (LV - civil servant)

"Most often the proposals of the commission are sent to us finalized and we can only send our remarks and proposals to specify some details in the text. So I would not say that we have the authority to initiate a new policy." (BG elected representative)

- Direct or indirect involvement through representatives on the Committee of Regions with whom the EU consults. (EE, ES)
- Directly contributing to the making of a particular EU policy on copyright. (PT)

"I was the Portuguese representative to the discussion and implementation of the directives concerning copyrights." (PT - civil servant)

- One respondent was a jurist specialising in European law in the Administrative Supreme Court that dealt with the verification of the correct transposition of the directives into decree-laws. (PT)

"The question is: [are] the contents of the directive correctly transposed into a decree-law? My involvement with EU policy is in this area." (PT - civil servant)

- Indirect involvement in relation to EU laws through regional civil servants who work in the legal and legislative departments who are able to submit official comments on new laws that are being prepared. (CZ)
- Involvement through consultation by local government associations or interest groups (such as Local Government Denmark) who are in turn consulted when EU laws are being made. (DK)

Of the minority of respondents at local level who had participated in EU policy making, not all had experienced this process positively and some questioned the benefits of the process as their recommendations had not been taken up in the final legislation. (RO - civil servant)

"We go through some documents, we express opinions on them, we make proposals, changes, but they never end in the final documents, even if we consider them to be very pertinent. Not even recommendations made by the national authorities...They are not taken into account." (RO - civil servant)

Some respondents at local level did not think that it would be possible for them to participate in EU policy making and others were not aware of this possibility or how it could be done in practice (HU, RO). Challenges to participation that they imagined included the long time it would take to

communicate their recommendations through official government channels (HU), being already overburdened with administrative tasks (HU), being unable to see the link between what they perceive as their issues on the micro level and the topics that the EU deals with at a macro level (HU).

"In my opinion, municipalities are unable to meet all their own strategic goals and also influence policy making on a national level. The operative tasks take up so much of our resources that I think it is unrealistic to expect us to become involved in higher level strategic decisions and policy making." (HU – civil servant)

Apart from the instances of local involvement in EU policy making listed above, it appeared from the interviews that respondents had mixed views about whether they considered themselves as being **consulted by their central governments**. There was some mention of consultation by central government (RO elected representatives, CY, LV, NL).

"Yes, of course, before a decision is taken by the resort ministries, they consult us, so my personal involvement is realised through direct consultation of local authorities every time. We also talk to our subordinated institutions; we collect their points of view before making a decision. Different ministries ask for our opinions and we communicate our point of view." (RO - elected representative)

In other cases consultation was regarded as *ad hoc* and sporadic (IE, FI, ES) or apparently non-existent (RO, FR, EL, SK, UK). Some respondents held that this lack of consultation might even be deliberate as the laws introduced by the EU might not be popular with people in the country (FR).

"I will be very straight-forward with you. My answer is no. At my level [County Council Vice-President] I am not consulted by the national government on this matter, not at all." (RO - elected representative)

Some respondents did not expect their central government to consult with every local municipality, but to do so with municipal unions or other representative bodies of municipalities (e.g. Local Government Associations), which government does in some instances. (EE, EL, LV, SI, UK)

"There is no point in consulting each local government one by one. This is not done elsewhere either. But the issue is that local government unions should be involved as representatives of all local governments and then these unions inform and include when the need arises." (EE – civil servant)

Instead, some respondents claimed that they are only informed by central government when directives are in place. (EE, UK)

Respondents from Romania held that they were being consulted more often by international organisations that they are a part of than by their national authorities (RO - elected representatives).

"The extent to which I am personally involved in elaborating EU policies is very reduced. I say this because the only way through

which I am eventually consulted on this matter is, evidently, Team Europe. I am a representative of this team of independent consultants." (RO - elected representative)

It was only in one instance where **direct consultation on an EU level** was mentioned by local authorities and the example given was of an EU survey conducted ten years ago among town halls on funds allocated to environment projects (ES). For respondents from four Member States the idea of direct consultation on an EU level was almost unimaginable for the following reasons: there are too many municipalities to make consultation with each one practical (HU); considering that each of these municipalities might have different needs and priorities, reconciling these different interests would be too challenging (HU); the EU is perceived as distant from the local level (FR); consultations with the EU is regarded as the responsibility of national authorities (EL); direct consultation with the EU would not be relevant considering their area of responsibilities, e.g. being in charge of economic activities in the city (LV).

There were respondents at local level who expressed the need to be consulted more as they feel distanced from the EU without any channels through which to make their voices heard. (FR, UK)

3.2.3 Role in regulating economic activity

In terms of the participants' relation to **regulating economic activity at local level**, their areas of responsibility are quite broad and include the following:

- Granting of permits or licenses: (CZ)
 - Issuing Guardianship and Child Protection permits (HU civil servants)
 - To businesses (FI, EL, CZ)
 - Alcohol licensing (UK, PL)
 - Taxi licensing (UK)
 - Permits for real estate development for investment purposes (PL)
- Conducting public procurement. (FI, IT, LV, HU civil servants, UK)
- Businesses
 - Supporting business in terms of information and consulting (FI, CZ, SK)
 - Competition law, consumer affairs, pricing, industrial relations (MT)
 - Economic affairs (NL)
 - Stimulating local entrepreneurship (PL)
- Investment projects concerning transportation infrastructure (CZ, DE)
- Enforcing local laws (FI, MT, CZ, HU civil servants)
- Waste management (DK, EE)
- Environment control (DK, DE)
- Budgeting (DK, SK)
- Recognising qualifications (FI)
- Public policies (EL)
- Sports (EL)
- Culture (EL)
- Maintenance and management of public utilities (LV)
- Water management (EE)
- Administration of assets (SK)
- Town planning and town development (SK)
- Taxes and fees (SK)

3.3 Information on EU policy making

This section explores how informed local authorities are about EU policy making and which sources of information they use. It also sought to identify any information gaps.

3.3.1 How are people informed about EU policy making?

Respondents hear about EU policy and policy making through a variety of sources that can be roughly grouped together as **formal structures and personal contacts** (formal and informal).

Respondents were informed of EU policy making through more **formal structures**:

- Information provided through formal government channels (LU, IE, CZ, HU, LT, RO, CY, DK, SE, EL, MT, NL, SK, SI, ES, BE, UK elected representatives):
 - Information on draft policies or directives is mainly provided by the relevant central government department / national departmental communication / national representatives in Brussels. (LU, IE, FR, CZ, HU, LT civil servants, RO)
 - Some respondents regarded information from central government as a satisfactory way of receiving communication (IE), but were not convinced that all the relevant laws were being communicated successfully to the local authorities; while others considered such information pathways as very slow (HU).
 - Training provided by government (PL)
- Internal information management systems (LT, PT, CY, EE, PL, DE, LU)
 - Through the 'information research teams', 'information managers' or the 'legal departments' of the town councils, whose function it is to research, collect and disseminate information. (PT, DE, LU)

"There is a technical team here that collects everything that is published in terms of legislation not only in Europe but also here..." (PT - elected representative)

- Examples such as Linessis, and Agrofaktai (LT - civil servants)

"Drafts of legal acts are sent every day, everyone has his own number and this way everything is disseminated. Thus we are

integrated into the EU policy making process from the very initial level." (LT, civil servant)

- Information reviews on European Affairs (LT – elected representatives, DE, LV)

"According to an old tradition I receive weekly European reviews. They are prepared by our office, very convenient." (LT – elected representative)

"The Euro Team informs the members regularly. There is an e-mail newsletter which provides a good overview of the issues that are currently receiving attention at European Commission level." (DE – civil servant)

- Legal documents by e-mail. (LT - civil servants)

"We receive different legal publications, for example, related to newly passed legislation." (LT – civil servant).

- An e-law internet portal where people can keep an eye on draft Acts. (DK)

- Participation in expert groups (SE, BG, LT, DE, MT):

- Participation in different expert commissions such as the commission for economical issues, the commission for constitutional issues, the commission for legislation, the commission for foreign affairs. (BG, LT - elected representatives, DE)

- Working groups and workshops in the ministries (BG national)

"Participation in the activity of the Commission committees, here we get the very primary information prior to anything official [being] announced." (LT – elected representative)

- Members of Industry groups (IE, CY, EE, PL):

- Some respondents were members of national and international collective bodies in their respective areas through which they become aware of information on EU policy making. Examples of such groups include the Procurement Lawyers Association, EUREAU and European Network for Implementation of Environmental Legislation (IE) the Estonian Chamber of Commerce and Industry (EE).

"Information is sent from a European network that we are members of (European Network for Implementation of Environmental Legislation) and the Dept of Environment also works very closely with us. They attend the meetings and feed the information back to us..." (IE – civil servant)

- o Attendance of seminars sponsored by the EU (CY)
- o Local government associations. (DK, EE, FI, LV, SK, SI)

Respondents were informed of EU policy making through both formal and informal **personal contacts**:

- Direct contact persons in the European Institutions (AT, IE, BG civil servants, CZ elected representatives, CY, IT, BE)

"We know our European elected representatives and use our contacts with them, as well as our deputy in Brussels. The people in Brussels know who to contact and how to proceed when we need something. I am a politician, so I do not use the online sources of information: these are for civil servants." (CZ – elected representative)

- Personal contact in the national government. (CZ, IE, IT, PL)
- Colleagues (CY elected representatives)

In one instance respondents were also informed of EU policies through **court cases** (IE). This is considered to be the least welcome method of communication and can either be at local, national or EU level. This is generally driven by consumers or businesses pursuing a case against the council (IE). Two other sources of information mentioned by individual respondents were NGO's involved in EU funded projects or programs and national and international associations/organizations (RO elected representatives).

3.3.2 Information searches

Respondents were asked what sources they would use if they had to search for information themselves. The predominant sources were the internet and mass-media.

Respondents from more than half of the Member States cited **internet sources** as an important point of call when they look for information themselves (RO, IE, AT, BG, PT, CY, LU, BE, EE, FI, DE, EL, IT, LV, MT, NT, PL, SK, ES).

"Via the Internet – it is the best way, the most comprehensive way." (PT - civil servant)

"Usually it is the internet, where I search [for] additional information. This is the quickest way and all new viewpoints and opinions reach you the quickest." (EE - civil servant)

The following table lists individual websites or groups of websites mentioned most frequently by respondents.

Website / web source	Comments	Mentioned by respondents from:
<p>European Union website</p> <p>http://europa.eu</p>	<p>The general sense was the website contains all necessary information, but navigation can be cumbersome and difficult, even for regular users. (IE, DK)</p> <p><i>"It would be very good to have some kind of start kit to be able to navigate on EU websites. The few times I've visited one, cannot remember which, but I found it extremely confusing so it was difficult to find my way around."</i> (DK – elected representative)</p> <p>Typically, the website was used to further investigate topics which the respondents had become aware of through other avenues, rather than to seek out completely new information. (IE)</p> <p><i>"You open the website europa.eu and from there you can get to any directorate that interests you, any EU institution."</i> (LT – civil servant)</p>	<p>IE, RO, HU civil servants, SE, LT, CY civil servants, EE, EL, IT, MT, SK, DK, LU, BE</p>
<p>European Commission website</p> <p>http://ec.europa</p>		<p>AT, BG, PT, SE, LV, MT, ES</p>
<p>EUR-Lex</p> <p>http://eur-lex.europa.eu/</p>	<p><i>"EUR-Lex is a well-known system. People who need to find a legal regulation can easily find a reference here. It is an official system, I am satisfied with it."</i> (CZ – civil servant)</p> <p><i>"Database networks such as EUR-Lex, which is one of the best."</i> (PT - civil servant)</p>	<p>BG, CZ, SE, HU civil servants, PT, MT, LU, BE</p>
<p>The <i>Official Journal of the European Union</i>, available in both written and electronic formats</p>	<p>Although the respondents understand its importance, in practice, they use it much less than other sources because the information on the EU that it contains is overly detailed. (CZ)</p>	<p>CZ, PT civil servants, ES, BE</p>
<p>Websites of Ministries / official national websites</p>	<p><i>"I'd search for information for myself from the web pages of the Ministry of Foreign Affairs."</i> (FI – civil servant)</p>	<p>CZ, LT, HU civil servants, PT elected representatives, FI</p>

European Parliament http://www.europarl.europa.eu		SE, PT civil servant, BE
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Respondents mentioned other websites that they consult for information on EU policies and policy making, but these were mentioned less frequently than that websites in the table above.

- Google (DK, EE, FI, LV, SK, LU)
- The ASPI system provides access to Czech law information, including judicature (<http://www.systemaspi.cz/>). (CZ ,SK)
"ASPI is an automatic system of law information. It works well [and] most Czech lawyers are familiar with it since they used it at university." (CZ – civil servant)
- Pre-Lex (MT, BE)
- The Extranet system (BG)
- EUNET - the system for information on national level EUNET (BG)
- <http://www.europeancouncil.europa.eu/theinstitution.aspx?lang=en> (SE)
- <http://www.eutrio.be/> (SE)
- <http://www.cordis.lu/en/home.html> (SE)
- www.skl.se (SE)
- <http://www.agenceurope.com/EN/GobalFrameset.html> (SE)
- <http://www.euractiv.com> (SE)
- EUObserver: <http://www.euobserver.com> (SE)
- Financial Times: <http://news.ft.com/home/europe> (SE)
- European Voice: <http://www.european-voice.com> (SE)
- <http://www.europolitics.info/> (SE)
- European Public Affairs Directory (SE)
- OECKL Europa (SE)
- BruxInfo (HU civil servants)
- Europass (ES)
- European Environment Agency (ES)
- www.epi.sk (SK)
- www.likumi.lv (LV)
- European Court of Justice website (MT)
- Circa website
- Europa decentraal (NL)
- www.opengov.gr - Greek Open Government Initiative (EL)
- Legilux (LU)

- PIEX (BE)

In addition to the internet, respondents would also look for information on EU policy issues and developments in the **mass media** (e.g. TV and print media). (RO, AT, BG, CY, DK, EE, FI, FR, DE, LV, MT, PL, SK), books about EU related topics and legal issues (FI), or specialist publications (FR, DE, LV, UK civil servants).

However, not all respondents would use the internet and mass media when they had to look for information themselves and some would also seek information from their central government department contacts (IE, LT, CY, DK, EE), contact representatives working in specialist fields (LT, DE), local government associations (DK), through mailing lists of various committees (LT, CY), or contact partners in EU offices (DE, LV).

"I have quite a good contact with our attaché of agriculture in Brussels, so if I need something, I call on the phone or send an e-mail." (LT – civil servant).

"I would use the Internet, or for something very specific I would contact one of the MEPs. I am a local councillor for the last six years and I have never really had the need to chase up anything from the EU." (IE – elected representative)

Despite the sources that respondents use to search for information themselves, it should not be assumed that all respondents thought that they had a need for additional information or were actively looking for it. Some respondents appeared content to simply receive updated information from national government departments and not look for additional information themselves (IE).

3.3.3 Best sources of information

Respondents were asked what the best sources of information were and referred to the internet, official sources and the print media respectively.

Respondents from more than a third of the Member States regarded the **internet** as the most preferred source of information. (FI, AT, BG, LT, RO, CY, DK, IT, LV, MT, SK)

- As indicated in the above table, some respondents preferred the webpages from the European Union as the best source of information. (AT, BG, LT, RO, CY, DK, MT)

"They [working groups that the respondent is part of] are informed of the new initiative[s] of the Commission directly from the official websites. The commission constantly makes analyses and publish them on the official websites. For me this is the most reliable source of information." (BG – civil servant)

"Of course, first of all, I would use European institution websites, that of the Commission, the Parliament and the Council." (RO - elected representative)

Direct contact with official sources was regarded as another preferred source of information by just more than a third of respondents (FI, HU, BE, CY, CZ, SE, LT, RO, CY, DE, NL):

- Municipalities that have an office in Brussels regarded this as the fastest and most reliable source of information. (HU, CY)

"This is exactly our purpose with the Brussels office, if I have a question, they know whom to ask." (HU – civil servant)

- Personal contacts either in national government or in Brussels. This is a useful source of information because respondents can be immediately provided with key contacts and access to information. (CZ elected representatives, SE, LT, RO, CY, DE)
- Contact with interest groups or local government association bodies. (EE)
- Information received from policy advisors and legal staff. (NL)

Finally, the **print media** was mentioned by a minority of respondents as their preferred source (AT, CY, DK, FI):

- The print media which informs people more in general terms about European actualities, also quite often, they reflect the current opinion of the society. (AT)

3.3.4 Information gaps

Respondents were asked whether they have access to all the information they require and whether there are areas where they find it difficult to obtain information on EU policy making.

