

Single Market Scoreboard

Your Europe Advice

Reporting period: 01/2018 – 12/2018

About

Your Europe Advice is an EU-run **advisory service** answering citizens' and enterprises' queries (by phone or online) about their EU rights in the Single Market. It relies on a network of more than 60 legal experts who handle enquiries in all 24 official EU languages.

Achievements

- Since 2009 the **number of enquiries** has more than **doubled** (90 % of enquiries are eligible). After a slight decrease in the number of enquiries in 2017 the number of enquiries stabilised at just above 23 000 in 2018; this means an increase of 1 %.
- The timeliness and quality of replies is being maintained even though the questions put to Your Europe Advice are **increasingly specific and complex**.
- Quality controls of experts' replies continue to be very strict.
- Your Europe Advice's experts have benefited from a 2-days in-house **training seminar on new EU law**
- The system of **quarterly feedback reporting** – based on legal analysis of the problem areas identified via the enquiries – is by now well established and allows providing useful feedback to policy units of the European Commission.
- Experts participated in two facebook chats on start-ups and passenger rights. Such social media activities allow providing real-time online advice to citizens and businesses.



A typical question to “Your Europe Advice”

A Belgian who had worked in France for 4 years lost his job recently. He moved back to Belgium to look for work and wanted to know whether he would receive unemployment benefits from the French or the Belgian social security system.

Your Europe Advice told him that *France* – where he had last worked – was responsible for examining his right to unemployment benefit under national law. French unemployment benefit could be transferred to Belgium for up to 3 months, with the option of one renewal.

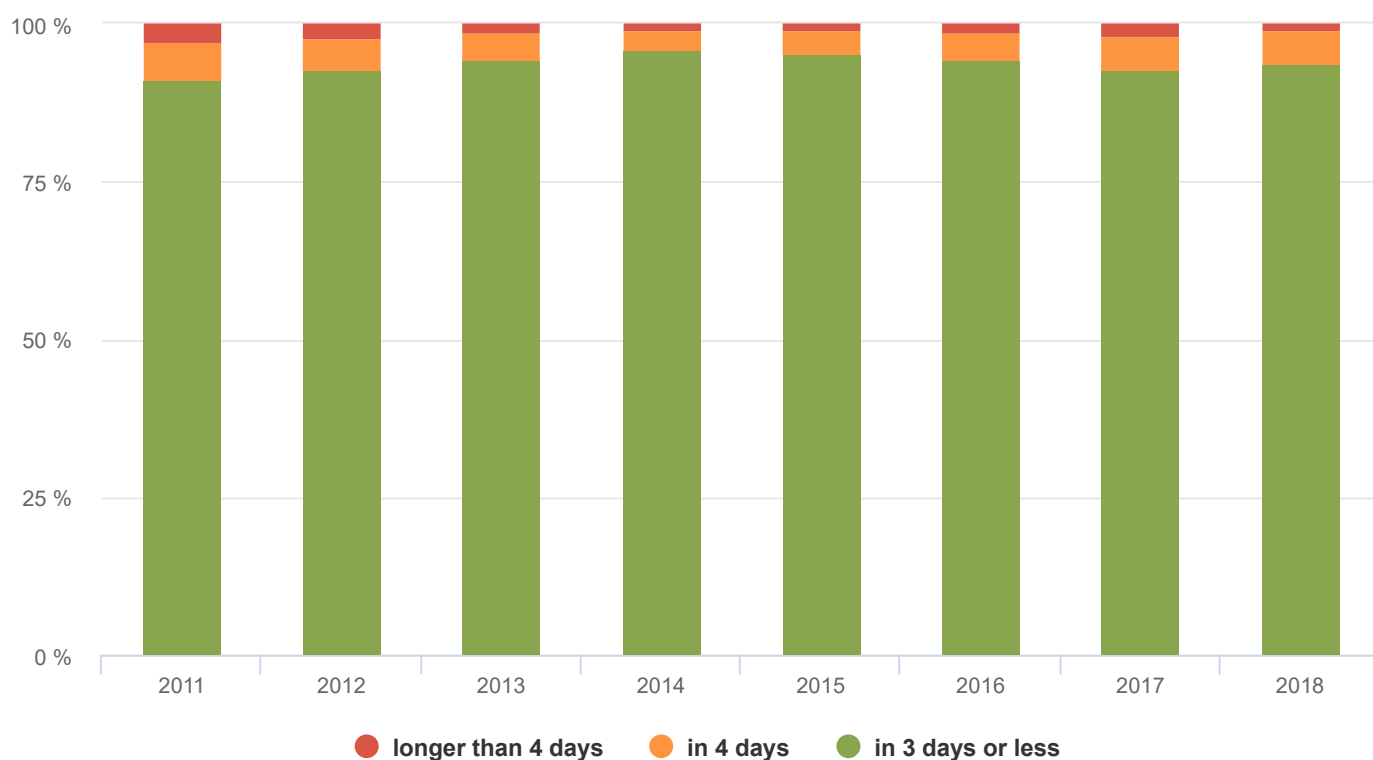
- **Cooperation & coordination** with the Commission's related support services (SOLVIT, [Europe Direct Contact Centre \(EDCC\)](#), Your Europe website) have been further developed.
- Your Europe Advice has significantly contributed to updating and developing the Your Europe Portal.
- The **direct transfer system** between Your Europe Advice, SOLVIT and EDCC is working smoothly.

