

Progress report — July 2003 to June 2004
Directorate-General for the Internal Market, Unit A4: Internal and external communication



Europe Direct is a service to help you find answers to your questions about the European Union

New freephone number

00 800 6 7 8 9 10 11

A great deal of additional information on the European Union is available on the Internet. It can be accessed through the Europa server (http://europa.eu.int).

Cataloguing data can be found at the end of this publication.

Luxembourg: Office for Official Publications of the European Communities 2005

ISBN 92-894-8712-7

© European Communities, 2005
Reproduction is authorised provided the source is acknowledged

Printed in Italy

PRINTED ON WHITE CHIORINE-FREE PAPER

Introduction

The new version of the Citizens' Signpost Service (CSS) started up in July 2002. The CSS is one of the components which form part of the European Commission Internal Market DG's external communication policy.

It offers a snapshot of the day-to-day life of our fellow Europeans by looking into the problems they could encounter when exercising their rights within the internal market through the practical advice provided by legal experts in all of the European Union languages.

The Citizens' Signpost Service ends the year 2003-04 on a positive note.

The team responsible at the Internal Market DG had set itself three objectives: firstly, to make a success of enlargement; secondly, to increase the number of European citizens to be helped by the service; thirdly, to make technical improvements for the benefit of its users.

The extension of the service to the new Member States has been a success. Recruitment and selection of the new experts was completed on time. Thanks to the work of our partner ECAS (European Citizen Action Service), the CSS already had all the structures in place for 1 May 2004 to tackle the extension of the service to the EU's new citizens. These new experts were welcomed to the Commission for a day of training organised jointly by our team and ECAS.

The CSS now has a number of experts capable of dealing with questions received in any of the 20 languages of the European Union. It is interesting to note that, between 1 May and 31 June, the CSS received over 200 questions from citizens of the new EU Member States.

As regards the increase in the number of citizens helped by the service, we can be pleased with last year's results. We responded to no less than 845 extra eligible questions compared with the previous year, an increase of 22.8 %. In total, between July 2003 and June 2004, the CSS responded to 4 540 questions declared as eligible out of a total of 6 827 questions received. This is the number of citizens that have been helped by the service.

The running of the Citizens' Signpost Service has been improved by the daily exchange of information with our partners. A number of procedures have been computerised. A new website has been designed and is set to go online at the beginning of 2005. The 'back office' has been partly redesigned and these technical improvements will be put into practice by the end of 2004. Following this, the database will be migrated to a new dedicated server which will offer much more regular access to the data.

The quality of replies is regularly monitored. A joint meeting is held every three months with ECAS, the Commission's partner, to analyse the replies given to citizens, who are generally very satisfied with the service.

For the third year, the team is still hoping to increase the number of eligible questions, to put the new website online and to continue improving the transfer of electronic information between the various partners. This will allow all intermediaries to rapidly review the progress of a question at any time.

This year is to be the year of communication. We are also set to step up our efforts to improve knowledge of the existence of this service among European citizens and particularly in the new Member States.

We believe that the CSS is running as it should and that the quality of the replies provided by its experts is good. Altogether, the service is making steady progress for the benefit of its users.

Alexander Schaut Director-General





ECAS and its experts, our contractor, for a successful second year of the Citizens' Signpost Service.

The Publications Office for its assistance with the technical development of the CSS.

The Directorate-General for Press and Communication, and especially the Europe Direct team.

All our colleagues for their support in setting up this initiative.

The CSS is coordinated by Anthony Dempsey, Head of Unit, Graça Barbedo, team leader, Luc Joosten, management and quality control, and Luc Debeer, technical coordination.

Angelo Sarno, graphic designer.

Maria De La Luz Rodrigo Martorell, trainee.

The Citizens' Signpost Service is closely linked to the 'Dialogue with citizens' Internet site (http://europa.eu.int/citizensrights) which, in the course of 2004, will become part of a new portal 'Your Europe' (http://europa.eu.int/youreurope) developed in collaboration with the Directorate-General for Enterprise.

Target group

The CSS is aimed...

The CSS is aimed at European citizens who encounter problems exercising their rights in the internal market, often in conjunction with cross-border mobility.

Its objective

The CSS is an advisory service...

The CSS is an advisory service which gives practical advice to citizens of the Europe of 25 on specific problems they encounter in exercising their rights within the internal market.

The service is free.

