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SOLVIT AND THE ONGOING STRATEGY OF INTERNAL MARKET INTEGRATION AND GOVERNANCE

ABSTRACT. The paper aims to focus on the activity of the SOLVIT network after more than 20 years from its establishment as a mechanism for the informal resolution of disputes between citizens (or businesses) and national public administrations which allegedly acted in breach of EU law. In this respect the Commission after having constantly stressed that the system has lived up to expectations and has been considered effective in providing remedy for internal market problems, it also commits towards identifying its weaknesses and working to improve its services as is clearly shown by the more recent documents on the network.

CONTENT. 1. Preliminary remarks. – 2. SOLVIT and the integration process. – 3. SOLVIT and the procedure pursuant to Art. 8 of Regulation (EU) no. 2019/515 on mutual recognition of goods. – 4. Conclusions.

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1. *Preliminary remarks*

The year 2022 marked the twentieth anniversary of the establishment of the SOLVIT¹ network which has contributed,² over the years, to promoting the integration of the internal market, through the resolution of disputes between citizens (or businesses) and public administrations in a cross-border dimension, as well as encouraging the development of a culture of correct and effective interpretation and application of European law at national level.³

The SOLVIT website indicates a series of cases submitted to the network that have been concluded positively and that provide us with a detailed example of the role played by SOLVIT to guarantee the effective application of European standards and in the integration process.

One case concerned an Italian citizen who submitted a request to SOLVIT together with her brother, a Bulgarian citizen, for a problem related to inheritance procedures, after the death of their father, an Italian citizen resident in Sofia. Thanks to the intervention of SOLVIT, the competent Bulgarian administration issued the certificate requested by the heirs.

The cooperation between the Italian and German Centres solved the case of an Italian citizen residing in Germany by clarifying that the driving license issued in a member State must be recognised throughout Europe and when it expires the renewal must take place in the State of residence.

After SOLVIT's intervention, a French professor working in Italy obtained recognition of seniority reached in his Country. The Italian administration had rejected the request.

Another case.

A Belgian company applied for the approval by the Danish authorities of the

¹ For all the information relating to the network, see: Micaela Lottini, 'La rete SOLVIT: uno strumento di risoluzione delle controversie transfrontaliere (2006) 6 *Rivista italiana di diritto pubblico comunitario* 1089; Ead, 'The SOLVIT network: state of the art and possible future developments' (2020) 1 *Review of European administrative law* 109. Furthermore, all the founding documents, examples of resolved cases, etc., are available on the network's website at: <https://ec.europa.eu/solvit/index_it.htm>.

² In this sense, see, Commission Staff Working Document, 'SOLVIT's helping hand in the Single Market: celebrating 20 years', Brussels, of 26 September 2022, SWD (2022) 325 final.

³ On the topic, Åsa Casula Vifell and Ebba Sjögren, 'Governing by supervision: The EU Commission's SOLVIT-centres as juridified internal market watchdogs. The Case of Sweden', SSE/EFI Working Papers Series (2010) 1 *Business administration* 7.

addition of nutrients to a chocolate protein bar sold in many EU countries. The competent Danish authority approved the majority of added nutrients but banned the addition of some vitamins because they could pose a risk for little children. SOLVIT intervened making it clear that the objective of protecting children's health could be reached by other means, for example by using a label which included a warning to prevent consumption by underage consumers.

These cases provide us with a clear example of the obstacles that European citizens and businesses may have to face when, in practice, they decide to take advantage of the opportunities of the internal market; as well as an example of the key role that the SOLVIT network can play in their protection, in collaboration with the other services⁴ established to facilitate the integration process. Its intervention is particularly significant within specific areas of the internal market, where quick and/or cost effective solutions are needed. Commission's statistics show that a high percentage of the cases handled are social security cases, other involve the recognition of professional qualifications, or concern free movement of persons and European citizenship; problems also occur in relation to market access for products, access to education, employment rights, motor vehicle registration, etc.

The article focuses on the evolution of SOLVIT over the 20 years since its establishment and on the role played by the network within the European market, then proposing some conclusive considerations.