Facts and Figures

Running the Service

Service efficiency is measured primarily by the speed of replies. The aim is to reply to enquiries within **3** working days. 93.59 % of replies are sent within that deadline and nearly 99 % within four working days.

Speed of replies



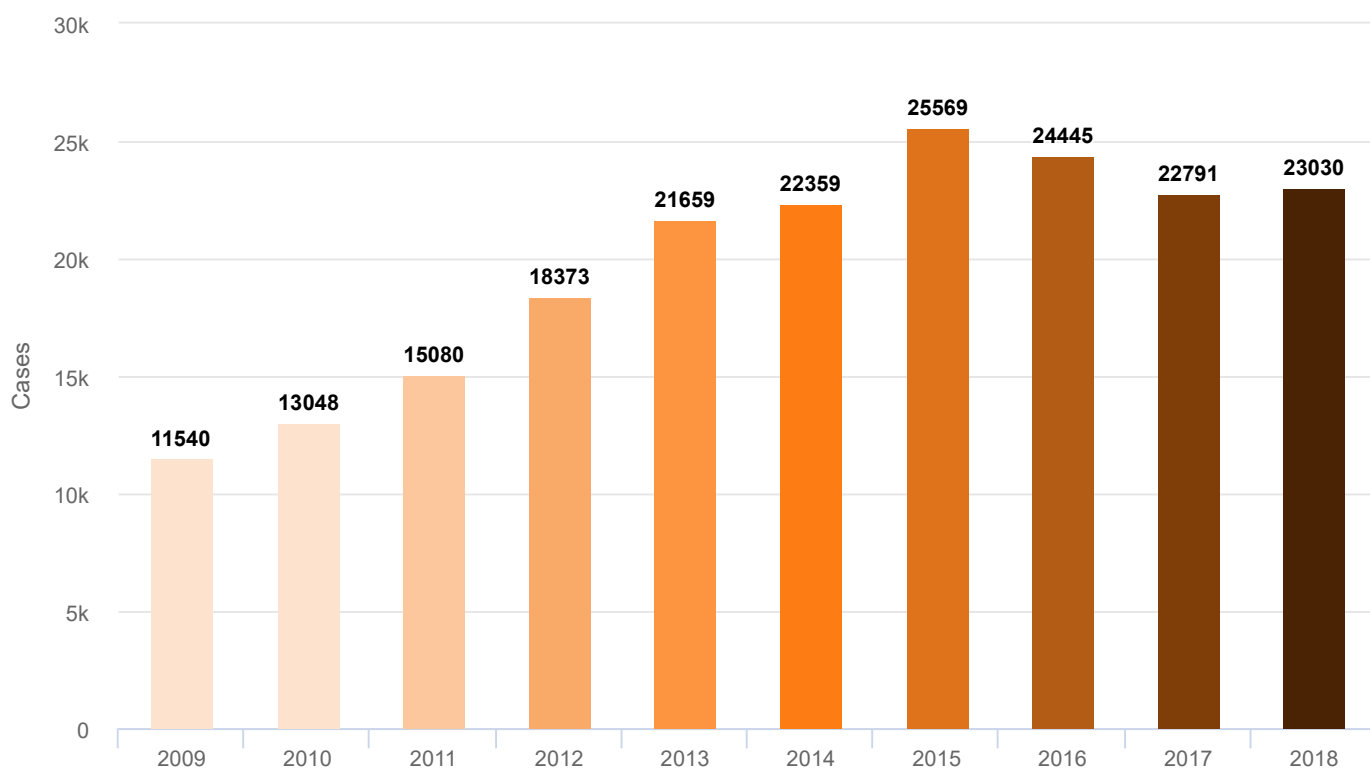
Service effectiveness is measured by testing the quality of the replies through randomly selected samples of 10 % of cases each month. Each sample case is assessed according to the following nine substantial or formal criteria agreed with the Commission:

substantial (content)	formal (style)
relevance	expression
accuracy	focus
completeness	structure
legal reference	personal
enabling (signposting)	

Replies are found to provide comprehensive and accurate advice on the issues in question. Completeness is an important criterion as many enquiries are rather complex.

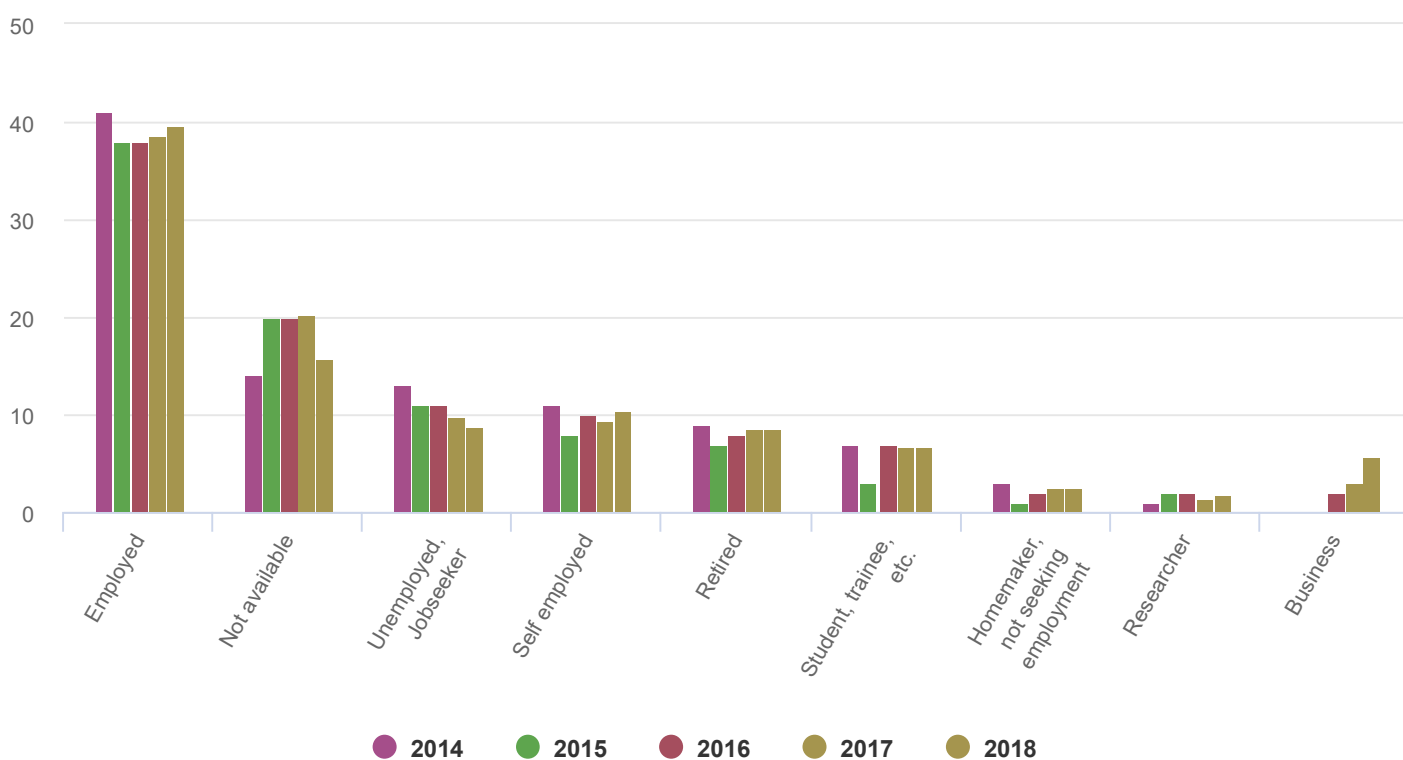
Particular attention is paid to the user-friendliness of replies such as tailor-made answers, clear structures and easily understandable language (no EU or legal jargon).