Respondents from just more than half of the Member States felt **satisfied** with the range of available information and held that there were no aspects or areas where they have difficulty accessing information. (AT, BE, BG, CZ, LU, RO, HU, PT, CY, EE, FI, EL, LV, SK, SI, UK)

"I think that there is not such an area [where it is difficult to get information about EU policy making]. If there is interest, wish and purposeful activity, I doubt that it is possible to find an area or sphere where information is unavailable or difficult to get." (LV – civil servant)

There was some concern raised by respondents from the Czech Republic about whether ordinary people and the general public have enough information on the European Union in general. (CZ)

"I think the common people do not know much about the EU, the media mainly report on some troubles, which is bad." (CZ – civil servant)

Respondents from nearly a third of the Member States were of the view that there was in fact **too much information** and that sometimes receiving less information, fewer documents and forms would be better if they were well structured and more detailed. (AT, SE, EE, FR, DE, MT, NL, LU)

"I'd rather receive ten mails less a day – if the other documents are well structured! Inclusion and providing even more information does not necessarily provide more transparency; the important aspects will perish in case of too much information." (AT – civil servant)

"We are overwhelmed with information, so if it doesn't come to us we won't go for it..." (FR – civil servant)

"For me, personally, I already receive too much information and I often don't have enough time and accountability to read all the circulars." (LU – civil servant)

However, respondents were able to mention **information gaps** that they would like to see filled. These gaps relate to the following aspects:

- Additional information on the interpretation of legislation:
 - More information is needed on the interpretation of particular laws and rules (CZ, CY elected representatives, FR, IT, PL)

"I feel that information on how to interpret the given EU rule is missing, which is often more important than the general norm itself..." (CZ – civil servant)

- Information on the different steps in the law making process:
 - More information is needed on how decisions are reached in the Council and the working groups, and on what basis the decisions are reached (SE, EE, FR, IT).
 - Knowing in advance what the planned or proposed changes in EU policy are going to be. (LT - elected representatives, RO, EE)

"One should be able to see what changes are being planned at the very early stages. Then it would be possible to evaluate them from the very beginning and forecast what could be the effect of such decisions in reality..." (LT – elected representative)

- It is regarded as difficult to find information about how particular parliamentarians voted or on what subjects they spoke and what they said. (LT, elected representatives)

"About voting of our Euro Parliament members, for example, or their statements on one or another issue...I would have the info immediately put on an internet website what he voted for and how he spoke." (LT – elected representative)

- Specialised information:
 - Information on very specialized areas is often difficult to obtain (HU, EE, FI, MT), for example information on projects on foreign aid (EE).

- Information about budgeting (CY elected representatives):

- Transparent information about budgets. (LT elected representatives)

"EU or particularly Commission budget, for example, there are a lot of problems with publicity, transparency here; there are a lot of questions there now. If one pressingly needed it, one could nose it out but such info could be at hand..." (LT – elected representative)

- Information on the EU structure:
 - A simplified and readily available representation and explanation of the EU structure. (LT)

"I have seen a number of people in the politics in Lithuania who do not see any considerable difference between the Euro Parliament and Commission. Such general understanding is missing." (LT – elected representative)

In addition to the information gaps discussed above, respondents identified a number of aspects of the **process of looking for information and the format in which it was presented that concerned them:**

- A need for the clearer organisation of information as information searches are time consuming. (PT, SE, DK, FI, SK, FR, DE, EL, BE)

"From the user[s] perspective, looking for information is complicated. Information should be organised by themes and within them by years, for instance." (PT - civil servant)

- Some respondents were having trouble finding the most relevant information amongst all the information out there (IE, PT, HU, DK). A suggestion to improve this was some kind of subscription system whereby local authority personnel could opt-in to certain areas which were applicable to them and receive communication on these areas only in the form of an e-newsletter which contained links to web-based information if readers wanted to find out more. Others suggested that the EU website could be better organised into common themes e.g. water or waste to make it easier to navigate. (IE)

"There is a way [to communicate better] and some day someone will come up with it but they [the EU] need more simple, elegant solutions. Not just another gargantuan website, another brochure. There needs to be a better way, but I don't know what it is." (IE – elected representative)

"...there should be a better and easier way to research. Nowadays if you do not know exactly the number of the directive, it is complicated to find it out." (PT - civil servant)

- A need for information to be accessible and received regularly:
 - Information needs to be accessible in rural areas as computer networks and access to the internet is not available everywhere. Respondents believe that this can be solved with a little effort in improving the IT infrastructure in these areas, even using available EU funds. (RO)

"Well, if I think for a moment, in rural areas or disadvantaged areas we can identify such situation of information gaps. At the moment, measures are taken to improve IT networks in every

locality. This problem can be solved using EU funds.” (RO - civil servant)

- The frequency with which information is received should be improved. Some respondents claimed to hardly receive any periodical information on EU policy (LT local) and would like to receive regular short reviews (LT elected representatives).

“I would really need such short analytical reports let us say once a week about the legislation passed in Europe...a summary. Because if you subscribe to those news, you get hundreds of them a day and it is natural that you do not read anything...” (LT – elected representative)

- Information needs to be received timeously and the delay in receiving answers from the national authorities is too long. (RO – civil servants, MT)
- A need for more centralised information / a uniform information system (PT, NL)

“We feel there is great dispersion of information, it should be more centralized” (PT - elected representative)

3.4 Perception of EU policy making in general

This section looks at perceptions of EU policy making at local level, both positive and negative. It also describes the issues local authorities have with current consultation on policy and suggested improvements.

3.4.1 General views

Considering the general lack of awareness of the EU policy-making process at local level, it is not surprising that some found the policy making process to be far removed from their everyday reality (AT, HU, ES) and held that they did not know enough about it to give an opinion (FI). Others had the impression that the policy making process was an elaborate, cumbersome and complex process (IE, RO, CY, DK, FR, IT, UK, BE), but considering the number of countries and local areas involved, the complexity is understandable (IE). EU policy-making is regarded as something that smaller countries have difficulty influencing as it is seen that decisions are made by bigger countries (EE).

However, respondents with more awareness of the process were able to express their views on what they thought were the positive and negative aspects of the process. Aspects that were regarded as **positive** were the following:

- The idea of a unified system, in other words, the harmonisation of policies across all Member States and the closer cooperation between countries. (AT, BG, CZ, HU, LT, RO, DK, EE, FI, IT, LV, MT, NL, ES, LU, BE)

"What is useful is the unification of rules and laws. When you deal with foreign partners from other Member States, the relationships are based on the same rules and principles." (CZ – civil servant)

"There is an institutional structure...27 different interests are managed to be harmonised..." (LT – civil servant)

- The transparency and extent of consultation as a lot of views are considered in the process and information provided. (AT, BG, RO, LT, SE, EE, FI, DE, IT, MT)

"In the last years the willingness of the commission to consult its decisions with all the involved parts is very successful. This is the right approach to get information from the field, from the real life and to make the EU more adequate to its citizens." (BG – civil servant)

- It is regarded as positive that the EU emphasis multi-level governance. (EE)

"They stress that all government bodies and levels should be included in all phases..." (EE – elected representative)

- Conflicts are not ignored but addressed. (DE)

- The positive effects that individual policies have had:

- The freedom of movement (LV, ES, FI) and goods (PL, ES, FI) and the expansion of the job market (PL, FI)

- Funding provided by the EU (MT)

- Activities related to environmental protection – Emission Trading System, protecting the biological diversity. (BG, CY elected representatives, FI, NL)

- The positive effect that policies have had on less developed countries and quality of life more generally (PT, RO, CY civil servants, IT, LV, PL, SK)

- The ability to respond in times of crisis, for example the economic crisis. (FR)

- The scope of economic development (BE)

- Initiatives that involve citizens directly:
 - The European Citizen's Initiative. It is appreciated that the average citizen can start such an initiative and as a result would be heard by the European Union. (AT)

"The European Citizen's Initiative, as an aspect of EU policy making, is a very interesting and welcomes tool! Developing this instrument should be pursued and strengthened!" (AT – elected representative)
 - The 'Green' and 'White' books of the EU which helps all EU citizens to give their opinion on certain EU policy. (BG)
- The policy making process works in such a way that initiative arises from a natural need, rather than decisions being top-down. (LT)
- The EU policy making process generally seems to be working well. (EE)

Despite all these positive aspects, respondents also noted a number of aspects of the policy making process which they thought were **negative** and could be improved. These related to:

- Challenges regarding the consultation process:
 - The perceived "one size fits all" approach of legislation and respondents felt that more local issues need to be taken into consideration (IE, PT, RO, EL, IT, LV, MT, PL, SK, UK, BE).

"One of the problems we have in the EU, one piece of legislation fits all...for instance, the Water Framework Directive requires that all rivers reach a good standard by a certain stage. This is not practical because the cost of getting all rivers back to a good standard is crazy, but if we got 80% back to good standard and 20% to moderate standard then economically this would make a lot of sense..." (IE – civil servant)

"There is a certain lack of attention to the diversity of the situation within Europe and this is negative." (PT – elected representative)
 - Distance between the EU institutions and the citizens of the EU and local government. (BG, CZ, HU, CY civil servants, DK, SK, DE)

"People start mocking...some decision made in Brussels, because they are totally irrelevant to their everyday reality. These decisions bring artificial solutions and discussions, wrong policies. And people expect completely different topics to be discussed." (BG – civil servant)

"I have this impression of EU consisting of a huge number of ministry officials and civil servants walking around with their heads in the clouds, never having been out in the 'real world' close to the citizens. Sometimes what they decide is wide of the mark completely distant from any reality, the public procurement regime being a good example." (DK – civil servant)

- o Decision-making is a long and complicated process as the directives are too detailed and detailed driven. (SE, RO, FI, DE, LV, MT, SK, LU, BE)

"I don't know why, but there are some dossiers that take a lot of time to come to an end. It could be a political problem but there are some proposals that have been going on for three years and in my opinion that's a bit too much." (MT – civil servant)

"It's very laboured [because there are 27 Member States represented] and slow. Sometimes it's so slow that it lags behind what is actually happening on the ground." (BE – civil servant)

- o Some countries do not feel that they are equal members of the EU compared to older EU Member States. (BG, LT, FI, MT, ES)

"Our voice, like the one of a puppy, does not reach the sky..." (LT – civil servant)

"There are some countries in the EU who are opinion-makers more than others." (MT - elected representative)

- o Due to the compromises that often need to be reached in the policy making process because there are so many people involved, some countries might feel disadvantaged. (AT, BG, FI, FR, LU)
- o Lobbying at institutional level which gives the impression that some countries are given priority. (BG, FR, LV)
- o Sometimes feeling ignored and neglected and feeling as if they have been presented with a *fait accompli*. (AT, MT)
- o Lack of information about the policy making process – how and why directives and regulations are created and who makes a decision about them. (HU, ES, LU)
- o Lack of consultation of local and regional authorities. (RO)
- o Insufficient time allowed for meaningful involvement. (LT)

"When a ministry is preparing a project, we are also sent it for review. But so far in our experience of giving remarks it always

happens that yesterday we received a query and already today, when it is almost the time of voting, we have to send our remarks. In reality the possibility of giving remarks is only theoretical and nobody is interested in those remarks. And the remarks are related to practice as, for example, we see a law and immediately see that it will be inefficient and it will not be possible to implement it in practice.” (LT – civil servant)

- The national investigations that take place once legislation has been referred for comment by the EU to a national body takes too long due to the lack of appropriate staff. (SE)
- Lack of information about actively sent news about all EU policy making processes. (LT)

“There could be some newsletter about what is happening in general, about what is being worked at. I sometimes visit the website, so I know but other people do not know...” (LT - civil servant)

- The excessive number of detailed EU rules, regulations and directives that are perceived as restraining authorities and companies. (CZ, LT, HU)

- Perceived over-regulation. (LT, EE)

“That exaggerated regulation is in essence related to legal culture where everything must be regulated. Here from are all consequences because you cannot keep an army of people who would supervise all this.” (LT – elected representatives),

- The limits set by EU policy within which a Member State is able to provide public services. (CZ regional)

“The allowed finances for public support are ridiculously low, which is a problem when you look at health services. For example, hospitals in Austria are mostly private, but in the Czech Republic they are state-run and dependent on financial support. However, we can only support the health services within the general EU limits” (CZ – civil servant)

- Challenges related to the transposing of legislation:

- Problems of the too narrow interpretation of EU law. (CZ)

“The national authorities interpret the EU law in a way that is too radical and strict and is often very far from the original.” (CZ – elected representative)

- Each Member State understands and applies the directives differently due to various national traditions and legal terminology. Thus, the important idea behind an EU directive is *lost in translation*. (CZ)

"Each country has its own terminology and cultural context when transposing the EU directives, which is why the national application of EU legislation is different and not in agreement. Regulations seem to be more successful in this respect." (CZ – civil servant)

- Mismatch between EU law and national legislation. (HU, SK)
- Language issues when legislation is transposed. Legislative translations are not properly synchronized with the local legal terminology. (FI, SI)
- Lack of a common ideal or strategy for all 27 Member States. (BG, EE, IT)

"It is missing a vision for the main aim of the union. That is why the citizens are somehow disappointed from the EU – they do not know why we are together, what we all should try to achieve. All the efforts are put in completing some technical criteria." (BG – civil servant)

- Lack of communication to citizens about policies. (PT)
 - The effects of the policies can be seen over long periods of time and so citizens cannot see the concrete improvements in their day-to-day lives. (RO)
- Applying laws causes financial responsibilities for local government. (DK, EE, MT, PL)

"The thought of a united Europe is very positive. It's good to stand together. But it's all very bureaucratic, it takes years before anything is implemented so any good idea takes years before it is actually translated into legislation. (DK – civil servant)

Respondents had **mixed views about whether they felt ownership of EU policies**, or not. This should not be surprising considering their varied levels of involvement in the policy making process and considering that the vast majority of respondents at local levels see themselves as implementers of EU policy. Some respondents did not feel ownership of EU policies (AT, IE, LT, CY, DK, EE, FI, MT, NL, ES, UK).

"Not currently, no. In the future maybe." (CY – civil servant)

"Not really. The problem is that in 98% of my activities I have to deal with the government or the...community, not the EU." (ES – civil servant)

Others, who had played some role in the policy making process, did feel some level of ownership (HU, LT civil servants, MT, NL, BE).

"Yes yes, we are, we help our representatives get ready to present the position of Lithuania. We are consulted with, we are specialists." (LT – civil servant)

Therefore, feeling ownership of EU policy appears to be related to the extent of respondent's perceived involvement in the policy making process and to what extent people see their activities as related to the EU.

3.4.2 Improving consultation mechanisms

Aspects related to consultation were a key criticism for local authorities of the EU policy making process.

Respondents were asked how they thought the consultation mechanisms can be improved, and although they offered a number of suggestions, the most prominent response related to **increased and more efficient consultation of people at local authority level** (IE, BG, RO, LT, HU, CY elected representatives, EE, FR, EL, LV, MT, SK).

Consultations should not just be aimed at people at national level and those at local level should be made aware that the possibility of consultation exists (BG, LT). There was some suggestion that local officials' recommendations on policies should be collected at local level and consultation could then be conducted between national government and the EU (HU). However, other respondents felt that in policies that affect them directly consultation should be direct and not through a number of intermediaries such as regional or national administrations (RO).

"Up to this date, mechanisms of consultation with the local authorities are not direct – they are done through central organisms, then regional, governmental and so on... We are left on the last level. Well, in some policies that affect us directly, we could be consulted directly, without going through all this bureaucracy. I know of an EU principle that says that a certain competence should be accorded to the authority that is closest to the citizen. This should be a principle of implementing EU policy." (RO - civil servant)

Respondents at local level also wanted consultation to be meaningful, in other words, their recommendations should be taken into account and their recommendations should not just be registered formally (RO - elected representatives).

Other recommendations offered on how the consultation process can be improved included:

- More communication from the EU (AT, CY, FR, EL)
- Greater consultation with national government (LV, SK, ES)
- More insight in the process of developing regulations and guidelines. (AT, EE)
- Reducing the time it takes to consult. (SE)
- Greater consultation with the general population. (RO, LT, UK)

"We have to do more to advertise these policies, we have to involve the civil society because they can have an information spreading effect. We can organize public consultation seminars but people won't come, they are not interested. Try to involve them somehow, attract them with something they want. We have to reach to the civil society, associations, NGO's, public consultations." (RO, civil servant)

- Starting consultation earlier in the process. (EE)

Respondents expressed **mixed views about web-based consultation**. On the one hand were respondents who did not feel that they knew enough about web-based consultation to be able to comment on it (HU). Others felt that web-based consultation was not a viable option (IE, CY elected representatives) as they thought that their questions and recommendations would remain unconsidered and preferred face-to-face or telephone contact (IE) or that web-based consultation might be difficult to understand (EE). They also thought that web-based consultation would lack the interaction and rapport that face-to-face consultation brings (MT, NL) and criticised the lack of nuance which they could express when giving their opinions in this way (BE).

"The thing about web-based [consultations] is the buy-in of everyone. I mean, if I put a question up, with all the thousands of people on [the system] what are the chances of someone seeing it and getting back to me?" (IE – elected representative)

However, the majority of respondents who expressed a view on this topic were in favour of web-based consultation (LT, BG, CY elected representatives, DK, EE, FI, EL, IT, LV, MT, SK, SI, BE).

"Web-based consultations are extremely good. Nowadays there are vast amounts of web-based consultations going on at micro-level. EU could create more platforms for the political purposes and encourage people to take part." (FI – elected representative)

Reasons for their responses included:

- Considering the material and time costs of going to meetings in Brussels, web-based technologies might be useful. It was preferred for its speeds, immediacy, universal access and low cost (LT, CY elected representatives, FI, SK, SI, BE)

"Why is there only one capital and all 27 people must go to Brussels? Is such a complicated mechanism necessary? Why should we go there if there are other means of communication? Everybody could sit down to their computers and participate in teleconferences." (LT – civil servant).