2. *SOLVIT and the integration process*

The last two decades have seen the development of a new phase of European integration in which, as highlighted in the documents⁵ of the Commission and other

⁴ Reference is made here, in particular, to the Internal Market Information System. IMI is an online tool, which facilitates the exchange of information between the national authorities responsible for the implementation of certain European regulations, facilitating compliance with the cross-border administrative collaboration obligations imposed on the authorities in these sectors. See, in this regard Regulation (EU) n. 1024/2012 of the European Parliament and of the Council, of 25 October 2012, 'on administrative cooperation through the internal market information system and repealing Commission Decision 2008/49/EC ('the IMI Regulation')', OJ L 316 of 14. 11. 2012. For further information, see: <<http://ec.europa.eu/internalmarket/iminet/ndexen.html>>.

⁵ Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions of 28 October 2015, 'Improving the single market: more opportunities for citizens and businesses', COM (2015) 550 final, 16. See, also, Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions of 25

institutions,⁶ emphasis has been placed on promoting correct and effective application of EU law by Member States, to ensure that citizens (and businesses) can benefit from the opportunities offered by the single market.

In this sense, the role played by national public administrations,⁷ called upon to apply European law, has been recognised as crucial for market integration,⁸ so that the strengthening of administrative capacity at national level has become a matter of ever-growing interest.

In order to facilitate the activity of national administrations and encourage the correct application of European law,⁹ the imposition of ‘administrative cooperation’ obligations¹⁰ has been considered a fundamental tool, which is today in fact described as “*the backbone of the EU’s unique system of government and governance*”.¹¹

Cooperation obligations have been imposed on national administrations as a general principle (Article 4(3) TEU¹² and Article 197 TFEU¹³), by specific pieces of

October 2016, ‘Commission Work Program for 2017. Achieving a Europe that protects, empowers and defends’, COM (2016) 710 final.

⁶ European Parliament, Council and European Commission, ‘Joint Declaration on the EU’s legislative priorities for 2017’, at: <<https://ec.europa.eu/>>.

⁷ For the role of European administrative network and SOLVIT, in particular, for the integration of the internal market, see, Reini Schrama, Dorte Sindbjerg Martinsen and Ellen Mastenbroek, ‘European administrative networks during times of crisis: Exploring the temporal development of the internal market network SOLVIT’ (2024) 18 *Regulation and governance* 1395.

⁸ Allan Rosas, ‘Ensuring uniform application of EU law in a Union of 27: the role of national courts and authorities’, speech at the Sixth Seminar of the National Ombudsmen of EU Member States and Candidate Countries – Rethinking good administration in the European Union – Strasbourg, 14-16 October 2007, at: <<https://infoeuropa.eurocid.pt/>>. See, also on this topic, Phedon Nicolaides, ‘Enlargement of the EU and effective implementation of community rules: an integration-based approach’, EIPA (1999), Working Paper 99/W/04, at: <<http://www.eipa.nl/index.asp>>.

⁹ Commission Recommendation of 29 June 2009 ‘on measures to improve the functioning of the single market’, 2009/524/EC, OJ L 176, 7.7.2009; Commission, White Paper ‘on European Governance’, of 25 July 2001, COM(2001) 428 final.

¹⁰ François Lafarge, ‘Administrative cooperation between member States and the implementation of EU law’ (2020) 4 *European public law* 597.

¹¹ Alexander H. Türk and Herwig C.H. Hofmann, ‘An introduction to EU administrative governance’, in Herwig C.H. Hofmann and Alexander H. Türk (eds), *EU administrative governance* (Edward Elgar 2006) 1.

¹² “Pursuant to the principle of sincere cooperation, the Union and the Member States shall, in full mutual respect, assist each other in carrying out tasks which flow from the Treaties”.

¹³ “1. Effective implementation of Union law by the Member States, which is essential for the proper functioning of the Union, shall be regarded as a matter of common interest. 2. The Union may support the efforts of Member States to improve

legislation¹⁴ and by the case law¹⁵ of the Court of Justice of the European Union (CJEU).