Total annual enquiries

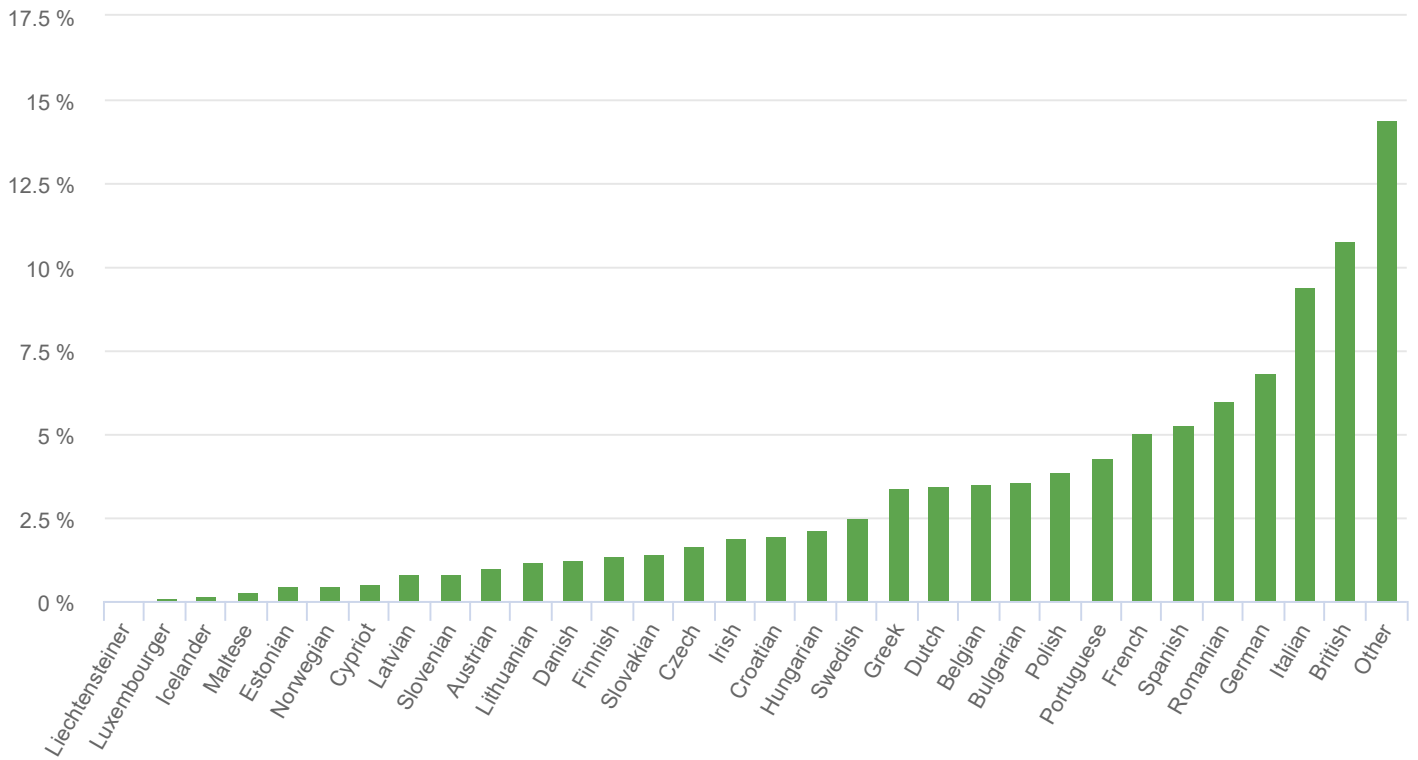


Between 2009 and 2015 the number of enquiries nearly doubled and remained on a very high level in the following years. After a slight decrease in 2017 the number of enquiries went up by 1 % in 2018.