The reply provided by multilingual legal experts (¹) is personalised, impartial, objective, and quick (²). They clarify the rules which apply and direct the citizen towards whichever body can best help solve the problem. They provide citizens with information on how to assert their rights and obtain redress. Replies are given by telephone or e-mail in the citizen's mother tongue or one of the other 20 official languages of the European Union, as requested by the citizen. There is a close link between the CSS and other Commission departments involved in problem-solving, such as SOLVIT (³) and FIN-NET (⁴), as the Signpost Service redirects citizens to these initiatives where appropriate.

The CSS is the 'customised advice' section of the initiative 'Dialogue with citizens', providing guides and national factsheets containing a wealth of detailed information on the internal market tailored to the needs of citizens.

The CSS experts enter the cases handled into a database run by the Commission. These cases are used for interactive policy-making (5). This IPM initiative aims to define and implement best Community practices by gathering information on the specific problems encountered by citizens and enterprises on a day-to-day basis.

How do citizens contact the CSS?

The CSS can be contacted..

The CSS can be contacted in two different ways:

- directly: via our electronic form which is available online (http://europa.eu.int/citizensrights/signpost/front_end/signpost_en.htm);
- indirectly: specific questions recorded by EUROPE DIRECT (6) are forwarded to the CSS (freephone number: 00-800-6 7 8 9 10 11 (7)).

(¹) On 30 June 2004, ECAS had 61 legal experts for the 25 Member States.

- (2) Allowing for holidays in Belgium and the expert's home country, the reply can be given within three to eight days.
- (3) SOLVIT: http://europa.eu.int/solvit/ site/index.htm. The Solvit centres were set up to solve problems associated with poor application of the internal market rules by the government of another Member State. (4) FIN-NET: http://europa.eu.int/ comm/internal_market/finservices-retail/ finnet/index_en.htm. Cross-border out-of court complaints network for financial service consumers.
- (5) The European Commission's interactive policy-making initiative consists of two Internet-based instruments: the feedback mechanism and the online consultation mechanism. (http://europa.eu.int/your-voice/ipm/).
- (6) EUROPE DIRECT offers information on all sorts of subjects related to the EU, including information about your rights and opportunities as an EU citizen, and how to take advantage of them. It can also give you direct answers to general questions or, if you have more specific questions, direct you towards the best source of information or advice at European, national, regional and local level. Contact

http://europa.eu.int/europedirect or freephone number 00 800 6 7 8 9 10 11. (7) Certain mobile telephone operators do not permit access to 00 800 numbers or may charge for these calls.

How does this work?

Citizens enter their personal details...

Citizens enter their personal details in their own language and explain their problem on an electronic form available on the 'Dialogue with citizens' site (8). The information is collected in a database.

If citizens contact Europe Direct, the service sends on to the CSS any complex questions it receives with regard to citizens exercising their rights in the EU's internal market. These data are transmitted on the basis of eligibility criteria applied to these questions (see below). They are transferred daily to the CSS database for processing.

The database entries are sorted on the basis of pre-defined eligibility criteria. Questions from consultancies or legal practices, for example, are automatically rejected if they do not concern them in their capacity as European citizens.

The questions are sent to ECAS (9) and its legal experts. ECAS has selected one or more experts for each of the 25 Member States.

ECAS transmits the eligible questions to one of its experts. The latter have to reply to the citizen within the contracted deadline. The replies are entered into the CSS database in the language in which the inquiry was made, accompanied by a translation into French or English. In this reply, the expert will inform the citizen of the different ways of solving his/her problem and which services to contact, be these national or relating to European initiatives.

The experts also enter information, apart from personal details, to be used by the IPM database to ensure information is fed back to the Commission and its departments.

The contract between the Commission and ECAS allows the service to take on up to 11 000 questions per year. This limit has not yet been reached. There is therefore no danger of seeing the system become jammed as the result of a substantial increase in questions.

Signposting for citizens

Not only do the experts give clear...

Not only do the experts give clear and simple explanations of the national and/or Community provisions applying to specific problems, they also — and this is one of their key assets — provide information to interested parties on competent services that the latter can contact at national and local levels, and obviously at European level, to ensure that their rights are fully respected. It is this signposting aspect from which the initiative takes its name.