"Much easier way of communication due to busy schedules and lack of free time." (CY- elected representative)

- It could be a good way to involve local authorities in the different Member States. (DK)

- It shows the input from other Member States which will be useful to have insight into. (MT)
- The speed with which consultation needs to take place given time constraints makes web-based consultation ideal. (MT)

The **majority of respondents were keen to be more involved in EU policy making**. (AT, BE, BG, IE, HU, SE, LT elected representatives, CY, DK, EE, LV, NL, PL, SK, IT). However, there was some concern about how this would take away or add to the work that they already have or add to time constraints (DK, EE, FI, MT, SI).

“Absolutely, always the best approach is to create the laws and the regulations from the bottom upwards. It is impossible to evaluate the needs, no matter if this concerns the business or the civil society, if they do not know what is going at the lowest level...” (BG – elected representative)

“...of course I would be interested in becoming more involved in EU policy making...” (CY – civil servant)

“In general I would like to be more involved because then we know and can plan our local government actions better. Otherwise we plan one thing in our development plan and then it turns out that the priority is totally different and we have to rearrange everything.” (EE – civil servant)

However, this view was not shared by all respondents and a minority felt that they were satisfied with the extent to which they are currently involved in policy making at EU level (BG, CZ civil servants, EE).

There were also respondents who did not want to be more involved in EU policy making (AT, SE, FI, MT, PL) and could not imagine being involved due to severe time constraints (HU, LT, MT) and the extent of the issues or topics on which they would have to give input (HU). Some also regarded it as not part of their sphere of responsibilities as local administrators (DK, FI, PL).

3.4.3 Policies with direct impact on local authorities

Respondents were asked whether there were any EU policies that had a direct impact on them as a local authority.

Areas where respondents perceived there to be a direct impact included the following:

- Environment (BG, CZ, PT, LT, IE, CY, DK, EE, FR, LV, SK, SI, UK)
- Public procurement (PT, AT, IE, CZ, HU, CY civil servants, DK, EE, LV, SK, FR, LU)

“Very directly in terms of public procurement for the provision of any good or service.” (PT – civil servant)

“EU policies have an overall impact on the authorities; for example, bidding is not restricted only to the Austrian market.” (AT – civil servant)

- Transport (BG) / transportation infrastructure (CZ, PT, LV, MT, SK, SI, UK, BE)
- Employment and social affairs (BG) / labour (DK, EE, MT, SK, NL, UK, LU, BE)
- Energy (PT, CY civil servants, DK, EE, LV, UK, BE)
- Justice, freedom and security. (BG, CY elected representatives)
- The issuing of permits (LT, PT)

“When issuing building permits we observe all laws adopted in Lithuania and I see remarks next to some laws that they correspond to the EU requirements.” (LT - civil servant)

- Agriculture (BG, EE, MT, SI)
- Public health (BG, CY elected representatives) / public support (services) (CZ)
- Town planning (IE, PT, SI)
- Health care (LV, MT, SI)
- EU funds and operational programmes (CZ)
- Regulation of economic activities (PT)
- Transparency of administrative actions and concepts (PT)
- Fundamental rights (PT) / preserving the fundamental freedoms of the European Single Market such as the free movement of services, goods and workers. (AT, BG)

“We have to deal with the effects of the Single Market on a daily basis; regarding the free movement of services, the freedom of establishment including the free movement of workers – this is definitely our major task!” (AT – civil servant)

- Construction (PT)
- Youth (LT, SI)
- Culture (PT, CY elected representatives)
- Recognition of professional qualifications (CY civil servants)
- Waste management (CY civil servants)
- Water (DK)
- Recycling (EE)
- Infrastructure (EE)
- Food security (EE)
- Local entrepreneurs (EE)
- Education (LV)
- Policies relating to financial services (MT)
- Communication (MT)

- Waste management (SK)
- Standardisation of goods (BE)
- Management of SMEs (BE)

4 SINGLE MARKET ACT

4.1 Key findings

The interviews reported a mixed level of awareness of the Single Market Act amongst respondents, with some who were not really aware of the Act at all. Respondents were sent a list of the actions which comprise the Single Market Act prior to the interview and were asked which they felt were most or least important

Strong, sustainable and equitable growth for business

The table below summarises the most and least important actions identified by respondents in this section of the Act.

Strong, sustainable and equitable growth for business
Most important
1. Public procurement (no. 17)
2. Energy efficiency (no. 11)
3. SME access to finance (no.12)
Least important
1. EU project bonds (no.15)
2. Common consolidated corporate tax base (CCTB) (no.19)
3. EU patent (no. 1)

The most important aspects were public procurement (no.17), energy efficiency (no.11), and SME access to finance (no 12). The least important aspects were EU project bonds (no.15), Common consolidated tax base (no. 19) and EU patent (no. 1)

Public procurement was ranked as most important in around half of the Member States – it was part of respondents' everyday responsibility at local level, was seen to encourage competition and transparency and respondents were positive about the principle of standardisation on policy. However it was something many respondents tended to find particularly complex and difficult to implement. They also tended to find it time and resource intensive and would like to see it simplified.

“All our services and equipment contracts are made according to the code of public procurement, which is the application of an EU directive. Thus this simplification and greater flexibility would make our life much easier” (PT - elected representative)

Energy efficiency was seen as important in around a third of MS – climate change is an increasing priority at local level. It is often part of the procurement process and therefore impacts on many local development projects. The issue of increasing costs for the consumer also is an issue. The global nature of the issue means that many saw energy efficiency policy as ideally suited to a standardised EU-wide approach.

"We are currently having many projects concerning energy efficiency, we have for example a whole part of a town in Vantaa which is planned energy efficiently." (FI – civil servant)

Finally, the issue of SME support was also viewed as important. SMEs are seen to play a central role in the local economy and difficulties with access to funding (from banks) and to the market (being disadvantaged compared to bigger businesses during the procurement process) means that many respondents felt support was vital.

"In Greece, we have a lot of small-medium businesses...I think that the backbone of the Greek state is not its heavy industry, it is the SME sector. So, everything that supports the small and medium-sized business is important." (EL - elected representative)

Respondents did not really see the relevance of EU project bonds for local authorities. Similarly the issue of EU patents was seen as more appropriate to businesses and central government. A common consolidated tax base was not perceived to be relevant and also some did not see the benefits of such a system.

Respondents mentioned a range of different issues that they thought were missing from this section of the Act, including:

- Environment – more concrete objectives, improved pollution/ waste management, resource conservation
- Support for science, research and development
- Agriculture – improving trade, promoting organic food
- Innovation – broader encouragement
- E-government / a European public service – seen as important step to integration
- Currency control – maintaining stability of the Euro

Restoring confidence by putting Europeans at the heart of the single market:

The table below summarises the most and least important actions identified by respondents in this section of the Act.

EU citizens: Restoring confidence by putting Europeans at the heart of the single market
Most important
1. Recognition of professional qualifications (no. 33)
2. Transport infrastructures (no. 26) and energy infrastructures (no.27)
Least important
1. European radiospectrum (no.28)
2. Pensions (no. 31), corporate governance (no. 38), access to basic banking services (no. 40)

The most important aspects were the recognition of professional qualifications (no. 33), transport infrastructures (no. 26) and energy infrastructures (no. 27). The least important aspects were the European

radiospectrum (no. 28), pensions (no. 31), corporate governance (no. 38) and access to basic banking services (no. 40)

The recognition of qualifications was seen as important by respondents in around two thirds of MS. Respondents regarded the recognition of professional qualifications as crucial if the true mobility of workers in the EU is to be realised, in other words, the harmonisation of the European professional space. Respondents working at local authority level also often encounter people whose professional qualifications are not recognised. This issue was seen as a key role for the EU as it needs a "European solution".

"In order to increase mobility one's professional qualifications have to be recognized in the European market. This is becoming more and more important. It would facilitate the Single Market." (PT - civil servant)

Transport and energy infrastructure were mentioned in about a quarter of Member States each and were often seen as intrinsically linked.

Transport was seen as important in terms of its role in local economic development and was generally a key responsibility within the local authority remit. Energy was important for the same reasons as energy efficiency in that it is becoming an increasing priority at local level. Both issues were seen as needing a multilateral approach and therefore constitute a suitable focus for the EU.

Respondents did not really see the relevance of the European radiospectrum for local authorities. Similarly pensions, corporate governance and banking services were seen to be the responsibility of central government.

Respondents mentioned a range of different issues that they thought were missing from this section of the Act, with the main ones relating to employment and financial issues. In terms of employment, respondents mentioned support for women, equal pay and a minimum wage. For finance, it was suggested that lending and borrowing transactions should be allowed across borders, credit should be extended to local governments, and state subsidies should be more flexible.

Governance - Dialogue, partnership, evaluation: the keys to good governance of the single market

The table below summarises the most and least important actions identified by respondents in this section of the Act.

Governance: Dialogue, partnership, evaluation: the keys to good governance of the single market
Most important
1. National transposition of EU rules (no. 47)
2. Information exchange between public authorities (no.45)
3. Consultation and dialogue with civil society (no. 48)
Least important
1. Evaluating implementation of rules with Member States (no.44)
2. Alternative dispute resolution and collective redress (no. 46) and informal problem-solving tools (no. 50)

The most important aspects were the national transposition of EU rules (no. 47), information exchange between public authorities (no. 45) and consultation and dialogue with civil society (no. 48). The least important aspects were evaluating implementation of rules with Member States (no. 44), alternative dispute resolution and collective redress (no. 46), and informal problem-solving tools (no. 50)

Respondents regarded the correct transposition of EU law as fundamental to the functioning of the single market. It is also important that countries do not transpose rules in different ways. It was regarded as important by respondents in over two-thirds of Member States. Although not a part of the local authority role, it is essential to improve implementation to ensure the credibility of EU policy. The priority was seen to be more local engagement, speeding up the entire process and closer monitoring of transposition as it was felt that there were significant differences between how and when Member States transpose directives.

“If the State does not want to apply a certain EU rule, there are hundreds of mechanisms to postpone it forever or to change it drastically. The Commission should control this closely.” (BG – civil servant)

Information exchange between Member States was regarded as important by respondents in two-thirds of Member States. It was seen as a potentially useful source of insight, especially in terms of best practice sharing and identifying improvements which could save time and resources. Linking knowledge and databases has clear advantages – for example in relation to driving licences or medical history. It also would facilitate a uniform implementation of EU policy across different countries. The main reservations related to issues around data security and increased bureaucracy.

“This is important for development and sometimes one needs the experience on how one or another problem was solved in other countries.” (LT – civil servant)

Finally, consultation with citizens was seen as important by respondents in around half of Member States. It allows access to relevant expertise and is also a useful exercise in closing the perceived gap between EU institutions and the citizen. It was seen as part of a broader emphasis on a wider consultation.

“It is always important to remain in contact with all parties who have to go with the implementation and use of legislation.” (NL – civil servant)

Respondents regarded the evaluating of the implementation of rules with Member States as the least important aspect as it was not seen as a priority, it was not seen as practical, and it might in fact result in more work and bureaucracy. Reasons for regarding alternative dispute resolution and collective redress as unimportant were that they are also not seen as a priority and some felt it reminiscent of the American legal system with negative connotations of a “compensation culture”. Problem solving tools were not seen as a priority as people had little experience of them and were not convinced of their usefulness.

Respondents mentioned a range of different issues that they thought were missing from this section of the Act including:

- Improving the quality of legislation – clearer legislation and communications, improved translations, more flexibility
- Devolution of powers to local government
- EU administration – needs to be simplified/ rationalized, more in-house feasibility studies on directives before transposition stage

4.2 Introduction

In November 2010, the European Commission adopted the Single Market Act - a series of measures to boost the European economy and create jobs. This act involves specific actions organised under three headings:

- Strong, sustainable and equitable growth for business
- EU citizens: Restoring confidence by putting Europeans at the heart of the single market
- Governance: Dialogue, partnership, evaluation: the keys to good governance of the single market

Respondents were asked which of these actions were most important and which were not relevant. They were also asked if there were any additional issues which needed to be covered by the Act. This section summarises the key themes that emerged.

Awareness of the Single Market Act

The interviews reported a mixed level of awareness of the Single Market Act amongst respondents. Three levels of awareness could be distinguished – those who were not really aware of the Act at all (HU, IE, NL civil servants);

those who had heard of it or were aware of it, but were not knowledgeable on the intricate details (HU, IE); and those who are aware of the Act and knowledgeable of the details (NL civil servants, FI). Respondents in the Netherlands expressed the hope that the programme would make a real difference to local governments, but were cautious of the Act being spread too thin (NL).

"I hope, and I also actually think, that the programme for the Single Market Act should not aim at too many points. A much more well-delineated programme, with workable and realistic goals so as to make a material difference for the local market would be much more effective than a little bit of all 50 points, in my opinion." (NL – civil servant)

Respondents from Finland thought that the Act was a sensible attempt worthy of support that is aimed at making the single market more useful and homogenous for citizens and businesses in European Union.

Respondents in Ireland thought of the Single Market Act more in terms of encouraging cohesion than as 'a series of measures to boost the European economy and create jobs' (IE). Respondents from the Netherlands were enthusiastic about the programme of action once it was explained to them and could see the need for such a programme, also with an eye to Europe 2020.

Concerns in answering the questions

There are two points worth noting in how respondents approached this exercise.

First, a lack of knowledge of certain aspects of the Single Market Act made respondents reluctant to rank actions that they thought were less important. This is further reported on as each section of the Act is discussed below.

4.3 Strong, sustainable and equitable growth for business

The table below summarises the most and least important actions identified by respondents in this section of the Act.

Strong, sustainable and equitable growth for business
Most important
1. Public procurement (no. 17)
2. Energy efficiency (no. 11)
3. SME access to finance (no.12)
Least important
1. EU project bonds (no.15)
2. Common consolidated corporate tax base (CCTB) (no.19)
3. EU patent (no. 1)

4.3.1 Most important

It is clear that respondents regarded the **most important factor to be public procurement**. This was followed by **energy efficiency and SME access to finance** which were ranked equally.

1. Public procurement (no. 17)

It was clear that respondents regarded the most important factor to be public procurement. It was ranked as the most important priority in approximately half of the Member States (CZ, EE, DK, SK, UK, PT, IE, LT, LU, SE, FR, ES – civil servants, FI, RO- civil servants), and another eight Member States listed it as between the 2nd and 4th most important point (CZ, BG, LV, HU, SI, IT, PL, NL).

Public procurement was regarded as **important for the following reasons**:

- Awarding contracts is an everyday responsibility of local authorities. (CZ, EE, DK, SK, UK, PT, IE, FR, FI, RO civil servants, LU)

“It is very important for us, as the town often awards such public procurement contracts.” (CZ - elected representative)

- It encourages competition and transparency, which is seen as positive. (EE, SK, ES civil servants, FI, LU)
- It leads to standardisation. (ES civil servants)

Respondents experienced the following **challenges regarding public procurement**:

- National and EU laws and rules regarding public procurement are perceived as complicated, rigid and difficult to follow. (CZ, EE, DK, LT, SE, FR, FI, RO civil servants)

- The financial costs of the tendering process puts huge strain on local authorities as the procurement processes are resource intensive in time, money, and requirements for expert (legal) staff. (DK, UK, IE, SK, LT, FI)

"I cannot bear to think of the amount of money spent on these rigid rules instead of being spent to the benefit of our citizens in this town." (DK – elected representative)

- Many smaller businesses find it difficult to take part in the EU tender process because of the complexity of rules and procedures and because they do not have the resources to fully engage with the administration of the EU tendering process. (DK, SE)

"As soon as we transgress a certain amount it falls under the EU law of public procurement and SMEs are immediately excluded from the process as they simply don't have the resources and manpower to partake in the administratively heavy process." (DK – elected representative)

- There are frequent changes and too many regulations (FR)

"Public contracts - that particularly affects local authorities, and we're completely at sea. Between French law and the European rules, there's a big job to be done, it needs a good sweep out. Especially since it changes every year. It's extremely complicated for the authorities and for enterprises. There are still significant differences between countries. When I see how contracts are awarded in Rome or Berlin. It's much simpler than here, I really envy them..." (FR – civil servant)

- The procurement procedures are hindering innovation as the rules do not allow for dialogue to take place during procurement but is based on the detailed specifications of a service. (DK)

- Public procurement is designed in such a way that the cheapest offer wins, although this does not guarantee quality and can strain relationships between local authorities and businesses. (EE, FI)

"The local authorities are in deep trouble with public procuring. Current legislation leads to the situation where the cheapest bids always win and hence the quality often tends to be poor. It looks like this proposal [in the Single Market Act] is going to give more flexibility in approving bids of better quality. It could also lead to increase in true partnerships between local authorities and producers." (FI - elected representative)

- It is expensive and time consuming to advertise inappropriate contracts Europe wide, such as day care and council office cleaning services, as no interests from other Member States is shown. (UK)

Respondents would like to see the **following changes**:

- Simplifying and updating the European rules to make the award of contracts more flexible, cost effective and efficient for both businesses and public authorities, and thereby also lifting the administrative burden on local authorities and businesses (EE, CZ, DK, UK, NL, PT, IE, LT, SE, FR, FI, RO civil servants)

“All our services and equipment contracts are made according to the code of public procurement, which is the application of an EU directive. Thus this simplification and greater flexibility would make our life much easier” (PT - elected representative)

- More open dialogue between the public and private sectors during the procurement process. (DK)
- The thresholds for mandatory EU wide contracts need to be lowered. It was suggested that research should be done on companies in the EU to establish what contracts and what size contracts they would be interested in. This should guide the threshold and whether or not certain categories should be mandatory. (UK)

2. Energy efficiency (no. 11)

Energy efficiency was the second most important action point. (BG, LV, HU, EE, LT, RO – civil servants, DE, ES – elected representatives, DK, FI, MT, UK, AT, LU)

Respondents regarded energy efficiency as **important for the following reasons**:

- Climate concerns
 - Discussions around global warming / climate objectives and the efficient use of energy have increased over the last couple of years. (LV, DE, FI, AT)
- Increasing demand, but a decline in supply
 - One country had to close nuclear plants as part of negotiations to join the EU. (BG)
 - Issues with cost and procurement (LT, MT)

“We do not have our own energy resources and we import everything. This makes us dependent from Russia in economic and political sense. I would say the energy efficiency problem is extremely important.” (BG – elected representative)

- Demand for energy is increasing but the resources for producing it are decreasing (EE, RO civil servants, FI, LU). Therefore the focus should not be on renewable energy / alternative energy sources (RO civil servants, DE, LU).