Furthermore, a series of initiatives have been proposed to facilitate the correct application of EU law from an ‘administrative point of view’¹⁶ and to support national administrations in fulfilling their co-operation obligations.

Since 2007, for example, the Internal Market Information System (IMI)¹⁷ has connected national, regional and local authorities in a cross-border dimension and allows them to communicate quickly and easily with their foreign counterparts, in specific sectors of the internal market.

Furthermore, the European Professional Card (EPC),¹⁸ an electronic document issued, through IMI, to professionals interested in working in another Member State, facilitates mutual recognition of professional qualifications.

These mechanisms are aimed at preventing unlawful decisions by national administrations when applying EU law; however, if a problem occurs, the citizen (or business) concerned must be guaranteed an effective and adequate redress mechanism.

Needless to say, the incorrect application of internal market rules by national public administrations raises particular issues regarding legal protection, as individuals

their administrative capacity to implement Union law. (...)”.

¹⁴ Just as an example: Directive 2006/123/EC, of 12 December 2006, ‘relating to services in the internal market’, OJ L 376 of 27.12.2006; Directive 2013/55/EU of 20 November 2013 amending Directive 2005/36/EC ‘on the recognition of professional qualifications and Regulation (EU) 1024/2012 on administrative cooperation through the internal market information system (“the IMI Regulation”)’, OJ L 354 of 28.12.2013.

¹⁵ Judgment of the Court of 10 February 2000, FTS, C-202/97, EU:C:2000:75: the CJEU, called upon to rule on the application of Article 10 of the Treaty, clarified that the principle of loyal cooperation imposes mutual obligations on the authorities of the ‘home’ State and the ‘host’ State. The former must carry out a correct evaluation of the facts relevant for the application of the rules in question and must guarantee the correctness of the information on which they base their decision (e.g. the issuing of an authorisation). The authorities of the ‘host’ State, however, must ‘recognise’ this decision, and must consider themselves bound by it.

¹⁶ “Co-operation assumes importance as a legal tool that might ensure effectiveness of European Union law and of its national implementation, thus favoring integration between public administrations and their legal systems (...)”. Roberto Cavallo Perin and Gabriella M. Racca, ‘Administrative cooperation in the public contracts and service sectors for the progress of European integration’, in Francesco Merloni and Alessandra Pioggia (eds), *European democratic institutions and administrations* (Springer 2018) 265, 267.

¹⁷ See, in this regard, Regulation (EU) no. 1024/2012 of the European Parliament and of the Council of 25 October 2012 ‘on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC (‘the IMI Regulation’)’, OJ L 316 of 14.11.2012.

¹⁸ From this perspective, see Micaela Lottini, ‘The European professional card: a new single market governance tool’ (2017) 5 *Rivista italiana di diritto pubblico comunitario* 1254.

(or businesses) have to deal with the administration of a Member State other than their own. Furthermore, lengthy and costly court proceedings may not be effective, especially in specific areas of the internal market or in situations where an immediate decision is needed.

Taking this into account, in 2001, the Commission adopted the Communication on the effective solution of problems in the internal market: “SOLVIT”,¹⁹ and proposed the establishment of the network. Its purpose is to provide an alternative mechanism to the courts of law, for the resolution of disputes between citizens (or businesses) and national public administrations which allegedly acted in violation of EU law.

In other words, SOLVIT aims to facilitate the correct application of internal market rules by national public administrations, as well as to enable citizens and businesses to avail themselves of their free movement opportunities.

SOLVIT is an informal,²⁰ free of charge and non-binding mechanism that deals with complaints from citizens (or businesses) of one Member State regarding the application of EU law by a public authority of another Member State. SOLVIT works to resolve the problem in collaboration with the national public authority, by proposing a possible solution and, ultimately, a modification of the original administrative decision.