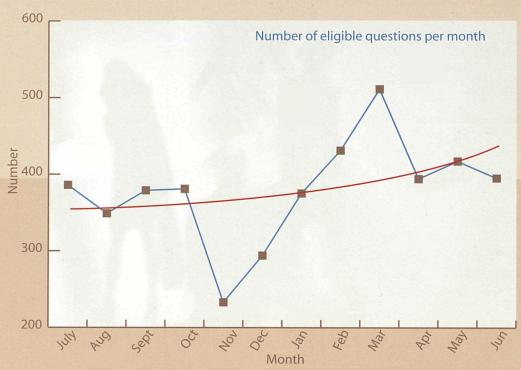
The CSS often redirects citizens to national services as this is usually the first level of action. It is often neglected by citizens who find it difficult to determine the divide between Community, national or international competencies. Citizens quite often do not know which authorities they should turn to. National, and sometimes local or regional bodies, where they exist, are the closest to citizens and their specific problems.

Obviously the experts have to determine the most appropriate services offering information and assistance in each individual case, whether they be at local, regional, national or European level.

It is not easy to draw up a list of all these sources of information or assistance, advisory services and contact points, given that there are considerable differences in this respect between Member States. Nevertheless, it is worth mentioning the example of advisory structures at national level, the one-stop shop information and advice centres that exist in some Member States, the free legal services available to citizens residing in local municipalities or elsewhere, a number of organisations protecting citizens' rights, the competent ministries or even national ombudsmen. Information on transnational or European structures is also available through European networks such as EEJ-Net (10), European Consumer Centres, the European Ombudsman, SOLVIT or FIN-NET.

In short, it is left to citizens to decide whether or not to contact other information and advisory services.

One year of the CSS



In the year from July 2003 to June 2004, the CSS replied to 4 540 eligible questions.

Comments

An increase in the number of questions with the onset of enlargement is a visible trend. Had it not been for the technical hitches which made access to the CSS difficult during December 2003, and May and June 2004, the figures would probably have been even higher.

The number of questions increased on the previous year and this upward trend has continued into the CSS's third year in operation, despite the lack of any publicity. Following enlargement and the increase in the number of people circulating within the Union, the CSS is set to gain in importance.

Communication on the CSS will need to be improved in 2004, as too little is still known about the service, especially in the new Member States.

The new website planned for the beginning of 2005 will also allow citizens to be better received and guided towards the CSS or other parallel services.

The number of questions received from citizens sending an e-mail rather than completing the form is falling sharply. These e-mails are not included in the statistics.

Eligibility of the questions

A question submitted to the CSS...

A question submitted to the CSS must meet various eligibility criteria before it is handled by the service.

It must:

- relate to the internal market;
- relate to a real, and not a hypothetical, situation;
- concern a citizen (all questions from consultancies, legal practices etc. are automatically excluded when submitted in a professional context);
- be specific;
- come from a European citizen (or someone assimilated to a European citizen for certain rights);
- occur when exercising recognised rights.

The questions can also cover:

- a request from a citizen for interpretation or clarification of a legal text;
- a complaint about European legislation or concerning the existence or non-existence of European legislation (relating to internal market topics);
- a request for information on national legislation transposing European legislation in a Member State (relating to internal market topics),

where this request is closely linked with a problem encountered by the citizen.

In addition, in order to be eligible, the problem encountered by the citizen should not be one which is directly explained in a guide or one of the factsheets published as part of the 'Dialogue with citizens', otherwise the citizen will find it difficult to piece together the different elements of information.

Multiple inquiries from the same citizen concerning similar situations, that is, where the information does not differ, are regarded as one and the same request in order to avoid duplication.

The request should be coherent and contain sufficient information and at least one question.

Quality of the service

At the CSS, citizens' interests...

At the CSS, citizens' interests are a priority. In order to meet this requirement, the experts have to provide a rapid response. However, they are also required to supply the correct response, in simple, clear and precise language to the question put to them. Their reply must also guide the citizen through the subsequent phases with a view to solving the problem. These criteria are laid down in the contractual obligations and the legitimacy of the contractor's payment is based on an assessment of compliance with these obligations.