"Using energy sparingly is a very actual topic. As the need for energy increases and resources decrease, the issue how to save arises..." (EE – civil servant)

- Energy efficiency affects the area of work of some respondents
 - Increasing difficulties and cost of energy acquisition makes it important for local government. (HU)
 - There are attempts at the reduction of the energy costs of institutions maintained by the local government (HU, UK) and local government is, for example, responsible for supplying energy to local citizens. (EE)

"Well, of the costs that local governments or municipalities have to bear, the proportion of energy is quite big – I mean the energy required to heat houses, electricity and other stuff." (EE – elected representative)
 - Considering energy related issues is increasingly becoming a condition for the successful awarding of EU tenders. (HU)
 - Energy efficiency is related to local city planning development projects that are being carried out with energy efficiency in mind. (FI)

"We are currently having many projects concerning energy efficiency, we have for example a whole part of a town in Vantaa which is planned energy efficiently." (FI – civil servant)
 - One local authority had just been awarded a large development project to build a wind turbine factory which was an important issue for the city and would provide a lot of jobs. (UK)
- The cross-cutting nature of the issue, affecting the EU as a whole.
 - These issues are important nationally, but also transcend EU border and it is therefore appropriate for the EU to take action. (DK, MT, EE)
 - The EU's dependence on energy affects its competitive potential. (ES elected representatives)

Respondents would like to see an even great homogeneity in energy efficiency policies across the EU. (ES elected representatives)

3. SME access to finance (no.12)

SME access to finance emerged as the third most important action point. (ES, EL, IT, NL, PL, RO – elected representatives, CZ, EE, LT, FR, PT, IE)

Respondents regarded SME access to finance as **important for the following reasons:**

- The importance of SMEs to the national and local economy
 - SMEs play an important role in the country's economy and the success of the businesses, as well as their improved competitiveness would benefit the country as a whole. (LT, RO elected representatives, ES, EL, IT, PT, IE, PL)

"In Greece, we have a lot of small-medium businesses...I think that the backbone of the Greek state is not its heavy industry, it is the SME sector. So, everything that supports the small and medium-sized business is important." (EL - elected representative)

- The respondents view the SMEs as very important for the development of the regions and cities/towns, as they employ a good number of employees and are often key suppliers of big transnational companies. In addition, they significantly contribute to the gross domestic product. They are an actor of development of the city/towns and are therefore important from the point of view of local authorities. (CZ, FR, PT, EE)

"Very important and impactful because the greater the development of the SMEs, the better for this council." (PT - elected representative)

"Small local governments are very closely connected with small and medium size enterprises. To us it is very important that they do well. Their well-being definitely depends on if they have access to financial resources." (EE – elected representative)

- SMEs struggle for access to the market
 - Big companies often take advantage of small companies, at the latter's expense, especially in the tendering process where big companies win the tenders and subcontract to smaller companies, but still keep most of the money for themselves. (EE)
 - SMEs struggle to get access to traditional funding sources, such as banks, and the economic downturn impacted on them heavily. (ES, IT, NL, CZ, IE)

"Up to now, it has been really quite difficult for small and medium-sized enterprises to receive financing via a bank. I would argue that the local authorities could also provide a sort of bank function. No, not in the form of a subsidy, but more as a real loan. In my opinion, this would yield benefits in terms of costs." (NL – civil servant)

Respondents would like to see the expansion of SMEs and the broadening of their commercial boundaries (IT); greater investment in technological innovation and relative patent protection (IT); and greater access for SMEs to the public procurement process (CZ).

4.3.2 Least important

Of the 27 Member States, respondents from seven countries did not indicate any of the actions in this section as unimportant. The two main reasons for this were:

- Respondents did not feel that they were knowledgeable enough about the specific action points to be able to rule them unimportant / it was not their area of work. (HU, IT, SI, SE)
- No reason given (EE, ES)
- No action was seen as unimportant (LU)

Interview data of the remaining 20 countries indicated that there were three actions that appeared to be regarded as least important by respondents: EU project bonds (no.15), common consolidated corporate tax base (CCTB) (no. 19), and EU patent (no.1).

1. EU project bonds (no. 15)

EU project bonds were regarded as the least important action. (MT, CZ, PT, BG, IE, UK, DE, DK).

Respondents regarded EU project bonds as unimportant because:

- They could not see the relevance of this action to local authorities (CZ, PT, UK, DK, IE) or did not see it as a priority (MT).
- EU project bonds were viewed in a negative light because
 - It was thought that it might be counterproductive due to the dependence on the holder of the grant. (CZ)
"It is useless and redundant. It could be counterproductive because you would be dependent on the holder of the bonds." (CZ, regional – civil servant)
 - The word 'bond' brought back memories of the financial crisis and respondents questioned whether this an in area for the EU to be involved in. (DE)
"In my opinion, that cannot be the overall answer to the financial crisis. First of all, the EU needs to turn its attention to completely different things." (DE - elected representative)

2. The common consolidated corporate tax base (CCTB)

This was followed by the CCTB which was regarded as part of the three least important actions by respondents from six countries. (IE, LV, FI, MT, CZ, PT)

Respondents regarded this action as unimportant for two main reasons. On the one had it was not seen as relevant to local authorities and the work that

respondents are involved in (CZ, PT, LV). The second reason involved respondents' questioning of the benefit of such a tax base for their country:

- It would be to the disadvantage of the country, especially since Malta attracts foreign business by having a more favourable tax framework. (MT)

"It disadvantages a small country like Malta. We will lose our competitiveness if we are forced to have the same corporate tax as the large Member States." (MT – elected representative)

- In Ireland it was thought that the removal of the 12.5% corporate tax could lead to economic ruin and respondents were not enthusiastic at the prospect of tax rate homogenisation. (IE)
- This action point could conflict with the national tax system. (FI)

"Tax systems are so different in different countries; this could cause inequitable trouble to our taxation." (FI - elected representative)

3. EU patent

EU patent was mentioned by respondents from five different countries as part of the least three important actions. (SK, UK, FR, CY, PL)

Respondents regarded this action point as unimportant because it lacked relevance for local authorities (UK, FR, PL). Instead, they regarded it as of interest to business or entrepreneurs (UK, PL) or central government (PL).

4.3.3 Missing actions

Respondents mentioned a range of different issues that they thought were missing from this section of the Act which are set out in the table below in the order of frequency with which they were mentioned.

Missing action	Importance / elaboration on what needs to be included	Mentioned by respondents from:
Environment	EU wide agreement on more concrete, verifiable environmental objectives, in particular, agreement with regards to the reduction of greenhouse gas emissions. Pollution and waste management. Conserving genetic resources.	DE, LV, MT
Support for science, research and development	Important for the future development of regions and local areas.	FR, CZ
Agriculture	Improving agricultural trade amongst Member States. Promoting organic food cultivation at a short distance from the consumer.	RO, FI

Innovation	Innovation should be defined in broader terms than it currently is. A special clause to encourage innovation should be included in invitations to tender.	EE, NL
E-government / a European public service	An important step towards the future integration of Europe. <i>"Standardising administrations in Europe is the first priority for me." (FR – civil servant)</i>	BG, FR
Currency control	The EURO, as introduced, has weakened Member States. <i>"It must be possible to control the currency and the exchange policy. You can do what you want to help the economy, if you don't control the currency, if you don't lower the euro, growth will plummet..." (FR - elected representative)</i> Stabilising the Euro	FR, LV
Addressing social problems	Addressing the social needs of the public considering the difficult economic times. <i>"I don't see here enough measures for local public authorities, measures to solve their citizens' problems...taking into account that we are in the middle of very difficult times with a quite high unemployment rate and the public authority has limited possibilities to sustain the development engine." (RO – civil servant)</i>	RO
Greater simplification in the Act	<i>"Seems to me that it is quite a paradox to be talking about simplification and efficiency and freedom of movement when these actions are very much going to mean even further bureaucratization..."(DK - civil servant)</i>	DK
Trade	Promoting trade between the EU and countries outside it.	FI
Corruption	Fighting corruption which curbs the economic and cultural development of the EU.	IT
Uniform information system	Where to find data about companies – paid taxes, existence of certificates and especially information that would help assist in a tender procedure to see if a company from another Member State meets local standards.	LV

4.4 Restoring confidence by putting Europeans at the heart of the single market

The table below summarises the most and least important actions identified by respondents in this section of the Act.

Restoring confidence by putting Europeans at the heart of the single market
Most important
1. Recognition of professional qualifications (no. 33)
2. Transport infrastructures (no. 26) and energy infrastructures (no.27)
Least important
1. European radiospectrum (no.28)
2. Pensions (no. 31), corporate governance (no. 38), access to basic banking services (no. 40)

4.4.1 Most important

It was clear from the interviews that the **most important action** in this section of the Act was the **recognition of professional qualifications**. This was **closely followed by transport infrastructures and energy infrastructures** that appeared to be of equal importance to respondents.

1. Recognition of professional qualifications (no.33)

Recognition of professional qualifications was regarded as important by respondents from approximately two-thirds of the Member States. (FR, MT, BE, SE, IE, PT, FI, BG, CZ, DK, HU, ES – civil servants, PL, DE, CY, RO)

This action was considered **important for the following reasons**:

- This action is crucial if the true mobility of workers in the EU is to be realised, i.e. the harmonisation of the European professional space (PT, BE, SE, CZ, HU, MT, FI, FR, DK, ES – civil servants, CY, PL, DE, RO).
 - Workers are employed far below their professional qualifications in other Member States because these qualifications are not recognised. (BG, RO, BE)
 - Increases justness in the single market since people with same levels of skill will be treated more impartially. (FI)

*“In order to increase mobility one’s professional qualifications have to be recognized in the European market. This is becoming more and more important. It would facilitate the Single Market.”
(PT - civil servant)*

“Acknowledgement of professional qualifications would be nice, if we could get certificates of professional IDs from an institution,

which would later on allow us to find employment in any country.” (PL – civil servant)

“We notice that the job markets are no longer domestic markets. In regions where there is a demand we will have to satisfy this with a European solution...” (DE – elected representative)

- This action point is relevant to people working at local authority level as they encounter people whose professional qualifications are not recognised. (MT, SE, CZ, DK)

“It’s really important that recognition of professional qualifications is improved across the EU. It’s a problem when highly skilled doctors of medicine trained in other EU Member States have difficulties being recognized for their skills – in a context where there is actually a shortage of high skilled medical professionals”. (DK – civil servant)

- An improved system for the recognition of professional qualifications would help prevent the forgery of documents (FI) and it was felt that the EU could have an important role in improving this system (IE).

2. Transport infrastructures (no. 26) and energy infrastructures (no.27)

Both transport infrastructures and energy infrastructures were each mentioned as important by respondents in approximately one quarter of the Member States.

Transport infrastructures

Transport infrastructures were regarded as **important** by respondents from the following countries (ES, UK, AT, DE, PL, EE, SK, CZ, LV, DK, HU, IE, FR, FI, LU) and **for the following reasons**:

- The importance of transport infrastructure for the economy. (FR, FI, CZ, ES, EE, PL, LU)
 - Transport infrastructure is important for strategic development and the implementation of production structures, as well as the exchange of products/services and civil mobility. (IE, ES, civil servants)
 - Transport infrastructure is key for a more unified EU. (ES elected representatives, EE, DE)

“There has to be an integrated transport infrastructure for a free market of goods and travellers. There are some laws and territorial inequalities that hinder this in the transport network.” (ES – elected representative)

"Transport is what makes economic growth possible." (FR – civil servant)

"Functional transport infrastructures are essential to us because we are a northern country at a great distance from the others..." (FI, civil servant)

- The relevance of transport infrastructure for local authorities
 - Town and cities (local authorities) are responsible for local public transport (CZ, ES, SK) but do not always have money for its upkeep (SK)
 - Local authorities are responsible for raising tenders in this regard. (HU)

"The shaping of transport infrastructure and participation in it are basic tasks of local government in Budapest. Namely the improvement of the system with the park&drive method, reinforcing public transport, creating bus lanes, having longer trams and replacing vehicles." (HU – civil servant)

- The link between transport infrastructures and energy infrastructures (which was also ranked as important by respondents and is discussed below). (DK, HU, EE, LV)
 - Effective transportation is closely linked to energy infrastructure as it will minimise pollution). This is a problem which transcends national contexts and is therefore best addressed by the EU. (DK)

"Transport is an important issue as it has to do with energy efficiency, the environment, pollution, public transport etc. We cannot handle this ourselves in Denmark, we need joint action." (DK – elected representative)

- Guarantees greater comfort and safety for citizens. (PL)
- The transport structures are in need of upgrade or improvement or current infrastructure need rethinking. (DE, UK, LV)

Energy infrastructures

Energy infrastructures were mentioned as **important** by respondents from the following countries (LV, DK, SI, LT, CY, IE, IT, NL, ES, AT, DE, PL, SK, MT, LU) and **for the following reasons**:

- Energy infrastructure is related to climate change policy which is of crucial importance. (MT, IE, CY civil servants, DE)

- Tackling the energy infrastructure would help to create a Single Energy Market which would result in better costs and increased energy security. (MT, IE, LU)
- The link between energy infrastructure, transport infrastructure and the economy. (ES, LV, IT)

“Energy infrastructures are associated to transport infrastructures. We may have good transport infrastructures but we need to have good energy infrastructures that allow or facilitate the implementation of new industries or services...” (ES – civil servant)

- The energy infrastructure in the country needs improvement and energy security is a national and local priority. (AT, CY, LT, NL)

“This is a national interest, this issue is very topical, a priority one.” (LT – elected representative)

- It is important to invest in alternative sources of energy. (CY elected representatives, PL, DE, SI)

“If we want to protect the climate and use regenerative energy then it is essential that we develop the energy infrastructure.” (DE – elected representative)

- Stabilising energy sources and supply and price is important. (PL, SK, SI)

Respondents also felt that because of the transnational scope of these issues, it was ideal for the EU to address questions of energy infrastructure, energy saving, energy security and integrating renewable energy across Europe. (DK, MT)

4.4.2 Least important

Of the 27 Member States, respondents from seven countries did not indicate any of the actions in this section as unimportant. The three main reasons for this were:

- Respondents did not feel that they were knowledgeable enough about the specific action points to be able to rule them unimportant / it was not their area of work. (EE, IT, IE, SI, SE)
- No reason given (ES)
- No action was seen as unimportant (LU)

Interviews in the remaining 20 Member States indicated that the **least important** action for respondents in this section of the Act was **the European radiospectrum**. This was **followed by pensions, corporate governance and access to basic banking services**, which were all ranked as equally unimportant by respondents.

1. European radiospectrum (no. 28)

The European radiospectrum was the least important action point for respondents and was mentioned as unimportant in two-thirds of the Member States where respondents had indicated unimportant issues (CZ, EL, AT, CY, FI, NL, SK). Respondents in the Netherlands regarded this as a meaningless measure, and although it should perhaps be realised, it is not appropriate to be included in the programme of the Single Market Act (NL).

It was regarded as unimportant as it was seen as not relevant to the work that respondents do (CZ, AT, FI), too broad (CZ), too narrow (AT), and difficult to understand (CZ, FI).

2. Pensions (no. 31), corporate governance (no. 38), access to basic banking services (no. 40)

These three aspects were each regarded as unimportant by respondents from a quarter of the Member States that indicated which action points they considered to be unimportant.