The SOLVIT system consists of a network²¹ of National Centres, an online database linking the Centres and a dispute resolution procedure, outlined in the Recommendation on principles for the use of SOLVIT,²² adopted in December 2001 (and amended in 2013).²³ SOLVIT’s activity is based on the principle of mutual cooperation,

¹⁹ Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions, ‘Effective problem solving in the internal market’, COM (2001) 702 final.

²⁰ See, in this respect, Diana-Urania Galetta, ‘Informal information processing in dispute resolution networks: informality versus the protection of individual’s rights?’ (2021) 1 *European public law* 71.

²¹ Some scholars refer to SOLVIT as a transgovernmental network, as it entails: “*regular and purposive relations between government actors dealing with cross-border policies, and problems. The government actors represent the state but operate at levels below the head of states*”: Dorte Sindbjerg Martinsen and Mogens Hobolth, ‘The effectiveness of transgovernmental networks: managing the practical application of European integration in the case of SOLVIT’, in Sara Drake and Melanie Smith (eds), *New directions in the effective enforcement of EU law and policy* (Edward Elgar 2016) 158.

²² Commission Recommendation of 7 December 2001 ‘on principles for using “SOLVIT” – the problem-solving network in the internal market’, C(2001)3901, OJ L 331, 15 December 2001

²³ Commission Recommendation of 17 September 2013 ‘on principles for using SOLVIT’, C(2013) 5869 final, OJ L 249, of 19 September 2013.

which in this case operates at three different levels: at a cross-border level, the two Centres of the Member States involved collaborate to carry out an initial assessment of the issue; at national level, the Centres and the national authority that allegedly acted in violation of EU law cooperate to find a possible solution; finally, at a supranational level, the Centres collaborate with the European Commission and other institutions and networks.

Over the years, SOLVIT's evaluation documents²⁴ have indicated that the mechanism has proven effective in offering individuals and small businesses an alternative to the courts, in ensuring the correct application of EU law and in changing administrative practices at national level. In fact, the percentage of cases managed and resolved is constantly increasing. National authorities tend to follow the solutions proposed by SOLVIT, despite their non-binding nature, and have improved their ability to correctly interpret and apply EU law.

In 2013, the Commission adopted a new Recommendation on the principles for the use of SOLVIT,²⁵ considering that, despite the positive conclusions, the evaluation documents still showed several weaknesses with regard to the network's activity: the Centres were understaffed compared to the workload; cooperation at the various levels was not always effective. Furthermore, the extension of SOLVIT's mandate, i.e. whether a given case fell within the scope of the network's competence, had given rise to different interpretations between the Centres, revealing a high degree of ambiguity and uncertainty.

In this respect, the 2013 Recommendation seeks to clarify the level of service that individuals and businesses can expect from SOLVIT, the various procedural steps and deadlines that Centres must respect when dealing with a case; establishes minimum standards that SOLVIT Centres must respect regarding organisational structures, legal competences and relations with other networks. Furthermore, it provides a clearer indication of SOLVIT's mandate; in this sense, on the one hand, it allows SOLVIT to decide those cases in which the internal market problem is caused, not by the decision of a single administration, but by national rules incompatible with EU law; such cases, referred to as 'structural cases', according to previous documents, were in principle excluded from the mandate of the network, but nevertheless dealt with by the Centres.

SOLVIT's mandate is also extended to cases that are not 'cross-border' in the strict sense. In other words, the Recommendation extends SOLVIT's mandate to in-

²⁴ All reports are available on the SOLVIT website: <<http://ec.europa.eu/solvit/>>.

²⁵ Commission Recommendation of 17 September 2013 'on principles for using SOLVIT', cit.

clude problems where applicants deal with their own national administration rather than a foreign one, “*but only after having exercised their free movement rights or when they seek to do so*”.²⁶

It is worth mentioning, in conclusion, that the Commission has structured the SOLVIT online database as a separate module in the Internal Market Information System (IMI).²⁷

In 2017, the Commission adopted the Communication ‘Action Plan on strengthening SOLVIT: bringing the benefits of the single market to citizens and businesses’,²⁸ as part of a package of measures aimed at improving the correct application of EU law and the functioning of the European market (the ‘compliance package’).²⁹

The Action Plan includes measures to strengthen the mechanism and place it alongside the other initiatives included in the ‘package’, including, in particular, the Single Digital Gateway,³⁰ which aims to connect EU and national mechanisms providing information and problem-solving services, all sharing a common and single entry point.³¹

With the action plan, the Commission, using all available funding opportunities and the latest technologies, undertakes to act in order to improve the quality of the service provided by SOLVIT, in terms of administrative capacity, management of com-

²⁶ *Ibid.*, par. I B 2.