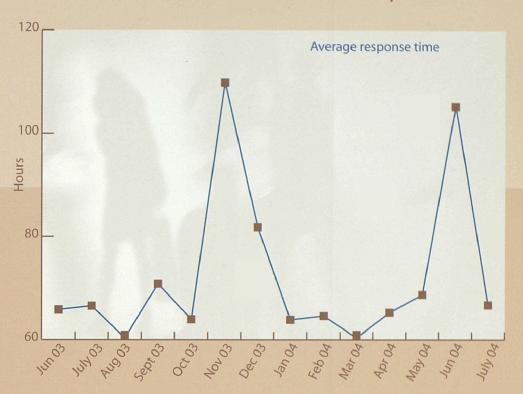
Our services and the contractor take the quality of the replies given to citizens very seriously. Every month, the replies are thoroughly analysed by ECAS and the Internal Market DG. Quarterly meetings are held to conduct a joint quality assessment. The elements brought to the fore during these meetings are communicated to the experts in the form of instructions.

Going by the very low number of negative e-mails, the service generally seems to be very well-received by citizens who continue to receive a response and the most appropriate practical guidance to their eligible questions.

Citizens' Signpost Service

- practical and personalised advice;
- intended for European citizens (or similar);
- a response to a specific problem in a real situation;
- free;
- advice of legal experts;
- in any of the 20 EU languages;
- response within three working days;
- covering the entire EU;
- by e-mail or telephone;
- redirecting citizens to a national or European authority;
- providing the best solution to citizens' problems.

The response time



Comments

The CSS management team pay great attention to response times, one of the elements which users of the service appreciate most. The CSS experts are indeed quick: most cases (87 %) receive a reply within the set time of 72 working hours, taking into account the public holidays and long weekend holidays in Belgium and in the experts' countries of residence.

The average response time for handling a file is 71.63 hours.

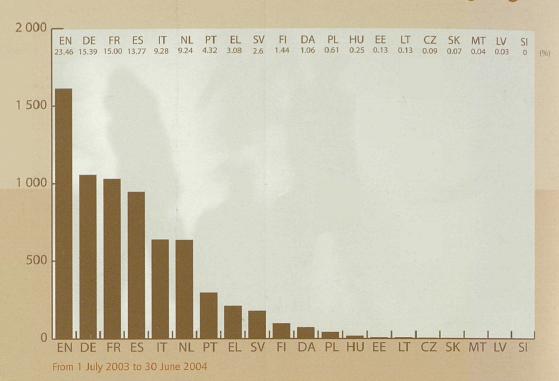
However, more complex cases require in-depth study. In such cases, citizens are systematically informed that their response requires more lengthy analysis and that the dead-line will be extended to allow time to find the most suitable response.

The lengthy response times shown in June and December were due to technical problems encountered by the servers hosting the CSS database.

The Commission is confident that the CSS is capable of dealing with a major increase in the number of questions without necessarily increasing the response time.

Generally speaking, the CSS offers practical solutions within a very short period of time compared to the response time generally expected of public services.

Inquiries by language

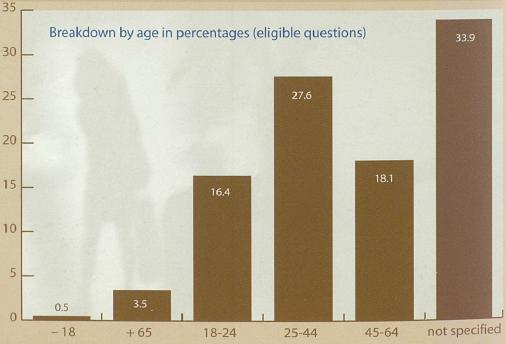


Comments

English is still the main language as it appears in 23.56 % of the questions, followed by German and French.

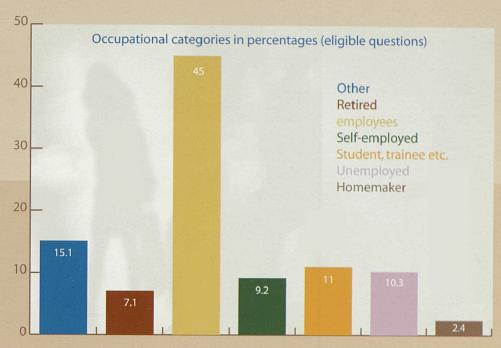
The contractual year covered in this report includes only the first two months after enlargement, which is why the new languages barely feature this time. However, we can see that Polish is the first of the new languages used in the CSS, which makes sense in view of the size of its population.

Ages



The best represented group of CSS users is the '25-44 years' age group.

