



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP
AND SMES

The Director-General

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Mr Olivier Hoedeman
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Dear Mr Hoedeman,

Thank you for your letter of 14 July 2023 addressed to Commissioner Breton on behalf of 16 civil society groups and trade unions. Commissioner Breton asked me to reply on his behalf.

First, we appreciate the attention you pay to the Single Market and namely to the tools used to ensure its proper functioning.

The two communications published in March 2023, on the Single Market at 30 and the Long-term Competitiveness Strategy of the EU, include actions to continue to foster the green and digital dimensions of the Single Market. Successful twin transitions require a robust and competitive industry able to invest in clean and digital technologies in the interest of our society. This is particularly important in the current geopolitical context where third countries play an important role when it comes to raw materials and equipment that are key to the ongoing transformations. Our actions aim to ensure that the green transition becomes a reality, and that EU citizens and businesses benefit from it through decarbonisation, growth and quality jobs creation, while avoiding regulatory fragmentation.

Effective enforcement is essential to ensure that both people and businesses in the European Union enjoy the benefits of the commonly agreed EU rules, including those of the Single Market. The Single Market is not in opposition with environmental or social policies, but to the contrary, it can be a powerful engine to accelerate the green and digital transitions, or tackle other challenges of our time such as pandemics. A well-functioning Single Market supports, for instance, the development of green products, services and technologies needed to decarbonise our economies and improve the lives of more than 440 million EU citizens across the continent.

The Single Market is a shared endeavour. Members of civil society and businesses contribute significantly to the Commission's task to monitor the correct application of the EU rules by the Member States. The Commission receives about 4000 complaints each year, the overwhelming majority coming from citizens. The Commission uses the information provided to focus and prioritise its enforcement efforts on the most important breaches of EU law affecting the interests of its citizens. The Commission's enforcement strategy is public and the related communications, action plans and periodic reports are systematically published ⁽¹⁾. The identification of breaches of EU law requires a thorough analysis of the measure at stake, including as regards policy impact and to determine whether short-term effects at national level of such measures do not compromise our joint long-term objectives. In this, the Commission works in close cooperation and open dialogue with Member States, while relevant contributions from stakeholders are also taken into consideration.

Prevention is better than cure. That is why the Commission services engage at an early stage with Member States and civil society on all national or regional draft regulations notified under the Single Market Transparency Directive, through the Technical Regulations Information System (TRIS). Under TRIS, Member States, businesses but also civil society groups and trade unions can share their views on any given notification of a technical regulation, in any of the official languages of the EU. TRIS has developed into a genuinely preventive tool, reinforcing dialogue and cooperation between Member States, civil society and the Commission at an early stage, for instance with respect to low-emission transport or recycling and reducing waste. All reactions of national or regional authorities and stakeholders are published on the TRIS website. I can assure you that your views are important for the Commission and the Member States for assessing notifications submitted under Directive (EU) 2015/1535.

Finally, on better regulation, the Commission is fully committed to evidence-based and transparent law-making where regulatory action is warranted, while avoiding unnecessary burdens.

Ensuring a well-functioning Single Market is a shared responsibility of all public and private players and is at the heart of the progress of our European model.

Yours sincerely,

[electronically signed]

Kerstin JORNA

⁽¹⁾ For ex. Commission Long term action plan for better implementation and enforcement of single market rules from March 2020, Commission Communication on the enforcement of EU law from October 2022, Annual Single Market Reports.