²⁷ On this topic, see, Lucia Musselli, ‘Administrative cooperation between Member States: the SOLVIT network’, in Laura Ammannati (ed.), *Networks. In search of a model for European and global regulation*, (Torino 2012) 91.

²⁸ Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions of 2 May 2017, Action Plan ‘on strengthening SOLVIT - Bringing the benefits of the single market to citizens and businesses’, COM(2017) 255 final.

²⁹ Commission, Proposal for a Regulation of the European Parliament and of the Council ‘establishing the conditions and procedure under which the Commission may request businesses and business associations to provide information in relation to the internal market and related fields’, of 2 May 2017, COM(2017) 257 final; Commission, Proposal ‘for a regulation of the European Parliament and of the Council establishing a single digital gateway to provide information, procedures, assistance and problem-solving services and amending Regulation (EU) No. 1024/201234’, of 2 May 2017, COM (2017) 256 final. See, in this regard, Regulation (EU) no. 2018/1724 of the European Parliament and of the Council, of 2 October 2018, ‘establishing a single digital gateway for access to information, procedures and assistance and problem-solving services and amending Regulation (EU) no. 1024/2012’, OJ L 295 of 21.11.2018.

³⁰ Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 ‘establishing a single digital gateway to provide access to information, procedures and assistance and problem-solving services and amending Regulation (EU) No. /2012’, OJ L 295 of 21. 11. 2018.

³¹ Access to the help desk is via a search function in the ‘Your Europe’ portal.

plex and sensitive cases, legal competence, legitimacy of decisions.

Furthermore, the Commission aims to intensify and improve cooperation with other European and national information and assistance networks (such as ‘Your Europe’, ‘Europe Direct’, the European Consumer Centres, etc.) to make it easier for citizens and businesses to identify and choose the mechanism most suited to their needs. The strengthened forms of cooperation should favor the constant exchange of information and best practices, the mutual reporting of cases, as well as the direct transfer of a case from one network to another competent to decide on the specific issue.

In 2020, the Commission once again renewed its commitment to improve and enhance the use of SOLVIT with the Communication ‘Long-term Action plan for better implementation and enforcement of single market rules,’³² whose Action No. 18 is entitled: “*Making SOLVIT the default tool for dispute resolution in the single market*” and indicates a series of initiatives aimed at improving its performance; with particular regard to the strengthening of its cooperation the various bodies and networks at national and European level, such as the European Ombudsman³³ and the European Labor Authority (ELA).

The European Labor Authority (ELA) was formally established with the adoption of Regulation (EU) 2019/1149,³⁴ as a Union body with legal personality, the purpose of which is to assist Member States and the Commission in the implementation of EU law relating to the mobility of workers within the Union and the coordination of social security systems, in particular by encouraging cooperation and the exchange of relevant information, thus facilitating administrative action, especially at national level.

It is interesting to note that ELA is also called upon to operate a mediation service regarding disputes between national authorities of different Member States relating to the correct application of sector regulations, with the aim of providing an alternative to judicial action and of trying to reconcile the divergent national positions, following

³² Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions of 3 March 2020, ‘Long-term action plan for better implementation and enforcement of single market rules’, COM(2020) 94 final.

³³ In this regard, it is interesting to note that annual Reports of the European Ombudsman (EO) indicate that cases originally submitted to the EO are being directly transferred to SOLVIT (when they involve a cross-border dispute between a national administration and a European citizen or business). The reports are available at: www.ombudsman.europa.eu/.