Pensions

This action point was mentioned as unimportant by respondents from the following countries (PL, MT, FR, EL, SK, HU, CZ) and for the following reasons:

- It is generally not relevant to local authorities:
 - Regional and local authorities have no influence on this subject. (CZ, HU)
 - This subject is seen by many as something which should be solved on the national level, not within the EU. (CZ, PL, MT)
 - Some countries are against the transferring of social benefits as they considered this to be very problematic for the country as it causes huge financial burdens. (MT)
- It is a complex area and respondents expressed scepticism at attempts to integrate the plans or making them uniform as there are different plans in different Member States. (PL, FR, HU)

"Pensions, well, every State has its own constraints, so it's not easy to harmonise them." (FR – civil servant)

Corporate governance

This action point was regarded by respondents as unimportant for the following reasons (HU, CZ, LV, PT, LT, CY, FI):

- It is unnecessary. (LT, FI)

“These enterprises, so I do not think there should be some common European regulations regarding the governance of those enterprises; it is enough to regularise the legal base for it on the national level.” (LT – civil servant)

- Not relevant to the role of local authorities. (PT)
- It would bring new administrative complications to the regions. (CZ, LV)
- It would regulate the market too much. (CZ)
- It is something that should remain in the powers of the Member States. (HU)

Access to basic banking services

This action point was regarded by respondents as unimportant for the following reasons (RO, UK, NL, SK, BG, BE, DK):

- It is identified as something that national governments should be able to control and regulate themselves, rather than the EU. (DK, BE)
- There was no support for bank to be self-regulatory in any way as it was felt that they had have had their chance before the financial crisis. (UK)
- This is seen as a basic condition that should already have been realised everywhere within the European Member States. (NL, BE)

4.4.3 Missing actions

Respondents mentioned a range of different issues that they thought were missing from this section of the Act which are set out in the table below in the order of frequency with which they were mentioned.

Missing action	Importance / elaboration on what needs to be included	Mentioned by respondents from:
Employment	Women's position in the labour market Women entrepreneurs Equal pay for workers A European minimum wage <i>“It would have been a good idea to introduce a harmonised minimum wage. Inequalities between countries are too great. The question of pay is important.” (FR, civil servant)</i>	FI, LV – elected representatives, FR
Finance	Free access of EU citizens to lending and borrow money from any of the 27 Member States.	RO, NL

	<p><i>"Lending and borrowing must be accessible and equal for every EU citizen, I mean if I want to take a loan from a bank from Hungary I should be able to do it if there are more advantage services..." (RO – civil servant)</i></p> <p>Making possible the extension of credit for the local market by the local government.</p> <p>Making state subsidies more flexible.</p>	
Migration and registration of inhabitants	Local authorities experience problems registering migrants which make them difficult to contact.	CZ
Access to criminal records of other Member States	<p>Access to conduct-books and criminal records of other countries would help local offices get needed information on people they want to employ or with whom they want to do business.</p> <p><i>"Someone interested in a job for the town might be a conman and the conduct-book can give us this information." (CZ – civil servant)</i></p>	CZ
Gambling regulation	EU regulations should define basic conditions that would prevent gambling from being such a lucrative business, e.g. higher taxation and common rules on gambling taxes in general.	CZ
Policies and measures which should acknowledge minorities	<i>"...we are a multicultural Europe and there is the problem of local minorities. At EU level, each country has beside a large majority...many minorities which are the ancestors of some people who once, with the development of Member States decreased [in] number, yet they are willing to conserve their identity, their language, and their culture; and in this part of the Act could be added something in this regard." (RO – elected representative)</i>	RO
IT infrastructure	More attention should be given to the IT infrastructure	MT
Social and environmental taxes	<p>A tax to punish poor social and environmental practices</p> <p><i>"We should tax products from countries where labour is not properly paid, or where environmental standards are not respected..." (FR - elected representative)</i></p>	FR
Communication with the citizenry	A system to communicate these actions in the Act to people at all levels of society and therefore reinforce the positive elements of the EU.	IE
Enhanced transparency of banks	Stronger guarantees to citizens	IT
Availability of medical care	Cross-border health care.	UK, LV elected representatives
Crime control		FI

Advanced training of government officials		FI
Life-long learning possibilities		LV elected representatives

4.5 Dialogue, partnership, evaluation: the keys to good governance of the single market

The table below summarises the most and least important actions identified by respondents in this section of the Act.

Dialogue, partnership, evaluation: the keys to good governance of the single market
Most important
1. National transposition of EU rules (no. 47)
2. Information exchange between public authorities (no.45)
3. Consultation and dialogue with civil society (no. 48)
Least important
1. Evaluating implementation of rules with Member States (no.44)
2. Alternative dispute resolution and collective redress (no. 46) and informal problem-solving tools (no. 50)

4.5.1 Most important

1. National transposition of EU rules (no. 47)

The national transposition of EU rules was regarded as important by respondents in over two-thirds of Member States. (LV, BG, RO, DE, PT, SE, EE, IT, MT, CY, HU, ES – civil servants, CZ, AT, IE, NL, EL, PL, LU)

Respondents regarded this action point to be important for the following reasons:

- Correct transposition underpins a well functioning single market.
 - In order to create a single market it would not make sense for different countries to transpose rules in different ways. (MT, CZ, EE, LU, PL, IT, PT, HU, ES – civil servants)

“We need the right interpretation of EU rules in national laws. Sometimes it is not successfully accomplished...” (CZ – civil servant)
 - The transposition of EU rules would be achieved faster and more efficiently. (CY civil servants, EL)
 - To ensure that national and EU legislation does not contradict each other. (RO, HU)

"It is something [that is] not only important but necessary because then we will not have the cases we are facing at the moment, you are forced to obey a national rule and thus not complying with and EU rule and vice versa." (RO – civil servant)

- The credibility of the EU must demonstrate itself in the implementation of its measures and not in the announcement of them. (DE)
- It is important for the EU to monitor transposition has taken place in time and in the correct manner (CZ, PT, BG) as there are still sometimes lapses in implementation and it becomes confusing to keep track of which directives have already been implemented and which not (NL).

"I think it is very important that the EU calls on the Member States to transpose the directives on time...delays are bad...they create inequalities between European citizens." (PT – elected representative)

"If the State does not want to apply a certain EU rule, there are hundreds of mechanisms to postpone it forever or to change it drastically. The Commission should control this closely." (BG – civil servant)

- It related to some respondents' area of work since they were responsible for transposing EU law. (MT, AT)

"It is our obligation to do this; it is one of our main roles, so it occurs continuously" (MT - civil servant)

- Those at local authority level who are not currently involved in transposing laws think that they should be more involved and involved from the beginning of the process. (LV, SE)
- It is important that transposition should take into consideration national characteristics. (EE, IE)

"If we talk about one-to-one copying, then I do not totally agree with it. Our countries are different, the history of countries is so different, not to mention nationalities...I mean not to transpose one-to-one, but as similarly as possible and rather moving towards mutual recognitions." (EE – civil servant)

2. Information exchange between public authorities (IMI) (no. 45)

Information exchange between public authorities (IMI) was regarded as important by respondents from two-thirds of the Member States. (LT, MT, EL, PL, SI, CY, HU, ES, CZ, SK, AT, IE, BE, FR, UK, BG, FI, RO)

Respondents gave the following as reasons for why they regarded this action point to be **important**:

- Efficient information exchange is an important aspect to ensure a well functioning single market:
 - It allows insight into how others dealt with problems and thereby saves time and resources. (LT, MT, CY, CZ, PL, RO, UK, SK, SI, FR, EL, HU, ES)

"This is important for development and sometimes one needs the experience on how one or another problem was solved in other countries." (LT – civil servant)

"It is essential for public authorities. Without information exchange, there is not effectiveness." (CZ – elected representative)
 - Creates uniformity in relation to the implementation of EU regulations. (AT)
 - Vital for the single market to function properly since it allows more dialogue and collaboration between Member States. (BE)
 - Possible source of clear information on the practical application of individual EU regulations. (PL)
 - An online resource will optimise information search resources. (ES)
 - Lack of connection between administrations increases the risk of fraud and the falsification of documents. (BG)
 - Long waiting periods for cross-border administrative procedure is often an obstacle for the interaction between the EU citizens and business. (BG)
- Involvement of local authorities into consultation processes on legislation would minimise a divergence between the law and what is happening in practice. (LT)
- Areas in which it would be particularly useful include driving license databases and misdemeanour databases. (CZ)

"For towns responsible for issuing driving licenses, having access to some interconnected database of driving licenses and associated demerits would be good..." (CZ – elected representative)
- Some respondents, although thinking that the IMI system is a good idea, had some reservations about how it would be implemented. There is also a fear that this might cause more bureaucracy (MT) or that too much information could be exchanged which would lead to breaches in the protection of personal data - in other words, balancing access to information with the protection of information (CY civil servants, UK).

*"On [the] one had very important, but on the other hand there is a very thin line that should not be crossed...protection of personal data."
(CY – civil servant)*

- The IMI system itself was not known but the idea of creating face-to-face electronic network for European administrators was quite well received. It could offer useful problem solving tools and easy communication between the different levels of government. (FI)
- There is currently not sufficient and accurate information exchange. (IE)

3. Consultation and dialogue with civil society (no. 48)

Consultation and dialogue with civil society was considered as important by respondents from just over half of the Member States. (NL, EL, LV, BG, EE, FI, LU, DK, UK, SI, IT, CY, HU, ES, DE, IT)

It was regarded as **important for the following reasons:**

- The knowledge and expertise of these groups when a specific topic is being debated is extremely valuable in order to ensure that proposals are not only appropriate, but also relevant and adequate and will lessen the perceived gap between the EU and citizens. (DK, EE, DE, UK, IT, FI, ES, BG, LU)

*"This is very important. It would be very positive if European institutions decide that all or at least some government actions need to be consulted with the civil society."
(ES – civil servant)*

- Members of civil society should be informed about future plans that would affect them directly or indirectly. (CY elected representatives, DK, EE, IT, NL, HU)

*"It is always important to remain in contact with all parties who have to go with the implementation and use of legislation."
(NL – civil servant)*

- Very relevant to the local level of government as municipalities and more specifically elected representatives represent and should convey civil society's opinions and demands to the government. (CY elected representatives) / proximity of local governments to civil society (EE).

*"Local government is a part of the country that stands closest to civil society. Often the people active in local governments and active in civil society are the same."
(EE – civil servant)*

- Greater emphasis on consumers and consultation has been one of the successes of implementation of EU policies. (UK)
- Dialogue with NGOs is essential but not always easy as they often position themselves in opposition to local government. (LV)

- Civil society and NGOs do not exist in the same way in all countries, e.g. in Slovenia they are mainly individual intellectuals and fragmented NGOs. (SI)

4.5.2 Least important

Of the 27 Member States, respondents from 12 countries did not indicate any of the actions in this section as unimportant. The three main reasons for this were:

- Respondents did not feel that they were knowledgeable enough about the specific action points to be able to rule them unimportant / it was not their area of work. (SE, SI, PL)
- No reason given. (ES, RO, IT, IE, AT)
- No actions stood out as being unimportant or irrelevant (UK, HU, EE, LU)

From interviews in the remaining 16 Member States, three points stood out as of less importance – evaluating implementation of rules with Member States, alternative dispute resolution and collective redress, and informal problem-solving tools.

1. Evaluating implementation of rules with Member States (no. 44)

This action point was regarded as unimportant in seven of the Member States where respondents indicated actions that they thought were unimportant (DE, SK, CZ, BG, PT, EL, FI). The reasons for this ranking was that it was not viewed as a priority (PT, FI) and was not seen as practical, but might in fact result in more work and bureaucracy (CZ, DE).

2. Alternative dispute resolution and collective redress (no. 46) and informal problem-solving tools (no. 50)

Alternative dispute resolution and collective redress (LV, BE, MT, NL, EL, FI) and informal problem-solving tools (FI, CY, LT, LV, NL, DE) were each regarded as unimportant by respondents in six Members States.

Reasons for regarding alternative dispute resolution and collective redress as unimportant included that it is not seen as a priority at the moment (EL) and collective redresses was seen as reminiscent of the American legal system and associated with lawyers (FI). It was also regarded as a local matter (MT). Some Belgian respondents felt that Belgium already did this via EU-Pilot (BE).

Reasons for regarding informal problem-solving tools as unimportant included that:

- It is not a priority. (FI)

- In reality, ‘tools’ have limited success in problem-solving as problems are usually very complex. (DE)
- Respondents thought that if these mechanisms are informal, they are not official and therefore of limited use. (CY)
- The wording in the proposal is seen as contradictory – in formal tools must remain informal and not be regulated at EU level. (LT)

“This is something that cannot be regulated, informal is informal.” (LT – elected representative)

4.5.3 Missing actions

Respondents mentioned a range of different issues that they thought were missing from this section of the Act which are set out in the table below in the order of frequency with which they were mentioned.

Missing action	Importance / elaboration on what needs to be included	Mentioned by respondents from:
Improving the quality of legislation	<p>Suggestion to encourage EU officials to produce more clear legislation and information material</p> <p><i>“All these proposals [in the Single Market Act] are directed to others-not for the EU government itself.” (FI elected representative)</i></p> <p>Improvement of the translation quality of legislation.</p> <p>More flexibility in legislation</p>	FI, LV, MT, UK
Devolution of powers to local government	The EU should have a role in ensuring the devolution of further powers to local authorities.	IE elected officials
EU administration	<p>Proposal related to simplifying and rationalizing EU’s own administration</p> <p>Self-examination by Europe and the DGs regarding the feasibility of the implementation and transposition of directives.</p> <p><i>“There’s a need for a score table, controlled by Europe, to see which DG produces the most directives and to see which DG is most often faced with problems on non-compliance with deadline or incorrect transposition. Because the question is whether this is linked to the feasibility of implementation or not.” (BE – civil servant)</i></p>	FI, BE
Control mechanism regarding EU rules implementations	<i>“I would be interest on a control mechanism with respect to implementation process. I am not able to describe a mechanism at this point but I believe is very important.” (RO,</i>	RO

	<i>local– civil servant)</i>	
Cooperation between different governance levels	These should be a measure that concentrates on the cooperation between different governance levels (i.e. the country cooperates with local governments etc.) and the measure to increase the role of local governments.	EE
Greater consultation of local authorities	Taking account of local authorities in the governance process <i>“We need to change how local authorities are taken into account. There must be a better integration of the different levels of public power and their representatives. We aren’t NGOs or interest groups. We should be considered as a separate institution...” (FR – civil servant)</i>	FR local
Similar conditions for all EU member States	<i>“Now a farmer from Lithuania gets payments depending on what has been negotiated when entering the EU and a farmer from Denmark, in spite of the fact that climatic conditions in his country are better, gets much more. The one from France even more...now such an EU policy distorts the market, so, first of all, they should eliminate such differences”. (LT – elected representative)</i>	LT
Stop attracting qualified workers from other Member States	<i>“We prepare specialists and they leave to work in Germany, for example. And they pay taxes to that country. Emigrants from our country pay 40 per cent in taxes from approximately 5 billion which they earn there. So none of the payments from the EU shall compensate that.” (LT – elected representative)</i>	LT
Restoring public confidence	Restoring public confidence should be the European Union’s main objective. <i>“Before anything is done, there must be confidence, an understanding of what’s going on.” (FR - elected representative)</i>	FR
More regulation of banks and share prices	<i>“It should be prohibited to link CEOs’ bonuses to share prices, because share prices do not reflect the value of an enterprise” (BE - civil servant)</i>	BE
Develop a specific network between European towns and cities, a tool for the exchange of best practice and information on the issues encountered	<i>“I’m staggered by the energy spent in town halls reinventing the wheel, when it’s been done elsewhere. There are other countries, other regions which deal with it, have the same problems, with whom there could be fruitful exchanges, without having to go through an obstacle course.” (BE - elected representative)</i>	BE

5 IMPLEMENTATION OF EU PROPOSALS AT THE LOCAL LEVEL

The research sought to explore the role of local authorities in transposing and implementing EU policy and this section explores perceptions of involvement in policy making and implementation at local level and what support is needed for local authorities to better fulfil their role in this area.

5.1 Key findings

Virtually no respondents at local level had any direct involvement in the transposing of EU laws. Most received guidelines and regulations for implementation directly from national government. Most respondents believed that it was the sole responsibility of national government to transpose EU law although a minority had limited involvement in commenting on proposed legislation.

"[The local authority has] no role in transposing law. Local authorities have so little input into policy making. This is all done by central government. Our role is to lobby and if you are in the party structure, you can also lobby within this structure." (IE - elected official)

Where respondents had some involvement, the main support requirement identified from the EU was advice and guidance.

Although many were not spontaneously aware of it, almost all respondents from local authorities ultimately acknowledged their role in the implementation of EU law. Most often this was associated with public procurement, participation in EU funding programmes and environmental regulations.

Interestingly, respondents from some local authorities found it difficult to distinguish whether the legislation that they implement had its origin in national legislation or in transposed EU directives and therefore supposed that they were involved in implementing EU law, although they were not always aware of it.

Some respondents were insistent that implementation was not part of their role and that EU directives and policy making had nothing to do with their responsibilities as a local authority.

The challenges that local authorities face implementing EU legislation were similar to those expressed by respondents in the transposing of EU law, and included a lack of understanding of the content and aim of the directives. Respondents feel that the guidelines they have to implement are not always adequate or do not take into account local circumstances, or that there are discrepancies or contradictions between the national and EU legislation. Respondents reported regular resistance from citizens or other stakeholders to policy which was not always seen as in local or national interest.