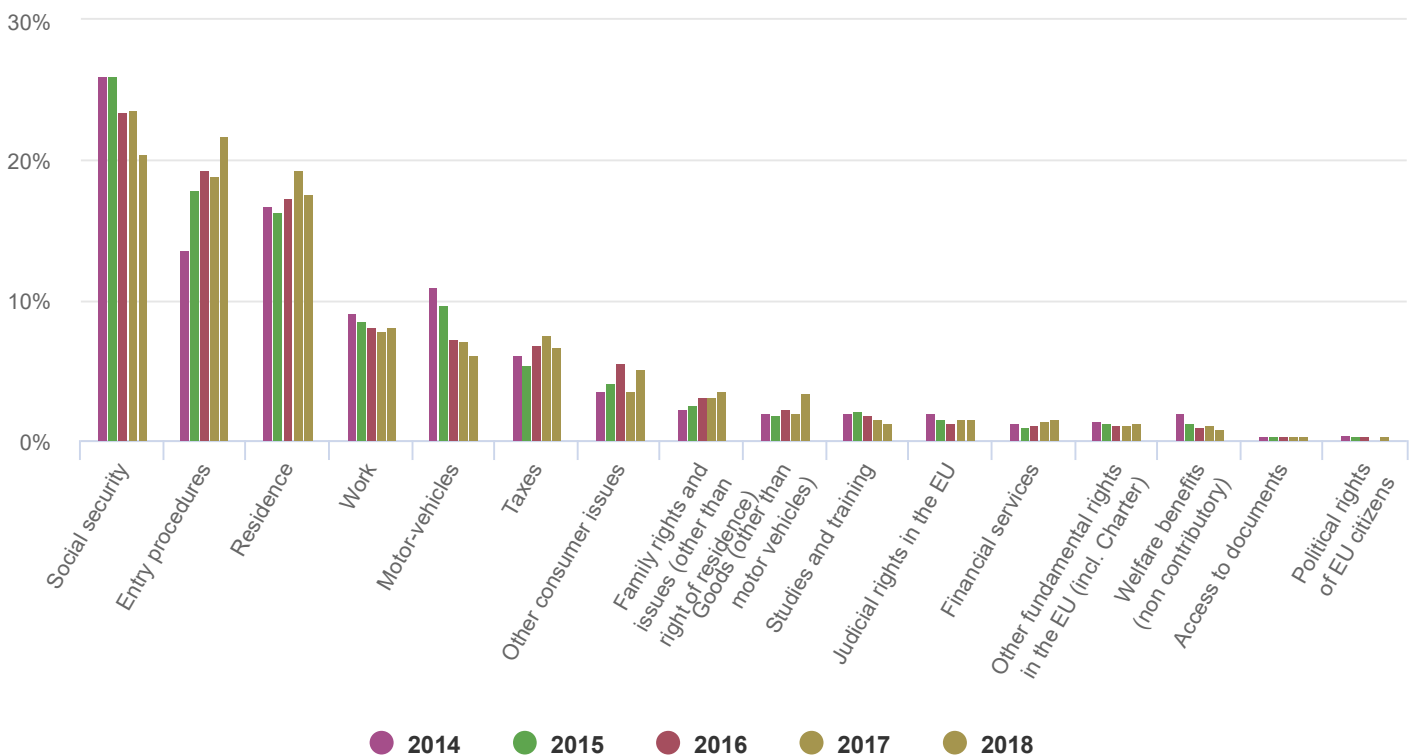
Enquiries by type of user



Enquiries by nationality



Enquiries by subject area (% of total enquiries)



The main subject areas stayed the same in comparison to previous years. However, 2018 was marked by an important increase of enquires on entry procedures and a decrease of enquiries on social security. Regarding consumer rights a certain increase could also be observed. They show where people's real problems with the Single Market lie.

Feedback

Enquiries are analysed and regular reports are sent to the Commission. These reports provide an up-to-date picture of where obstacles to exercising EU rights persist. The following examples show striking issues.

Gaps and grey areas in EU legislation:

- Due to the Brexit much uncertainty existed regarding the current and especially future situation of EU nationals in the UK and UK nationals in the remaining 27 Member States.
- It is not possible to have only secondary residence in Germany. This situation frequently causes difficulties for citizens who live and work both in Germany and in another country..
- A Greek citizen married his same-sex Turkish partner in Denmark. They moved to Greece. Though registered partnerships are recognised in Greece, same sex marriages are not. And civil partnerships are not recognised if a marriage exists.