³⁴ Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 ‘establishing a European Labor Authority’, OJ L 186 of 11 July 2019.

a procedure outlined in Article 13 of the Regulation of 2019.

Regarding the relationships between ELA and SOLVIT, they are governed by a cooperation agreement between the two parties signed on 22 January 2022, to enable better coordination on case transfer, information exchange and follow-up.

3. *SOLVIT and the procedure pursuant to Art. 8 of Regulation (EU) no. 2019/515 on mutual recognition of goods*

One of the sectors in which SOLVIT has proved more effective is that of the application of a key principle of European law: that of mutual recognition, as clearly emerges from the Commission website dedicated to SOLVIT which lists the resolved cases.³⁵

As it is well known, in 2019, regarding the specific sector of the free movement of goods, mutual recognition was the subject of a new piece of legislation: Regulation (EU) no. 2019/519,³⁶ relating to the mutual recognition of goods legally marketed in another member State.

Art. 8 of the Regulation provides for a particular procedure referred to as a ‘problem resolution procedure’, which proposes a renewed cooperative commitment between SOLVIT and the European Commission, to which, an opinion may be requested by one of the national Centres, on the compatibility with EU law of an administrative decision which limits or denies market access to a product.

The intervention of the Commission is foreseen during the evaluation procedure carried out by the SOLVIT Centres.

In this respect, Art. 8 specifies that if the home or the lead Centre deems it necessary, they can ask the Commission to express an opinion, after having provided all the relevant documents relating to the administrative decision in question.

The opinion must be issued within a maximum of 45 working days and its object must be limited to assessing the compatibility of the said decision with the principle of mutual recognition and with the requirements expressed in the Regulation.

³⁵ All documents relating to the network is available on the relevant website, at the address: <https://ec.europa.eu/solvit/index_it.htm>.

³⁶ Regulation (EU) 2019/515 of the European Parliament and of the Council of 19 March 2019 ‘on the mutual recognition of goods lawfully marketed in another Member State and repealing Regulation (EC) No. 764/2008’, OJ L 91 of 29.03.2019.

Regarding the content, the opinion can identify any critical issues that need to be addressed or make recommendations to help resolve the case. Regarding the effects, Art. 8 specifies that the opinion, although not binding, ‘must be taken into consideration’ by the SOLVIT Centres.

Therefore, Art. 8 introduces a cooperation procedure between SOLVIT and the Commission, as the latter is called upon to intervene *ex ante*, as part of the investigation phase by the SOLVIT network.

It must be said that, on the basis of the founding documents of the network (paragraph VI of the Recommendation, on the for using SOLVIT),³⁷ the Commission is required to assist and support the functioning of SOLVIT, among other things, by providing assistance for the processing of cases, informal legal advice, by offering training and specific documentation.

Also, in practice, and in general terms (therefore not only with regard to cases of mutual recognition) the Commission has often intervened *ex post* at the request of parties dissatisfied with the SOLVIT solution, as clearly demonstrated by various Decisions of the European Ombudsman (EO), subsequently called to investigate the Commission’s activity in this sense.³⁸

Furthermore, in general, the Commission can exercise a control function on the quality and work of the SOLVIT Centres, pursuant to the aforementioned Recommendation of 2013.

The relationship between SOLVIT and the Commission has thus far been based in practice on informal *ex ante* and *ex post* cooperation patterns regarding the decision cases.

Art. 8 of Regulation no. 2019/519 introduces a scheme which, as a matter of fact, gives formal shape to an activity that has always been carried out by the Commission towards the network, namely that of providing assistance and making its technical skills available, with the aim of favoring the interested individual (or business) that can benefit from a faster and more effective problem resolution procedure given the timely involvement of the Commission in case of doubt.

³⁷ Commission Recommendation of 17 September 2013 ‘on principles for using SOLVIT’, C(2013) 5869 final.

³⁸ European Ombudsman, Decision in case 330/2017/EIS ‘on the Commission’s decision to close an infringement complaint against Finland regarding entitlement to unemployment benefits in cross-border situations’ (European Ombudsman, 17 May 2017) at <www.ombudsman.europa.eu/>.