"There is always this problem with laws: those who write or transpose them are often not aware of the way they are applied in practice. Writing is very different from applying, they lack the contact with the reality." (PT - civil servant)

Communication with national government was also criticised by some with more guidance sought on how to implement laws effectively. The other main issue for local authorities in implementation is that many felt they did not have sufficient financial or human resources to implement these laws effectively

There were mixed views on whether national support was required but certain themes emerged with guidance and resources being the two main requirements

- Training – in particular help with the interpretation and application of legislation
- Communication – for communication from national governments to be timely, clear, relevant and targeted
- Resources – more staff and funding to implement policy directives
- Stability – in terms of a stable political framework and also controlling the frequency of directives

Similar requirements were expressed for support at the EU level with a continued emphasis on training and information and more EU funding.

"Greater support from the Commission to the Member States would be important in the sense of conducting training initiatives regarding the directives and laws they produce, because they end up being in the hands of half a dozen firms of lawyers and experts in European law. This should not be solved this way. This should flow easily within the public administration itself." (PT - elected representative)

Although cooperation with other Member States when applying EU law was not widespread, respondents from just over a third of Member States had had some experience with this. The main barriers to co-operation were the lack of resources to facilitate it, a lack of any perceived need to co-operate, and the language barrier.

Respondents were generally not aware of any tools that could facilitate co-operation with other Member States. There was therefore poor awareness of the IMI system amongst respondents although where people had used it, they were mostly positive about its usefulness.

Hardly any of the respondents had participated in any EU network(s) concerning administrative cooperation dealing with the implementation of EU law although some could see the benefits in terms of information-sharing.

"The more self-contained we are, the more provincial we shall be. And such networks would be good for sharing best practices. We would thus share info in order not to reinvent the bicycle anew." (LT - elected representative)

Generally, awareness of EU problem-solving mechanisms was quite low amongst respondents. Most mechanisms mentioned tended to be predominantly of a judicial nature, for example the European Court of Human Rights and the European Court of Justice. A minority of respondents in different countries had heard of SOLVIT but few were able to explain what it is.

Amongst the respondents who had not heard of SOLVIT, there were mixed views about the potential practicality and benefits of such a system.

However of those who had used SOLVIT almost all gave positive feedback.

"It is very good idea and it really works, because there you can find very useful information, explained in very simple and understandable language." (BG - civil servant)

Some respondents were concerned that they had not heard about SOLVIT before and there was a widespread feeling that more effort should be put into promoting SOLVIT.

5.2 Transposing the laws

Much of the European legislation takes the form of **directives**. Directives set out a result to be achieved but leave national authorities the choice of methods. EU directives have to be written into national law within the deadline agreed in order to produce the desired effects. Only a timely and correct transposition into national law by Member States ensures that the objectives sought by the EU directives are reached.

In some Member States the responsibility for transposing EU law into national law lies entirely with National government, in other Member States this role is also shared with local authorities.

Respondents were asked the extent of their responsibilities in transposing EU law into national law, and what kind of support they receive and need both at national and EU level.

5.2.1 Responsibilities for transposing EU law

Hardly any respondents at local level thought that they were responsible for transposing EU law (AT, BE, BG, CZ, LT, RO, PT, HU, IE, CY, DK, EE, FI, FR, DE, EL, IT, LV, NL, PL, SK, SI, ES, UK, LU).

These respondents tended to receive guidelines and regulations for implementation directly from national government and believed that it was the responsibility of national government to transpose EU law (AT, BG, CZ, LT, RO, PT, IE, CY, DK, EE, FI, FR, DE, EL, IT, LV, NL, PL, SK, SI, ES, UK).

"The transposition of the European directives into national law is made by the Assembly of the Republic (Parliament). They are published in the Diário da República (Diary of the Republic) and then we enforce them, that is our role." (PT - elected representative)

Instances where respondents at the local level had been involved in transposing EU law were in the minority (HU, SE, CZ, IE):

- Direct involvement:

- Some respondents said they had been required to examine local regulations based on particular EU rules. They needed to pay special attention to sections related to discrimination, and had to make sure that it was not mentioned in any of the regulations that only a Hungarian citizen or a citizen with a registered Hungarian address is entitled to something. (HU)
- Measures related to the internal market that had to be adjusted to local legislation. (HU)

"There was one occasion when we had more intensive contact with the EU when we had to transpose the internal market directive. We received word from above. All the municipalities got a large pile of documents about the directive and we were told to review all our effective regulations that may pertain to issues regarding the internal market or discrimination or whatever and we should prepare a legal harmonisation clause."
(HU – civil servant)

- Indirect involvement:

- Civil servants who work in the legal and legislative departments can submit official comments on new laws that are being prepared (including the transposition of EU directives) by means of the Czech online system called Eklep. (CZ)
- Some elected representatives mentioned that they can submit their comments on some EU legislation (including EU funds and operational programs) via the *Association of Czech Regions*. This association participates in consultations with the Czech government, especially the *Ministry for Regional Development*. (CZ)
- Participants serve on the committee to which a proposed measure is referred for consideration or investigation. (SE)
- Lobbying (IE)

"[The local authority has] no role in transposing law. Local authorities have so little input into policy making. This is all done by central government. Our role is to lobby and if you are in the party structure, you can also lobby within this structure."
(IE - elected official)

5.2.2 Support from central government

Only a few respondents commented on **support they receive from government**. Respondents in Bulgaria, Malta and Belgium felt that they had sufficient support from the central authorities in the transposing EU law.

"I would say that I have a lot of experience in the field. And for sure in the last years the efforts for transposing the EU legislation in Bulgaria are harmonized very well between the central institutions and the experts working in the field. The institutions support a lot our efforts." (BG – civil servant)

"There is enough support via the information we receive from Foreign Affairs and the Euro-coordinators' network." (BE – civil servant)

For others, the support from government depends on the area of the directive and whether the central government has given priority to this, in which case there will be more support and commitment (SE).

The **support** that those who are involved in transposing laws **would like to receive from central government** includes:

- Increasing the number of specialists involved in the transposing of laws. (LT, MT)

"More new people should be trained about the transposition of directives." (LT - civil servant)

- Quicker and more accessible legal support. (LT)

"Sometimes one wishes to have faster legal smoothing of proposals. The idea is born faster than we put it into a legal form." (LT - civil servant)

- Greater consideration on the part of central government for the proposals put forward by committees or bodies to which laws are referred as these spend a lot of time and human resources in order to respond to the referral. Government and political leaders could also engage in greater dialogue with these bodies. (SE)
- Access to a person who has direct contact with the Commission. (MT)

5.2.3 Support required from the EU

Support that those who are involved in transposing laws would like to receive from the EU includes:

- Consultation seminars or expert advice how to transpose and interpret EU directives. (LT, MT)

“Interpretation, specifics of how to relate the EU law to the national level, how to transpose it more efficiently, is really relevant.” (LT - civil servant)

- Sharing of best practices in transposing EU law. (LT)

“Maybe, the EU has some indexes according to States who were more successful, who were less successful and how it is more or less better to transpose.” (LT - civil servant)

- That the European Commission keeps to its own deadlines and timeframes as this appears to not always be the case according to some respondents. (LT)

“It happens that the term of a directive is finishing and the Commission has not yet sent any recommendations or guidelines when they have committed themselves in the directive to do something but they do not do it, there were quite a few cases like that.” (LT - civil servant)

- Respondents would like a better understanding of the background to how decisions were reached on specific laws and why. (FI)
- Flexibility in the timeframe to transpose legislation, especially in light of the limited available resources to do so. (MT)

5.3 Applying the laws

Once a directive is correctly transposed into national law, **it has to be applied on** the ground by the national and local authorities. The Commission monitors the transposition and application of directives as well as the compliance with EU law in a broader sense (such as: regulations, decisions and EC Treaty rules). Respondents were asked the extent of their responsibilities in applying EU law and what support they receive and need.

5.3.1 Responsibility of local authorities in applying EU law

Almost all respondents from local authorities acknowledged their role in the implementation of EU law (AT, CZ, IE, SE, LT, HU, PT, RO, CY, DK, EE, FI, FR, LV, NL, SK, ES, BE, LU, DE, EL, IT, MT, PL, SI, UK).

“Yes, of course, each EU law transposed by the Romanian government is a law for us as local public authorities.” (RO – civil servant)

Some respondents related that such implementation was very specific to their area of work or the department of the local authority that they worked in (PT). The areas of responsibility that the regional civil servants mentioned in the context of applying EU law include: environmental regulations, public support, invitation to tenders and public procurement, EU funds and operational programmes, and building and construction rules (CZ). Local authorities mentioned the areas of environmental regulations and EU funds

and operational programmes as areas in which towns or cities must follow EU rules (CZ).

"It is an administrative procedure: in the beginning, there is an application to build something, we have to prepare the expertise from the viewpoint of the EU rules and then the state laws." (CZ - civil servant)

Interestingly, respondents from some local authorities found it **difficult to distinguish which of the legislation that they implement had its origin in national legislation or in transposed EU directives** and therefore supposed that they were involved in implementing EU law, although they were not always aware of it (LT, HU, RO, DK, EE, FI, FR, SK). This could imply that in general EU law is well integrated into national legislation.

"[An] EU legal act turns into an act of local significance and then we do not even relate it to the European legislation. It is very difficult to distinguish which is what." (LT - elected representative)

"Everything we see has already been translated into national law. So it's impossible for me to determine what comes from the EU and what comes from our own government..." (DK – civil servant)

However, there were still respondents at **local level who did not regard the implementation of EU law as part of their responsibilities** (BG, LT elected representatives) and held that it was the responsibility of national government.

5.3.2 Challenges faced when applying EU law

The **challenges that local authorities face** in the implementation of EU legislation were as follows:

- Lack of understanding of the content and aim of the directives:
 - The guidelines they have to implement sometimes do not match their national economic or social situation and do not take into account local circumstances, or there are discrepancies or contradictions between the national and EU legislation. (AT, CZ, LT, BG, PT, IE, PT, FI, FR, DE, IT, PL, SI, BE, LU)

"...Or we can feel in some directives that they speak about regions which, for example, exist in Germany and we do not have county governors, only central and local self-governance institutions. So here again nobody pays attention to the fact that we have a different administrative division." (LT - civil servant)

"There is always this problem with laws: those who write or transpose them are often not aware of the way they are applied in practice. Writing is very different from applying, they lack the contact with the reality." (PT - civil servant)

"There are directives which are so far from reality that we can't understand them enough to apply them in practice." (LU – civil servant)

- Inadequate translation that causes extra difficulties in comprehension. (HU, IT, SK, SI, ES)
- Respondents are unaware of the background to the legislation and therefore its application is challenging. (HU, PT, MT)
- Lack of communication about, or awareness of previous or related laws to the ones respondents are implementing. (PT, DK)

"Today a paper is issued, and another one tomorrow and the person that is applying the law may even be working based on a law without being aware that it has been revoked or changed." (PT - civil servant)

- Delays in receiving instructions on how to implement the legislation. (RO) or even just to become aware of all the EU laws that apply to them locally (CY – civil servants, EL)

"When you have to apply a law you need methodological rules which often are released with delay or there may have different interpretations. Each town, each city hall has specific situations." (RO - civil servant)

- An unclear legal situation exists during the period in which internal EU discussions are conducted and in some cases over a longer period until EU directives are transposed into EU law. (DE)

"In the area of local public transport, for a long time all you could do was read the tea leaves. At the same time, naturally, you want to choose a construction which is going to last and which is going to guarantee legal certainty. That was something that was very, very difficult for us." (DE)

- Too short a timeframe to implement laws (PL, SK, MT, IT)
- Too much detail in the legislation which is sometimes seen as intrusive, unnecessary and unjustified. (UK)
- Perceived resistance from the citizenry in accepting the regulations. (BG, LT)

"Our politicians should put more efforts in explaining that the EU legislation is in fact our legislation. It is not something imposed by some foreign hostile elements. Our decision to become part of the union should mean that we want to live in the way the other people in EU live." (BG – civil servant)

- Possible resistance to implementing EU laws that are not regarded as in the best interest of the country or other administrators leaving implementation till the last minute (LT, NL)

"A young farmer, for example, has a right to receive payments for acquiring equipment and he cannot buy a tractor from Belorussia, he has to buy a Danish one thus stimulating the Danish economy. But tell me, who is it useful for – us or other EU states that we stimulate? And that support binds us, we are more and more a colony and that will turn into a huge commitment for our children." (LT – elected representative)

- Challenges in inter-governmental communication and delays in informing local government of new policies. (PT, EL, LU)
- The costs associated with the implementation of EU law and not having sufficient financial resources and/or staff (and staff with the necessary skills) to implement these laws effectively. (CY, DK, EE, FR, DE, MT)

"The country transposes policies [and] says: 'Apply those', but all this happens at the expense of something else. Money is not given for that..." (EE - civil servant)

"I have an obligation to apply the European law on the accessibility of public places to people with handicaps, which I support, but which poses a budgetary problem for me..." (FR – civil servant)

5.3.3 Support from central government

Respondents had **mixed views about the extent of support that they receive from central government**. Some felt quite supported (CZ, RO, LV, NL, SK, BE).

"They help us, each time we have a problem and looking for answers, they give us solutions, yet I repeat, the personnel is not enough..." (RO - civil servant)

Others felt that support was quite low or insufficient (LT, IE, HU, PT, SE, CY, EE, FI) and that although they, as local authorities support central government, this is not reciprocated (LT). Some also felt that central government was more concerned with ensuring local authorities were adhering to the directives correctly, rather than assisting them in doing so (IE).

"Our authorities are politicians and today they are here, tomorrow – somewhere else. It is us who support them and not they us. We are specialists and consult them on how everything happens here." (LT - civil servant)

The extent of support might be dependent on factors such as a particularly helpful person in the ministry who is professional and knowledgeable (CZ,

SE), or a particularly helpful government department (LT); while employees that are newly appointed at the change of government seem less supportive (CZ).

The **support** that respondents **required from central government** centred on four themes – **training**, enhanced **communication**, **stability** and **resources**:

- Training (HU, PT, CY, FI, LV, ES)
 - Training courses on legislative interpretation and application. (HU, CY, LV)

“In order to participate responsibly in any process, we would need to be aware of the process itself. And then we could shape our opinion responsibly. But once we have no idea what’s going on, we find it very hard to make any comments responsibly.” (HU – civil servant)
 - Training initiatives on any EU laws that apply to local authorities. (PT, LV)

“In the case of very particular directives/laws that have to do with the intervention of local authorities, there should be information and training initiatives for the staff that work in these areas.” (PT - civil servant)
- Communication and information (HU, LT, RO, CY, DK, SK, ES, PL, BE)
 - The timely, focussed, clear and relevant forwarding of information to local governments. (HU, CY, DK, SK, ES)
 - Less formal and more informal and ongoing cooperation with ministerial employees. (LT, RO, PL, SK)

“I wish there were closer communication with for example the Ministry of Economy. If you write a question, let the answer be not in the form of recommendation or not so official, but more of a counsel, explanation on the issues raised.” (LT - civil servant)
 - More information on who to direct specific questions to. (RO)
 - National decision making processes should be more transparent and easier to understand (EE) and consult more with local government (EE).
- Resources (LT, PT, CY, MT)
 - More human resources so that in addition to their main functions, employees would have time for consultations, cooperation, looking for best practices. (LT, CY)

"Everyone is busy now and have no time to get deeper into the question, correspond, get and give advice..." (LT - civil servant)

- In some cases – for instance the decentralization of competences to the local entities – they would like more support from government. (PT)

"There should be more support. The decentralization of competences that sometimes the central government wants to do to the local authorities is not duly accompanied by financial or information support." (PT - civil servant)

- More financial resources to implement EU law (CY)
- Attending fewer meetings which would free up time for more important work. (MT)
- Stability (HU)
 - Strategic and political stability over the course of a political term, as local governments find it difficult adjusting to changes and trends and do not have the resources to follow them. (HU)

5.3.4 Support required from the EU

Respondents had mixed views about whether they would like to receive direct support from the EU and whether this would be appropriate. For some there was acceptance of the administrative hierarchy (local, regional, central) and they thought that this was the appropriate way to seek support (CZ).