Occupational categories



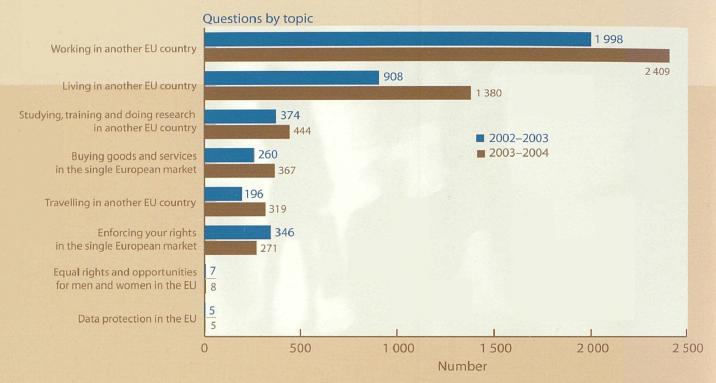
It is no surprise that the 'employees' category forms the largest group of CSS users, accounting for 45 % of the questions. The other categories are very similar in their breakdown.

Specimen case

A European citizen with nationality A was seconded to Member State B for five years, employed as a lawyer by a service provider of the same nationality A as the law firm that uses its services. The citizen had paid taxes in State B but the policy of the company employing her, with the agreement of the competent authorities, was to keep their employees on secondment abroad within the social security system of State A for a period of five years, the maximum permitted (as far as the citizen is aware). The citizen lost her job but wanted to stay in State B. She was told that she could not claim unemployment benefit in State B as she had not contributed to the unemployment system in this State.

The CSS experts consider that the employer's approach has had unfortunate repercussions for this worker, who was given little or no information beforehand on these consequences. In actual fact, European legislation authorises a maximum of two years for the rule of competence in such cases. The citizen was redirected to an official body in State B, responsible for European and international relations in the area of social security.

The topics and sub-topics handled in eligible cases The main topics Breakdown of the main topics



NB: One case can be classified in several categories.

Comments

Working in another EU country remains the preferred subject in 46.3 % of the exchanges that European citizens have with the CSS. This is an expression of the desire of Europe's citizens to take full advantage of the opportunities presented by the internal market, and also shows that there are still a substantial number of inquiries on this subject. Living in another country is also a topic that concerns 26.5 % of our fellow citizens. Studying in another country and the recognition of diplomas or qualifications remains a very popular topic. The questions that follow cover travelling and buying goods and services in another EU country and how to enforce your rights in the EU.

The major topic of 'working in another EU country' groups together subjects as diverse as social security, the right of residence, employment and job hunting or taxation.

A further important point for this year is the notable increase of around 79 % in the number of general questions for all the main topics.

It is difficult to draw any conclusions on a comparative analysis of these data with those of the previous year.

The right of residence, whether viewed from the perspective of going to study or to live in another EU Member State, is the subject of 15 % of inquiries and shows an increase on the previous year.

The other topics have increased in line with knowledge of the service.

Of all the sub-topics, social security remains the one that requires most information, given that one in five inquiries relate to this subject. It is unquestionably one of the most complex issues and has direct implications for the mobility of citizens.

The usefulness of a service such as the CSS is quite apparent. It is perfectly attuned to the minor practical details of the everyday lives of European citizens. Providing useful information to solve these problems oils the wheels of the internal market and facilitates access to its opportunities. It also allows us to discover the main interests and concerns of Europe's citizens.

Identifying the sub-topics:

Working in another EU country (total of 2 409 cases)

- Social security: 919 cases
- Right of access to employment: 477 cases
- · Right of residence: 265 cases
- Taxes: 243 cases
- · General questions: 140 cases
- · Welfare benefits: 131 cases
- Elements of the national education system: 90 cases
- · Looking for work: 83 cases
- Cross-border workers: 61 cases

Living in another EU country (total of 1 380 cases)

- Right of residence: 538 cases
- · General questions: 271 cases
- · Type-approval and registration of motor vehicles: 147 cases
- Driving licences: 146 cases
- · Motor vehicle tax: 130 cases
- Taxes: 111 cases
- Right to vote and stand as a candidate in European Parliament elections: 37 cases

Studying, training and doing research in another EU country, recognition of qualifications (total of 444 cases)

- General questions: 121 cases
- Elements of the national education system: 83 cases
- Other regulated professions (general system): 68 cases
- · Right of residence: 30 cases
- General practitioners and specialist doctors: 23 cases
- · Teachers: 20 cases
- Lawyers: 19 cases
- · Training and mobility of researchers: 16 cases
- · Engineers: 13 cases
- · Architects: 11 cases
- Dentists: 11 cases
- Nurses: 11 cases
- · Paramedical professions: 11 cases
- · Pharmacists: 4 cases
- · Veterinary surgeons: 2 cases
- Midwives: 1 case