Recurrent problems:

- Under Directive 2004/38/EC, third-country nationals who are family members of a migrant EU citizen and who want to accompany or join him/her in the host country must be issued with visas under an accelerated procedure and free of charge. For faster processing of applications not made in person, consular services may contract out the service to an external provider and charge the applicants for related costs. However, applicants should have a choice to deal directly and personally with the consular services, if they prefer. Nonetheless, they encounter obstacles in exercising rights of freedom of movement. Delays in issuing entry visas or refusal to issue such visas have been unusually long and often jeopardise the travel plans of EU citizens and their family members.
- Austrian tax authorities often fail to pay a family allowance supplement. EU citizens experienced problems claiming family benefits from certain countries, sufficient information is often not provided by the authorities and delays are very long.
- Romania has repeatedly breached one of the main principles of EU social security coordination that EU citizens should be subject to only one national legal system at a time. Romanian citizens have been asked to produce documents proving that they pay health insurance contributions in Romania for the same period during which they are subject to another Member State's legislation. The Romanian authorities often do not recognize proof of health insurance contributions in another Member State (such as the form S1). Citizens are not even asked to prove that they were subject to another Member State's social security system. In practice, this means that some Romanian citizens are obliged to pay health insurance contributions twice. Some Romanian authorities do not appear to be fully aware of the relevant forms.
- Most of the enquiries on residence rights in Sweden have concerned presentation of the Form S1. No other proof of insurance is accepted in Sweden, even if the citizen is a family member of a Swedish citizen. SOLVIT has intervened, but without success. This problem has persisted for more than three years. The situation is not only frustrating for EU citizens, as they cannot register and secure their right to residence, but also makes all other administrative steps impossible, such as opening a bank account, accessing internet or telephone services, taking courses in Swedish.
- The right of residence for non-EU family members is proven by the issue of a residence card to those family members. The residence card must be issued within six months of the date of application. The maximum period of six months is justified only in cases where examination of the application involves

public policy considerations. But excessive delays continue to be reported in several countries, particularly for non-EU family members, even when they fulfil the conditions for residence.

- Especially in Sweden no indication is provided by the national authorities as to when the residence card might issue. (There are cases where the waiting time was 16 months.) This makes it very difficult for both the third-country national and the EU spouse to have a normal life during this period. It has often been difficult for these individuals to demonstrate a right to reside, to work or travel in the EU. In the meantime, the citizen is not allowed to leave the territory or risks not being able to return.
- Belgian local authorities often refuse to exchange driving licences of EU citizens for Belgian driving licences unless they are about to expire. They rely on a Belgian Circular “aux administrations communales” according to which, as long as a European driving licence remains valid, it cannot be exchanged for a Belgian driving licence. However, the exchange is possible when the period of the validity of the European national driving license expires within three months. This Belgian circular does not comply with Article 11 of Directive 2006/126/EC according to which the exchange of an EU driving licence for a resident should occur upon request and should not be subject to conditions.

Lack of or wrong information:

- The concept of valid travel documents is misunderstood. There is a widespread belief held by EU citizens that residence cards or so-called “identity cards for foreigners” in some Member States are valid travel documents.
- Citizens continue to receive confusing information from embassies and consulates or service providers regarding the obligation to obtain a visa and the type of entry visas for their non-EU spouses/family members needed. The same problem occurs regarding supporting documentation to be submitted and the fees imposed.
- EU citizens experienced difficulties in obtaining information about residence certificates, permanent residence cards and supporting documentation in several countries
- EU citizens were not informed about the elections for mayor in Frankfurt am Main. There was no information in other languages available. Many EU citizens who were registered in Frankfurt did not know that they were allowed to vote.
- Directive 99/44/EC on certain aspects of the sale of consumer goods and associated guarantees is frequently disregarded by vendors.

Priorities

- intensify cooperation with SOLVIT, Europe Direct and other networks
- further improve quality and user-friendliness
- contribute to improving the Your Europe Portal
- ensure that experts continue to provide high quality replies
- further explore the use of interactive tools for delivering advice