Those respondents who expressed a desire to receive support from the EU sought support around issues similar to the support they are requesting from central government:

- Training (LT, PT, CY, PL, NL, UK, LV)
 - Training on the directives and laws that are introduced. (PT, CY, DE, IT, LV)

"Greater support from the Commission to the Member States would be important in the sense of conducting training initiatives regarding the directives and laws they produce, because they end up being in the hands of half a dozen firms of lawyers and experts in European law. This should not be solved this way. This should flow easily within the public administration itself." (PT - elected representative)

- Training on the policy making process. (LT, NL, BE)
- Training on procurement policies as these are complex. (UK)

- Resources (LT, CY, EE, LV, FI, EL, MT, BE)
 - More funding from the EU in order to achieve the goals they set. (CY elected representatives, EE, FI, EL, LV, MT)
 - Financial resources for research to evaluate the implementation work of local government. (LT)

“There should be some evaluation of our work, some feedback that we transposed it, that implemented the directive and how we managed to apply that transposed directive, what problems we encountered, whether we transposed it in the right way. So that we can learn from our mistakes.” (LT - civil servant)
 - More funding from the EU in order to achieve the goals they set. (CY elected representatives, EE, FI, EL, LV, MT, BE)
- Information (HU, LT, CY, DK, FI, LV, PL, BE)
 - Information about the background of particular laws – why they were passed, what were the objectives and reasons for having them. (HU, DK, FR, LV, SK, UK, PL, BE)
 - Information about best practices in implementing EU legislation in other Member States. (LT, IT, LV)
 - Targeted information about law amendments and trends concerning the local level. (HU)

“Every meeting, example of every country of some best practices is useful. Such things, undoubtedly, would be useful.” (LT - elected representatives)
- Communication (CZ, LT, RO, NL, IT)
 - Direct communication with the EU, which would enable respondents to obtain advice on legal discrepancies and other challenges. (CZ, LT, RO, NL)
 - Communication with other EU countries regarding solutions for common challenges. (IT)

5.3.5 EU Services Directive

The EU Services Directive was only referred to directly and spontaneously in two Member States. In the Netherlands, one respondent was involved in the interpretation of new legislation and directives regarding Europe, including the Services Directive. Similarly, in Belgium one respondent at municipal level mentioned that although he or she was not involved in EU policy making, they do have to interpret the EU Services Directive.

"Not involved [in policy making] directly, but we have to deal with the Services Directive for example, the environment, etc." (BE - elected representative)

It was also commented in the reports from the Netherlands and Belgium that respondents regarded the Services Directive as difficult to interpret in practice.

In one additional report the internal market for services (but not the EU Services Directive) was referred to spontaneously. In the UK report the internal market for services was mentioned as an EU policy area that impacts directly on local authorities. This was also mentioned in relation to respondents' responsibilities in the regulating of economic activity at local level. Here, the relationship between the internal market for services and alcohol and taxi licensing were mentioned. The overlap between licensing and directives in respect of the internal market for services, could create challenges in ensuring compliance in both areas. In particular, difficulties complying with both the internal market and the free movement of workers were described. For example, one respondent reported being most involved in the area of regulation to do with alcohol licensing and taxi licensing. Here, the law said that a person hiring a vehicle or taxi has to start or end their journey in the place where they made their original request, but if the computerized system was cross-boundary, this was much more difficult to regulate.

The EU Services Directive was referred to when discussing the Proposal 4 of the Single Market Act regarding the internal market for services.²

It was only in a minority of countries (BE, EE, UK, AT, SE, RO) where the internal market for services was mentioned as one of the four most important factors in creating a strong, sustainable and equitable growth for business.

Respondents held the following views about the internal market for services and the Services Directive:

- Although it requires a lot of effort (BE), respondents have seen a positive impact (BE).

"It follows on from the transposition of the services directive. I realise that we haven't finished with this directive, that's for sure. But with the great success of recent months, I'm fairly convinced by that." (BE – civil servant)

- The Services Directive is important for the development of the single market and common rules and understanding (BE, EE, AT, SE, RO) and respondents felt that this had still to evolve/be developed further (BE, AT, SE).

² Proposal No 4: The Commission and the Member States will cooperate in continuing to develop the internal market in services on the basis of the 'mutual evaluation' process set out in the Services Directive and currently implemented by the Member States and the Commission. In 2011, the Commission will indicate specific measures to this end, including in the business services sector.

“Regulation is extremely important. The importance of services is increasing in Estonia and a unified regulation is very welcome. Or common principles.” (EE – civil servant)

“There is certainly some growth potential regarding the internal market for services, as for products this aspect is already widely regulated.” (AT – civil servant)

- The means applied by the Commission (including “soft” tools) are particularly appropriate in this area. Respondents therefore encourage the European Commission to act in this way. (BE)

“Opening the market, the services directive, is effectively something which for enterprises - and I’m speaking here as a council spokesman for economic affairs - probably won’t affect local traders but for businesses of a certain size, yes, that’s certain.” (BE - elected representative)

- The internal market for services might bring new opportunities to the country (EE, RO), but there are also some risks (EE).

“If this internal market of services really starts working, although I could not imagine exactly how it would work, then it might have quite a good influence on how good it is to live in Estonia, how much people earn here and how available services are. I most of all think about healthcare services: if they were consumed more cross-border, what it would mean. On the one hand it might increase Estonia’s wealth, but at the level of the local government it might influence how available the services are to our own people. So it could be both – good or bad. But in my opinion it is rather a positive solution for Estonia.” (EE – elected representative)

“Internal market for services, standardization and regulation of services, the Romanian citizen should benefit of the same services as in all others EU states and vice-versa.” (RO – elected representative)

- Internal market for services increases European competitiveness compared to other economic areas. (EE)
- Respondents in the UK understood this point to be about removing barriers for service providers to work in other Member States. However, the thresholds are too low – it reaches down to too low a level. One respondent was concerned about this because of the known loophole for businesses to be able to claim grants to set up a business in a Member State, having just closed one down in another Member State where they employed a greater number of people. (UK)

5.3.6 Specific needs in fulfilling implementation role

Respondents were asked whether they had any specific needs in areas such as research, training, legal advice, etc. to help them better fulfil their role in the implementation of EU laws. Respondents mostly tended to mention the

same areas of support they require from central government and the EU. Other support detailed below was not aimed at any particular level (central government or the EU).

Legal advice

Respondents had mixed views on this point. Some respondents were keen to receive legal advice or have access to it (AT, HU, CY, DK, EE, DE, EL, LV, MT, PL, BE, LU) as it is quite often necessary to consult with legal staff or private lawyers to ensure that laws are applied correctly. Such advice could also be provided in the form of training sessions (AT). Other respondents thought that they did not require legal advice and that this would be an unnecessary expense (RO, FI, IT).

Research tools

Some respondents thought that such support would not be required (RO, FI). Others thought that it would be important and welcomed (CY) as it is always important to have as much information as possible in order to make an educated decision (CY).

Respondents from five different countries all mentioned that they would welcome some kind of online research tool (DK, DE, EL, IT, MT). This could take the form of a database with case studies and concrete examples from other countries, or a database where respondents could search for specific information on how to apply given legislation.

Respondents from Latvia would like to see resources be made available to that municipalities can conduct research that will inform policy.

Information

Respondents' need for more information is already apparent from their requests for information from central government and the EU detailed above.

An additional suggestion was that information on how to interpret particular EU laws and rules could be added on to existing online systems such as EUR-Lex (CZ), or in the form of a newsletter circulated by email with links to appropriate websites (CZ).

Respondents from Germany mentioned that language barriers are often quite high as texts are provided in English and French and this is something that they would like to see addressed.

Respondents from Malta believed that information should also be provided to the public as people don't always understand EU law.

Training

As with the need for more information, the need for training has already been previously expressed. Additional training needs include life-long learning (AT, BG, HU, RO, SE)

5.4 Cooperation with the EU

Where respondents were aware of their responsibilities in the implementation of EU law, they were asked whether they had any experience in co-operating with other Member States or other EU networks.

Although cooperation with other Member States when applying EU law was not widespread, respondents from just over a third of Member States had had some experience with this (LT, SE, CY, BG, EE, FI, DE, MT, ES, UK, BE, LU).

Examples of cooperation include:

- Nordic projects where Sweden had been the main cooperating partner. (FI)
- Local authorities of similar size (EuroCities) that collaborate on highly specialised topics such as in the environmental field. (DE)
- Municipalities have 'twin cities' in other Member States and cooperate in that way. (EL)
- Some bilateral cooperation, for example with Italy, where projects are implemented together. (MT)
- Requiring human resources from other Member States to help with the implementation of EU law. (MT)
- Social policy conferences with other Member States where experiences are shared. (MT)
- Collaboration on how specific laws are implemented. (BG)

"We had a project on how the countries respect the terms to implement the laws, how they control how they are applied and we went to several countries to see their experience. It was [a] very useful exercise." (BG – civil servant)

- Local councils along the border have experience in working with local councils of another country. They have to do this for large projects, for example habitats zoning, the Lela and Quadropol programmes and town networks. (LU)

However, some respondents from just more than a third of Member States did **cooperate with other Member States, but not on the issue of implementing EU law**. Examples of such interaction include:

- Cooperation on specific project, e.g. projects funded by the EU. (RO, DK, EE, FI)

"Yes, I am talking about the EU funds, which are available for local, regional, national and cross-country development projects. So this is a

tool for cooperation among EU member States, the projects funded by EU funds.” (RO - elected representative)

- Working together on cross-border tenders. (HU)
- Think tanks that conduct research and engage in advocacy on various political, technical and economic issues. (FI)
- Using specific networks to exchange information and experiences. (PT, CZ)

“We belong to the network of museums, we receive information from all the European museums that belong to this network. There has been exchange of experiences, mainly cooperation.” (PT - elected representative.)

“We do not cooperate in the area of EU law implementation or application. We share and organise cultural and social events with our French, Austrian and Slovak partners.” (CZ - civil servant)

- Addressing informal queries from other Member States. (AT, SE)

“Sometimes we get informal inquiries from colleagues from other Member States; this is some kind of informal collaboration by helping each other!” (AT - civil servant)

Respondents also cited a number of **reasons for/barriers to a lack of general co-operation** with authorities in other Member States:

- Resources - lack of time in response to these propositions. Respondents referenced cutbacks and/or union restrictions in terms of work load to justify not getting involved. A common response was that it was a good idea in theory, but in practice the resources could not be made available. (IE, LT, SE)

“We do not have time to sit and talk. You know, if there is nothing to do and if it is interesting to you, you can play...” (LT - elected representative)

- Lack of perceived need (IE, LT) – it is not clear in all cases that a need for cross-border cooperation existed. Respondents, such as civil servants in Ireland, never had to connect with local authorities in other countries and few foresaw a need to do so in the future (IE). Other respondents did not see such interaction as part of their employment functions (LT).

“We do not work on such issues where one needs consultation, maybe, some colleagues who work with different youth projects have some issues to be discussed but we not.” (LT - civil servant)

- Language barriers – not all respondents are conversant in English. (LT)

"...another issue is the English language, a lot of people speak the language but others do not feel at ease when one has to talk not in a native language." (LT - elected representative)

5.5 IMI

Respondents were generally **not aware of any tools that could facilitate co-operation with other Member States** and gave only a few examples such as meetings, databases, EPSA, BEREC, and Perm Peps (MT). There was therefore **poor awareness of the IMI system amongst respondents**. A minority of respondents in some countries had heard of it (LV, PI, ES, IT, EL, BE, DE, MT, RO, PT, CZ, AT, BG, LT, CY, EE). Respondents who were aware of it or had used it held the following opinions about the IMI:

- One respondent mentioned that the authority he represented was using it and it had been introduced because there are young professionals in charge. (RO)

"We are using it, I have told you, here is a kind of dynamic environment, and this is due to young professionals." (RO - elected representative)

- Respondents in Malta and Italy had had positive experiences and thought that the IMI offers a broad perspective that cuts across various areas, provides direct access to the service and relieves nations from the burden of investing in resources that has cost implications.
- Most respondents had heard of it and thought that it was a very good initiative that should be further pursued and expanded. (AT, BG, BE)

"We know about it, apparently it is a good system, but I've had no experience with it." (BE – civil servant)

- Two respondents were aware of the IMI and thought it was not very developed yet. (PT)

"I am aware of it, but it does not work very well, information is still very restricted..." (PT – civil servant)

- One respondent who had used it said that a simple question was not answered satisfactorily and not in the promised time. (DE)
- A municipality in Greece was currently receiving training on the tool. (EL)

Those respondents who had not been aware of the IMI before the interview had **mixed views on how useful they thought such a system would be**. On the one hand were those who regarded the concept as positive and possibly useful to them (PT, HU, IE), although some thought that it would rather be a first step towards co-operation than something that would be relevant to them in its current format (IE).

"I was not aware of it, but it makes perfect sense..." (PT - civil servant)

"We haven't heard about it but it must be good. I think it has occurred a hundred times that someone contacted us with a question, and we had to say we don't know, please contact the ministry. This is the simplest to say. It's sort of a table tennis, we send the client there and they send him back to us." (HU - civil servant)

However, another group of respondents expressed doubts about the system and also mentioned some reasons why they are unlikely to use it:

- Lack of awareness of the system and what it can offer. (LT)
- Some did not see the system as part of their sphere of activity in local government (HU, LT, EE)

"...I do not know, there is no need, and it does not belong to my responsibilities." (LT - civil servant)

- There was also a lack of need for such a system (IE, LT, EE, SI).

"I'm looking at the examples here [in the IMI booklet] and that's not anything that I would have to deal with." (IE - elected representative)

"There is no need, and it does not belong to my responsibilities" (LT – civil servant)

- Concern was expressed about the resources that would be needed to run such a system (IE, LT).
- From the brochure on IMI given to respondents, they were not sure how applicable the examples are to their contexts. (HU, IE)

"It says that the Internal Market Information System enables administrative cooperation for 11 professions. This is really great but I don't know how typical these examples are, I mean if we have a closer look at the local government as a cooperative partner. Because a doctor will come across the local government, if he or she is adult or paediatric family doctor, but we have nothing to do with the case described here." (HU – elected representative)

- Formalised communication is seen as lacking personal involvement and being inefficient. (LT, EE)

"As far as I know, all those internet networks, such as legal information network, are like this: you ask a question and have to wait for an answer which you receive in five weeks and the answer does not match your expectations, so it is not good, communication becomes so formalised that there is little use of it." (LT - elected representative)

"When I begin thinking about it, I can only talk about my local government, but I think that this will not be implemented here even in three or four years time. When I visit the website, I cannot imagine asking something over some impersonal network..." (EE – civil servant)

- There was concern whether there would be 'buy-in' from all EU Member States to use the system. (UK)

Hardly any of the respondents appeared to have participated in any EU network(s) concerning administrative cooperation dealing with the implementation of EU law.

Respondents from the UK mentioned involvement in a structural funds programme. Another example was mentioned by a respondent in Cyprus who was part of a network called Quality Cities that has to do with the quality of services that local authorities provide (CY civil servants). Finally, respondents from Malta held that they cooperated in EU networks and found it very useful and necessary.

Respondents did not completely discount the usefulness of such networks and held that such networks could be useful when:

- People shared their best practices on difficult issues. (LT)

"The more self-contained we are, the more provincial we shall be. And such networks would be good for sharing best practices. We would thus share info in order not to reinvent the bicycle anew." (LT - elected representative)

- They are created because of natural need, for a specific problem and not through administrative creation.

"...such networks should be created because of necessity, according to relevant issues." (LT - elected representative)

However, there were also respondents who held that such co-operation was not related to their work functions (LT).

"These are more the functions of European Affairs Department as we do not participate there, we have no need for that." (LT - civil servant)

Respondents also **did not really seem to form part of national networks and regional networks** (RO, AT). Examples of such co-operation include:

- Administrative co-operation dealing both with national problems and international issues, including implementation of EU law. (RO)

"We are members of the National Union of County Councils in Romania and because of this, each law before being debated in Romanian Parliament, it comes to us and we are allowed to tell our opinion on it, make improvements, proposals, so we are part of this system." (RO - elected representative)

- Authorities in Austria cooperate mainly with colleagues in Germany due to close proximity and common language. National and local authorities work together with EU Accession Countries, such as Slovakia and Czech Republic and Hungary. (AT)

Those who are involved in a national network reported positive experiences. (RO)

"It works very well, we are in contact with NUCCR (National Union of County Councils of Romania) weekly and they forward our suggestions to members of the Romanian Parliament." (RO - elected representative)

Again, those respondents who were not involved in national or regional networks had mixed views about whether they would like to participate. Some respondents were more open to the idea of co-operating and felt like there were things that could be learnt from other local authorities both within and outside the country. (IE elected officials, HU civil servants, CY)

"We have the same problems in 32 counties [i.e. Ireland and Northern Ireland] but we don't talk to each other. I'm sure the French have solved many of these problems. We shouldn't have to reinvent the wheel. We can talk to other people." (IE - elected representative)

However, others thought that such cooperation would work in theory, but they are constrained by the realities of existing workloads and doing the work that is already in their job descriptions (HU). Elected representatives see their responsibility only as cooperating with their party (HU). Some consider regional level cooperation as possible, but even this would be for public relations purposes as it would be meetings between high-ranking politicians, instead of facilitating practical actions on the ground (HU).

Respondents mentioned some of the **key issues that they thought could be addressed by co-operation networks**:

- International cooperation networks could be useful in finding and establishing partnerships, finding solutions for the different socio-economic development levels between Member States, identifying the local, regional and cross-country development needs, EU rules implementation, environment policies, rural areas support, transport challenges, establishing good practices, waste management policies, sustainable development, and recognising professional qualifications. (RO, UK, CY, EE, FI, SK, ES)
- Trans-national networks for administrative cooperation could facilitate solving specific national issues. (BG)

"We made a three-part contract with Romania and Greece in order to follow what are the working conditions of the workers working abroad." (BG – civil servant)

- More active international administrative cooperation networks, especially between neighbouring countries would be welcomed. Such networks would help respondents find solutions to problems they face,

exchange information, and develop policies and programmes on community and regional development. (RO)

- Networks could also help address challenges in the transposing and implementation of EU law. (FI, NL, UK)

Central to the success or failure of any cooperation network appears to be the format that the network takes. The system needs to cater for all levels of technical know-how and also ensure that correct procedures are put in place to facilitate quick replies (IE). Some respondents also offered suggestions for a database that collects all the good practices and ideas that could be used by the rest of the countries in the EU (BG), and another internet databases with the contact information of people from other Member States (LT). This could facilitate greater co-operation. Although a suggested way of cooperation could be internet forums, the value of having a personal contact was emphasised (SE, NL).