Buying goods and services in the single European market (total of 367 cases)

- General questions: 239 cases
- Motor vehicle insurance: 38 cases
- Opening a bank account in another Member State: 36 cases
- · Unfair terms: 33 cases
- · Product safety: 8 cases
- Timeshares: 4 cases
- Misleading advertising: 4 cases
- · Package travel: 2 cases
- · Door-to-door selling: 2 cases
- · Overbooking of airline seats: 1 case

Travelling in another EU country (total of 319 cases)

- General questions: 196 cases
- Obtaining a visa for members of your family who are not nationals of an EU Member State: 77 cases
- Notifying the authorities of your presence in another Member State: 36 cases
- Overbooking of airline seats: 4 cases
- Consular protection for EU citizens: 3 cases
- Package travel: 3 cases

Enforcing your rights in the single European market (total of 271 cases)

- Internal administrative procedures: 89 cases
- Judicial procedures: 86 cases
- Non-judicial procedures: 46 cases
- General questions: 27 cases
- · Legal aid: 23 cases

Equal rights and opportunities for men and women in the EU (total of 8 cases)

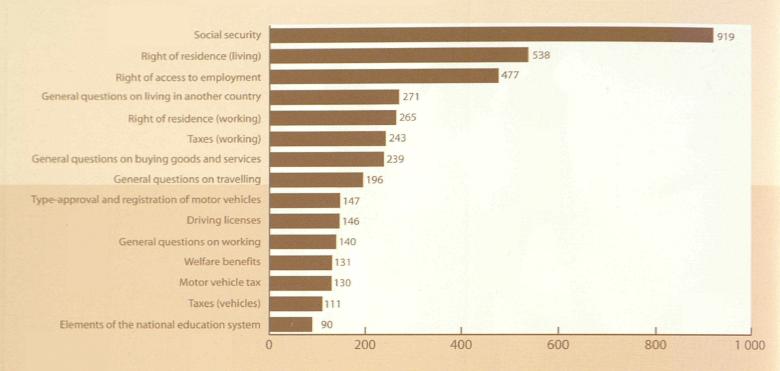
Data protection in the European Union (total of 5 cases)

Specimen case

A national of a Member State who had drawn his pension in another Member State notified the service that he had received contradictory information concerning his residence card. The local authority had declared that the card was no longer required, whereas the sickness insurance office insisted on obtaining the card. He was also asked to supply a certificate guaranteeing his right to unlimited sickness insurance, instead of the annual certificate he had supplied.

The CSS informed the citizen that, in accordance with the new legislation of the Member State which came into force in 2004, EU citizens wishing to establish their main residence in that Member State are no longer obliged to carry a residence permit, except in certain cases. The Member State in question has thereby foreseen an important aspect of the proposal for a Directive COM(2003) 199 which provides for abolition of the residence card and its replacement by optional registration; this means that those interested in obtaining such a card as proof of residence status would still be able to request it under certain conditions which are yet to be laid down by the Member State in a future decree. However, in respect of the principle of equal treatment, citizens should be capable, in most cases, of proving that they are permanently resident in that Member State for the purpose, among other things, of obtaining forms from the local social security office, using the same means of evidence as nationals of that Member State, that is, their electricity or public services bills.

Table of the top 15 topics



Specimen case

A number of nationals of a new Member State have contacted the service to complain about the customs authorities of the Member State in question levying a tax on motor vehicles bought in another Member State. The amount of the tax is apparently not determined by a specific percentage and is excessive considering the market value of these second-hand vehicles, particularly the oldest ones. Tax rates of 37.6 % and even 65 % have been mentioned. It must be admitted that this tax is also paid on second-hand vehicles bought in this Member State only where they have not been subject to a tax as a new vehicle in this Member State, although the rate in this case would nevertheless be considerably lower.

These citizens have been asked to send their cases to SOLVIT for a survey as, according to the CSS's experts, the tax looks very much like an indirect barrier to the free movement of goods if not entirely a form of customs duty.

List of our guides and factsheets

Guides

As part of its 'dialogue with citizens', the Commission has published 10 practical guides which cover different aspects of Community legislation in the field of the internal market. These guides briefly explain how citizens can make the best of the opportunities offered by the internal market. They have been drawn up by the Internal Market DG with the assistance of other Commission DGs.