4. *Conclusions*

More than 20 years have passed since the European Commission envisaged the establishment of the SOLVIT network, inaugurating a new era of integration of the internal market, which, alongside regulatory instruments and the intervention of the Court of Justice, provides for alternative dispute resolution mechanisms and tools for enhancing cooperation between the administrations called upon to apply European law.

Among these, the SOLVIT network, based on cross-border cooperation procedures, aims at guaranteeing an alternative to the Courts for the resolution of internal market disputes, i.e. disputes concerning citizens and businesses who intend to make use of the freedoms and rights guaranteed by European rules and encounter obstacles posed by the national administrations of the host State.

Over the years, the Commission has constantly monitored SOLVIT's activity, affirming its effectiveness, both in terms of individual protection and of governance of the European market integration process.

As emerges from all the documents dedicated to the evaluation of the SOLVIT network and adopted over the last twenty years, the European Commission has constantly aimed to improve the quality of the services provided by the network, underlining its crucial role for the integration of the internal market.

As a matter of fact, SOLVIT not only offers individuals and small businesses an alternative to national judicial proceedings, but promotes the correct and uniform application of EU law³⁹ by national administrations and facilitates the amendment of unlawful national regulations,⁴⁰ in constant collaboration with other authorities and networks.⁴¹

Evidently, (and as it also emerges from the more recent document on the network, the 2024 Single Market and Competitiveness Scoreboard by the Commission)⁴²

³⁹ Dorte Sindbjerg Martinsen and Mogens Hobolth, 'The effectiveness of transgovernmental networks: managing the practical application of European integration in the case of SOLVIT', in Sara Drake and Melanie Smith (edited by), *New directions in the effective enforcement of EU law and policy* (Edward Elgar 2016) 158.

⁴⁰ Anabela Correia de Brito, 'Modern enforcement in the single European market', in José Maria Beneyto and Jerònimo Maillo (directors) and Justo Corti and Pilar Milla (coordinators), *Fostering growth in Europe: reinforcing the internal market* (CUE 2014) 396.

⁴¹ Catharina E. Koops, 'Compliance mechanisms compared. An analysis of the EU infringement procedures, SOLVIT, Pilot and IMS?', in José Maria Beneyto and Jerònimo Maillo (directors) and Justo Corti and Pilar Milla (coordinators), *Fostering growth in Europe: reinforcing the internal market* (CUE, 2014) 431, 456.

⁴² Available at: <https://single-market-scoreboard.ec.europa.eu/enforcement-tools/solvit_en>.

after 20 years, it can be concluded that the system has lived up to expectations, the percentage of cases handled and resolved is constantly increasing, national authorities tend to follow the solutions proposed by SOLVIT – despite their non-binding nature – and have improved their ability to correctly interpret and apply EU law.

Regarding the scope of the network, in accordance with the background documents, it is apparent that, over the years, it has been gradually shifting from SOLVIT being a mechanism aimed at resolving individual problems caused by the misapplication of internal market rules by national administrations, to becoming a tool aimed at fostering the enforcement of EU law and effective compliance and in this respect the Commission indicates SOLVIT as the default tool for single market dispute resolution.

However, in order to accomplish this objective, a political issue should probably be dealt with. It is worth noting in fact that, after more than 20 years from its creation, there still is no EU binding legal act referring to SOLVIT.

Hence, the next step forward to improve SOLVIT's effectiveness could be the opening of a debate on the possibility of giving it a formal legal basis,⁴³ so that an obligation can be imposed upon Member States to raise to staffing and financial resources; this would also allow to deal with the national procedural deadlines that often prevent the citizen or business referring the case to make use of judicial review in case network is unable to find a solution to the problems submitted to it.

⁴³ See in this respect, Diana-Urania Galetta, Micaela Lottini and Jacques Ziller, 'The SOLVIT Network after two decades: successes, shortcomings and the way forward', (2022) 1 *CERIDAP* 25.