5.6 SOLVIT and problem-solving tools

Where respondents were aware of their responsibilities in the implementation of EU law, they were asked whether they knew of any EU problem-solving mechanisms (such as SOLVIT) and whether they had actually used such tools themselves.

Generally, awareness of EU problem-solving mechanisms was quite low amongst respondents. Apart from SOLVIT, which is discussed below, other problem-solving mechanisms mentioned were predominantly of a judicial nature, for example the European Court of Human Rights and the European Court of Justice (IE, CY, EE, SK). Other examples included professional organisations such as the European employees' federation, an international/European ombudsman (SK, IE, CY civil servants, LV civil servants), the Council for Human Rights (FI, CY elected representatives), the Council of Europe (CY elected representatives), the European Consumer Association (CY civil servants, EE, MT), Europe Direct (CY civil servants), Your Europe (CY civil servants), OECD (FI), Perm Rep European Consumer Centre (MT), SEN (MT), SENELEC (MT), and RAPEX (MT)

A minority of respondents in different countries **had heard of SOLVIT** (BG, LU, CZ, PT, RO, SE, IE, CY, EE, FR, EL, IT, LV, MT, NL, SK, AT, BE).

"I have heard but the essence is not clear." (LV – civil servant)

Only a minority of respondents were able to explain what SOLVIT is. (LT, IE)

"They deal with a problem if, for example, my rights are violated, for example, according to some directive here [in Lithuania] it is one way and in Poland another way, then I can apply and solve problems extra-judicially. But I have never used it." (LT - civil servant)

Respondents were unclear about how they had come to hear of SOLVIT. One had heard about it from a colleague at the local authority who had occasionally used the system. (CZ)

Amongst the respondents who had not heard of SOLVIT, there were mixed views about the potential practicality and benefits of such a system. There were some respondents who were unclear about how it would work in practice (IE, HU). Others thought that such a system would not fall within their sphere of responsibilities (HU). Concerns were expressed about resources and staffing that might be required for such a system to work and also whether this is a responsibility that should be assigned to the local level (IE).

"Look, I wouldn't give it [responsibility for SOLVIT] to the county council, to be truthful about it. Culturally, competence wise – and I mean competency in an ability sense – it just wouldn't work. This would be much better dealt with by consumer agencies and business agencies such as Enterprise Ireland, ISME (Irish Small and Medium Enterprises Association) and those." (IE – elected representative)

Others thought it would be a very positive initiative (PT, HU, CY) and very important as it addresses citizens' problems (RO), helps both authorities and citizens to obey EU regulations (AT), and would improve communication between Member States and communication from the EU, which is seen as in need to strengthening (AT).

"I did not know it [SOLVIT], but it is a good idea" (PT - civil servant)

"When they will be at maximum efficiency, I am sure they will be well known among citizens. As far as I know, from all I have read so far, the solutions given were in favour of the citizens who accessed SOLVIT." (RO - civil servant)

Some respondents were concerned and puzzled about why they had not heard about SOLVIT and why such information had not reached them. (HU, BE)

"I am seriously concerned that I am not familiar with this tool [SOLVIT]" (BE - elected representative)

It follows that only a small **minority of respondents had used SOLVIT** (BG, CZ, PT, SE, AT, FR, IT, NL, BE). But those who had used it gave **positive feedback**.

"It is very good idea and it really works, because there you can find very useful information, explained in very simple and understandable language." (BG - civil servant)

"I happened to be searching something and it came up. I found it interesting, I was pleasantly surprised." (PT - civil servant)

“SOLVIT is working very effectively. This is a good starting point for better cooperation and I consider it to be a very good initiative.” (AT - civil servant)

“SOLVIT works very well. It lets us know that we need to change something before a dispute arises.” (BE – civil servant)

Respondents offered a number of suggestions on **how SOLVIT could be made more effective**. The most prominent of these was that more effort should be put into promoting SOLVIT as respondents were largely unaware of it, and therefore, assumed that the public and special interest groups shared their ignorance and that the system might therefore be underutilised (BG, HU, LT, SE, BE, EE, NL).

“It is impressive how low is the number of the cases in SOLVIT, taking into consideration how many people live in EU.” (BG – civil servant)

Different ways of promoting it could include publicising it in the local paper (HU, NL), radio (NL), television, placing information material in the town halls (HU).

“It would be great, for example, if people knew about it. It would be fabulous. Communication by the government or by the European Union should be much louder...It’s astonishing how much we have no idea about.” (HU - civil servant)

“The most important is that one should know that such systems exist, people must be informed that they exist and a person should know if there is system in the field where he needs help.” (LT - civil servant)

“SOLVIT must become more widely known as a procedure for the rapid resolution of problems.” (BE - civil servant)

“Social security, of course – there are lots of problems in this respect. Taxation also comes with a host of problems. People have more and more problems in these areas. If there is this reasonable plan – a reply in ten weeks. I think it’s very necessary.” (EE - elected representative)

“Really, this should be given much greater publicity if the instrument does indeed already exist and is apparently effective for so many things. Radio spots and advertisements in, for example, the weekly professional magazine...” (NL – civil servant)

It was also regarded as important to promote SOLVIT amongst diverse interest groups as civil servant respondents in Bulgaria who had used SOLVIT was under the impression that it was mainly used by private persons and not by businesses.

Other ways in which SOLVIT could be more effective but that were only mentioned by a minority of respondents, include the following:

- A lack of content analysis of the problematic cases meant that the same problems were repeated. (BG)
- It is important to add resources to managing the increasing number of cases in SOLVIT. (SE)
- The relevance of the responses give can be improved. (FR)

“Large authorities use it, submit questions. I think it works. But that’s when you see that the responses aren’t always suitable for the territory in question, for the actual situation. That doesn’t mean that it’s useless, but that is what I got from it.” (FR – elected representative)

5.7 Response to leaflets

Although not covered in the discussion per se, it was noted that many respondents reacted positively and with interest when they received information leaflets regarding the Single Market Act and the problem-solving tools (SOLVIT and IMI) to take home (AT, IE, EE, EL, FI, NL, PT).

Greek respondents paid special attention to the specific examples in the SOLVIT leaflet and many of these respondents were amazed that such a tool exists and is operational, but that they were not aware of it.

6 APPENDIX – DISCUSSION GUIDE

LOCAL AUTHORITIES AND THE GOVERNANCE OF THE SINGLE MARKET

DISCUSSION GUIDE – ELECTED REPRESENTATIVES AND SENIOR EMPLOYEES – FINAL

Given the importance of local authorities in the overall governance of the Single Market and in view of their proximity to the EU citizens, DG MARKT would like to engage them in discussions in order to identify potential areas of improvement of the EU policy making process.

The purpose of the exercise is also to let local authorities suggest ideas for strengthening the Single Market.

INTERVIEWER NOTE: AT RECRUITMENT THE RESPONDENTS WILL HAVE BEEN EMAILED WEB LINKS TO TWO DOCUMENTS:

- A COPY OF THE SINGLE MARKET ACT (SMA)
- A LIST OF 50 ACTIONS PROPOSED IN THE SINGLE MARKET ACT

AT THE END OF THE INTERVIEW THE INTERVIEWER CAN PROVIDE THE RESPONDENT WITH THE FOLLOWING HARD COPY DOCUMENTATION:

- INTERNAL MARKET INFORMATION SYSTEM (IMIS)
- SOLVIT
- BROCHURE ABOUT SMA

INTERVIEWS WITH ELECTED MEMBERS ARE 45 MINUTES AND INTERVIEWS WITH SENIOR STAFF ARE 60 MINUTES IN DURATION.

1) INTRODUCTIONS (5 minutes)

In this section the moderator establishes the rules of the depth interview, and begins to develop the essential rapport with respondents, putting them at their ease and beginning to get to know them.

Moderator

- Introduce self
- TNS Qual+ / local institute
- Independent

Process

- Audio recording
- No right / wrong answers
- Confidentiality

Subject

- Understanding the level of awareness, perception, and participation in EU policy making
- Exploring their interest and enthusiasm to know more, and to make a greater contribution in this area
- Understanding the relevance of the Single Market Act (and the proposed actions) to the local authorities
- Understanding their involvement in both transposing and applying EU law
- Understanding the support they currently have to work on the implementation of EU laws alongside their National government, and to determine what additional support they would like from the EU

Respondents

- Name
- Role (elected representative/senior employee of the local authority)
- Key responsibilities (job title and main activities)

2) AWARENESS OF EU POLICY MAKING (5-10 minutes)

Can you tell me a little about your role in relation to the EU? (Probe: what type of involvement do you have on EU matters?)

INTERVIEWER: There are three main ways in which the respondents may be involved in / concerned by the EU policies. (1) Management of EU funds: the EU funds for example in the agricultural sector, regional policy funds such as for infrastructure, environmental projects are channelled through the local level. (2) As a stakeholder: they are targeted by a given piece of legislation. For example a recent EU directive on late payments obliges the public authorities (including the local ones) to pay their bills within 30 days otherwise they will face high interests. (3) As a regulator: they are involved in the implementation of EU law at the local level. It might for example mean that they have to screen local laws to see if they are in conformity with an EU law, and then to apply the EU law at the local level by e.g. verifying various permits, authorisations, etc.

Some local authorities might play only one role, some all three of them. However, in the context of this study, we are interested in local authorities involved in EU policy making as (3) regulators. So IF RESPONDENTS Start TALKING ABOUT EU regional or agricultural policy funds, (I.E. HOW EU FUNDS ARE MANAGED) MOVE THEM ON AND PROBE FOR THEIR PERCEPTIONS AS REGULATORS): Tell me about your role as a regulator?

How do you get informed about EU policy making? (Probe: government sources? What other sources do you use?)

If you had to search for information for yourself, which sources would you use? (Probe: EU website, newspapers etc?)

Which sources of information do you consider to be the best method of finding out about EU policy making? (Probe: which do you trust most?)

Would you say you have access to all the information you require, or are there areas where it is difficult to get information on EU policy making? (Probe: what areas?)

3) PERCEPTION OF EU POLICY MAKING IN GENERAL (5-10 minutes)

In what ways are you involved in EU policy making?

- by participating in consultations directly at the EU level?
- are you consulted by your national government /central level about EU policy?

What is your perception about the EU policy making in general?

- What things would you say are **positive**? Why do you say this?
- What things would you say are **negative**? Why do you say this?

Do you think you and your team feel ownership of EU policies, or not?

- Why do you say that?

From your point of view and based on your experience, how could the consultation mechanisms be improved?

- What about web-based consultation? What are your views about this?

Have you identified major problems? (Probe: If yes, what are these problems?)

Are you interested in becoming more involved in EU policy making?

- Why do you say this?

4. RELEVANCE OF THE SINGLE MARKET ACT FROM THE POINT OF VIEW OF LOCAL AUTHORITIES (15-25 minutes)

Are there many EU policies that have a direct impact on you as a local authority? (INTERVIEWER: WE WANT TO GET THE RESPONDENT'S SPONTANEOUS "TOP OF MIND" RESPONSE, AT A LATER QUESTION WE PROBE IN MORE DETAIL).

- If yes, which ones?
- (INTERVIEWER: IF RESPONDENT SAYS THERE ARE LOTS OF POLICIES WHICH HAVE A DIRECT IMPACT ON LOCAL AUTHORITIES, ASK WHICH ONE ARE THE MAIN ONES?)

As you are aware, in November 2010, the European Commission adopted the Single Market Act - a series of measures to boost the European economy and create jobs. We would like you to consider this list. The list is organised under three headings:

- Strong, sustainable and equitable growth for business
- EU citizens: Restoring confidence by putting Europeans at the heart of the single market
- Governance: Dialogue, partnership, evaluation: the keys to good governance of the single market

INTERVIEWER: USE STIMULUS 1 – LIST OF 50 ACTIONS PROPOSED IN THE SINGLE MARKET ACT. A

What do you consider are the 10 most important actions proposed in the Single Market Act from the point of view of local authorities?

- Why did you choose these ones?

Which actions included in the Single Market Act do you consider are not relevant for EU action ?

In your view, are there any other additional issues which should be addressed under each of the three sections which are not currently covered?

- Do you have any new ideas you would like to see included in this list?

5. IMPLEMENTATION OF EU PROPOSALS AT THE LOCAL LEVEL (15-25 minutes)

Needs of local authorities to better fulfil their role in transposing EU laws:

Much of the European legislation takes the form of **directives**. Directives set out a result to be achieved but leave national authorities the choice of methods. EU directives have to be written (legal term = **transposed**) into national law within the deadline agreed in order to produce the desired effects. Only a timely and correct transposition into national law by Member States ensures that the objectives sought by the EU directives are reached.

In some Member States the responsibility for transposing EU law into national law lies entirely with National government, in other Member States this role is also shared with local authorities.

Would you say that you have any responsibilities to **transpose EU law into national law**?

- If yes, what sort of issues or problems do you face in doing this? (Probe: for example is timing an issue?)

What kind of support do you get from your central government?

What kind of support would you like from your central government?

What kind of support would you like from the EU?

Needs of local authorities to better fulfil their role in applying EU laws

Once a directive is correctly transposed into national law, **it has to be applied on** the ground by the national and local authorities. The Commission monitors the transposition and application of directives as well as the compliance with EU law in a broader sense (such as: regulations, decisions and EC Treaty rules).

Would you say that you, as a local authority, have any responsibilities in **applying EU law**?

What challenges / problems do you face when **applying EU law**?

What kind of support do you get from your central government?

What kind of support would you like from your central government?

What kind of support would you like from the EU? (Probe: online/offline communications, training etc)?

Do you have experience in cooperating with other Member States when applying EU law?

- For example on cross-border issues?

Are you aware of any particular tools which can facilitate co-operation with other Member States?

Probe awareness and use of Internal Market Information System (IMIS)?

- If aware of IMIS, what is your experience of it / using it?

Do you participate in any EU network(s) concerning administrative cooperation dealing with the implementation of EU law?

- If yes, what is your assessment on the functioning of such networks? Do they work well? Have you experienced any issues / problems with these networks?

Do you see the need for administrative cooperation networks also at **national (e.g between two or more Member States) or regional** (e.g. cross-border regions like Scandinavian / Baltic Sea / Central European countries etc) levels?

- What would be the key issues to be addressed by such cooperation networks?

Do you know about any other EU problem-solving mechanisms, processes or organisations?

- If yes, which ones?

Have you ever used any (e.g. SOLVIT)?

- If yes, can you tell me about how effective these mechanisms are, in your opinion?
- What could make them more effective?

Do you have specific needs to better fulfil your role as regards implementation of EU laws in the areas of....?

- Legal advice?
- Research tools?
- Information?
- Training?
- Any other?

Do you consider that these needs are currently satisfied?

- If not, how best could they be satisfied?
- Is there more that the EU could do to support you in this role?

INTERVIEWER: AT THE END OF THE INTERVIEW TELL THE RESPONDENT THAT YOU CAN LEAVE INFORMATION ON IMIS AND SOLVIT, and the Single Market Act brochure WITH THEM. RECORD WHETHER THEY TAKE THEM, AND ANY COMMENTS ABOUT THE MATERIALS.

Thank participant for their time and close the session.

STIMULUS 1 - LIST OF 50 ACTIONS PROPOSED IN THE SINGLE MARKET ACT

1. Strong, sustainable and equitable growth for business

1. EU Patent
2. Copyright
3. Counterfeit and piracy
4. Internal market for services
5. Electronic commerce
6. Standardisation
7. Integrated transport system
8. Energy taxation
9. Business-to-business services
10. Ecological footprint of products
11. Energy Efficiency
12. SME access to finance
13. Small Business Act review
14. Accounting rules
15. EU project bonds
16. Private investment and venture capital
17. Public procurement
18. Services concessions
19. Common consolidated corporate tax base (CCCTB)
20. VAT
21. Interconnection of business registers
22. E-identification/authentication
23. International trade
24. International public procurement

2. Restoring confidence by putting Europeans at the heart of the single market

25. Services of general economic interest (SGEI)
26. Transport infrastructures
27. Energy infrastructures
28. European radiospectrum
29. Respect for fundamental social rights
30. Posting of workers to other Member States
31. Pensions
32. Industrial restructuring
33. Recognition of professional qualifications
34. Student mobility
35. Recognising skills and training
36. Social business
37. Social innovation
38. Corporate governance
39. Product safety
40. Access to basic banking services
41. Responsible lending and borrowing
42. Tax obstacles for citizens
43. Passenger rights

3. Dialogue, partnership, evaluation: the keys to good governance of the single market

- 44. Evaluating implementation of rules with Member States
- 45. Information exchange between public authorities (IMIS)
- 46. Alternative dispute resolution and collective redress
- 47. National transposition of EU rules
- 48. Consultation and dialogue with civil society
- 49. One-stop-shop for information and assistance
- 50. Informal problem-solving tools