They cover the following topics:

- buying goods and services in the single European market;
- equal rights and opportunities for men and women in the EU;
- studying, training and doing research in another EU country;
- travelling in another EU country;
- living in another EU country;
- working in another EU country;
- FIN-NET the out-of-court settlement of cross-border disputes in the field of financial services;
- data protection in the European Union;
- enforcing your rights in the single European market;
- cross-border payments in euro.

These guides exist in print and are sent out on request (11). They are also available online. One guide was published for each Member State, prior to enlargement, containing specific information and published in the official language(s) of that country. The guides are available in 11 languages for the 15 Member States, that is, in 19 versions. Online guides presenting information for the new Member States are planned for 2005.

Factsheets

These provide more detailed information than the guides and describe the particular situation in each Member State.

For example:

- How does one get a diploma obtained in another Member State recognised in Sweden?
- What formalities do European citizens have to go through when they move to another EU country and wish to register their private cars?

In view of the new structure planned for the update of the 'Dialogue with Citizens' Internet site, which will be accessible in 2004, the Internal Market DG, in conjunction with the Member States and other Commission departments, has created 89 factsheets. Each new factsheet will be produced in the official language of the country concerned, as well as in English, French and German. In total, this amounts to around 3 400 versions.

The factsheets are also available online, and can be printed on request.

Factsheets for the new Member States are being drawn up and will be available in the course of 2004.

("') Guides on the European Union and its single market can be obtained by contacting EUROPE DIRECT on 00 800 6 7 8 9 10 11 (freephone number) or http://europa.eu.int/europedirect



Lists of topics covered by the factsheets:

- European citizenship;
- travelling to another EU country (package travel, overbooking of airline seats, consular protection);
- entry procedures into another EU country (workers, students, retired persons, other categories, members of the worker's family);
- right of residence (workers, students, retired persons, job seekers, the self-employed, other categories);
- citizens' rights (non-discrimination on grounds of nationality; European Parliament elections; municipal elections);
- studying in another EU country (higher education; secondary school; kindergarten and primary school; supplementary information on Community legislation);
- recognition of qualifications (the general system; paramedical professions; teachers; engineers; lawyers; general practitioners and specialist doctors; pharmacists; dentists; midwives; veterinary surgeons; nurses; architects; training and mobility of researchers);
- employment (right of access to employment; how to find work; welfare benefits);
- social security (the objective of Community provisions; situations targeted; the single membership scheme; equal treatment; exporting of benefits; the aggregation rule; registration; social security management; personal contribution; claims; sickness and maternity insurance; family benefits; employees' pensions; unemployment benefits);
- taxes (taxes; motor vehicle tax);
- cross-border workers (general overview; definition; seeking work; residence conditions; sickness and maternity insurance; family benefits; employees' pensions; unemployment benefits; taxation);
- driving licences (general overview; possible scenarios; presentation, categories and validity; issuing, withdrawal and replacement; mutual recognition; exchanging of driving licence; the right to drive);
- driving a vehicle (delivery and registration of vehicles; car insurance; vehicle tax);
- consumer protection (product safety; misleading advertising; door-to-door selling; unfair terms in contracts; opening a bank account in another Member State; overbooking of airline seats; package travel; part-time use of property or property assets);
- enforcing your rights (rights of the individual; internal administrative procedures; non-judicial procedures; judicial procedures; legal aid).

Conclusions

In 2004–05, the CSS will continue to provide a quality service for European citizens who need advice on exercising their rights. Although most of these citizens can be expected to exercise their rights without any difficulty, it is clear that, in a Union with a population of more than 450 million inhabitants and different statutory or administrative cultures, a proportion of these inhabitants will inevitably encounter problems. Our aim will be to help as many of them as possible to overcome these obstacles by explaining their rights in specific situations and by advising them on the next steps to take. The service is able to cope with an additional increase in the number of questions it deals with and we hope to make this capacity available to citizens.

With this aim in mind, we are working on promoting the service through various channels and looking for assistance from the Member States and Members of the European Parliament to spread knowledge of the service.

We will continue to work in close collaboration with the Commission's service, EUROPE DIRECT and are awaiting publication of the Internet portal, 'Your Europe' which will rationalise access to information, advice and problem-solving, including the CSS.



