The Single Market Observatory (SMO) of European Economic and Social Committee (EESC)

2010-2013 mandate
The European Economic and Social Committee (EESC)

- The EESC is an EU consultative body set up by the Treaties of Rome in 1957;
- Its main task is to advise the three major EU institutions;
- It also advises the EU Presidencies;
- Art. 11 of the Lisbon treaty reinforces the consultation of civil society and the role of the EESC and brings it closer to the European Parliament.
The Single Market Observatory (SMO)

The SMO was set up in 1994 within the Section for the Single Market, Production and Consumption (INT) to evaluate progress in the Single Market;

Following the Inter-Institutional Agreement on Better Lawmaking (2003), the European Commission asked the EESC to map EU self-and co-regulation initiatives;

In close cooperation with the Commission, the SMO has developed a unique database dedicated to European self-and co-regulation;

The database, launched early 2008, facilitates the exchange of information and the identification of best practices.
Smart Regulation

- The SMO has a clear focus on **Smart Regulation**:
  - Methodological approach;
  - Promote new ways of regulating (e.g. proactive law, 28th regime etc.);
  - Learn from practitioners of law and academics;
  - Participate in a wide range of Smart Regulation activities;
  - Make hands-on recommendations to the EU institutions.

**Smart Regulation** matters to the *European Economic and Social Committee* because its members are...

...organised users of EU law from the 27 Member States!
The SMO and Smart Regulation (1)

- **Design of legislative proposals:**
  - Cross-links between policies and sectors of activity;
  - Check needs and resources.

- **Consultation:**
  - Early, transparent AND pluralist;
  - At EU level, no need to re-invent the wheel (use such treaty-based tools as EESC and CoR)!

- **Impact assessments:**
  - Better safe than sorry!

- **Administrative and regulatory simplification:**
  - **Think small!** Reduction of administrative burden for SMEs;
  - one-stop shops (e-administration);
  - “Best Legislation” principle;
  - Promotion of the SOLVIT out-of-court dispute resolution network.
The SMO and Smart Regulation (2)

- **Reduction of administrative costs:**
  - See for example the **Dutch model** of controlling costs (learn from what works!).

- **Alternative instruments to regulation:**
  - **Subsidiarity** (CoR) and **proportionality** (EESC):
    - Self-Regulation;
    - Co-Regulation.

- **Better transposition and implementation:**
  - The Member States **ARE** the European Union!!!
  - Systematic identification of **best practices**,
  - Also see the **SOLVIT network** and the **Internal Market Information System** (IMI).
The SMO and Smart Regulation (3)

• Promoting new ways of regulating:
  – The proactive approach to law (i.e. the Nordic School of Law), proactive = preventive!
  – The “28th Regime”;
    • Less is... More!
  – Learn from the (financial, economic, social, environmental) crises;
    • Self-regulation does NOT mean deregulation;
    • Regulating = safeguarding.
The SMO and Smart Regulation (4)

Co-operation with:
- The **European Commission** (Secretariat General, DG SANCO, ENTR, MARKT);
- EU Presidencies in office;
- The **European Parliament** (IMCO and JURI Committees);
- Brussels based **Think Tanks** (e.g. EPC, CEPS);
- Various actors (the Bertelsmann Foundation, relevant interest groups, the EFTA Advisory Committee, etc.);
- **Universities** and institutes (e.g. EUI, HiiL).
The SMO and Smart Regulation (5)

**Current activities** i.e. as of early 2011 (with a new Observatory after the renewal of the Committee – October 2010):

- Drafting of an opinion on “*Smart Regulation*”;
- Drafting of an opinion on “*The Single Market Act*” (incl. public hearing early 2011);
- Publication of “*A Catalogue of Obstacles to the Single Market*”;
- Publication of a report on “*The Current State of European Self- and Co-regulation*” (public hearing early 2011);
- Publication of the EESC/SMO input to the Monti Report on “*A Strategy to Relaunch the Single Market*”.
The SMO database (1)

Request by the **Secretariat General of the European Commission** (2006);

**Memorandum of Understanding** between the EESC and the Commission (2006) on ‘Who does what?’;

**Mapping of cross-border self-regulation initiatives in the EU** – these may involve non EU countries;

Content: some **130 initiatives** showing information on the authors, the private acts, the sectors involved or target groups and the geographical coverage, the background and the objectives of the move, the monitoring and enforcement tools.

The SMO database (2)
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