

EUROPEAN LEGAL FRAMEWORK FOR PUBLIC SERVICES

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Abstract. *Author gives detailed analysis of public services in general as well as in European union jurisprudence. After that author discusses European standards on services of general interest, communication on services of general interest and Leaken report, green paper on services of general interest and white paper on services of general interest..*

Key words: *Public services, general interest, European Union, State.*

1. INTRODUCTION

The organization and functioning of public services in the country is not a novelty, but it rather represents a subject matter studied by a number of theoreticians from long ago. It was even Leon Duguit who represented the concept that the basic task of the state in the beginning of the 20th century has changed (transformed) and that instead of performing public authorities, the state's task is to perform public services.¹ Public service for Duguit is every activity, which performance should be regulated, secured and controlled by those who govern, because the performance of these activities is necessary for the achievement and development of the social interdependence² Hence, the interest for studying public services has been significant from long ago, with the aim of organizing them better, so that they could satisfy as more citizens as possible. In terms of the apprehension of the legal theory on public services, a theoretical concept of public services may be determined, according to which they represent activities performed by the state in order to satisfy certain needs of the citizens (education, science, culture, social care, health care, etc.) that are not characterized by giving orders, while in case of their interruption it would come to serious problems during the normal functioning of the society.

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¹ Leon Digi, *Preobrazaji javnog prava*, Beograd, 1929 : Stevan Lilic, Predrag Dimitrijevic, Milan Markovic, *Upravno pravo*, Beograd, 2004, p. 12, 31

² Leon Digi, *Preobrazaji javnog prava*, Beograd, p. 51

In contemporary terms, apart from the interest on national level to provide high quality public services in the interest of the citizens, the focus is more and more on reaching the standard of the European Union.

The last few years, the role of the European Union is in the modeling of the future of the public services, or as they are called – services of general interest – is in the center of the debate about the European model of a society. Recognizing the crucial meaning of well-functioning, available and high quality services of general interest for qualitative life of the European citizens, the environment and the competitiveness of the European enterprises, the European Commission has increased its activities in this area in the last few years. It has, therefore, started broad consultations about how to best promote norms for high-quality services of general interest in the European Union. These services represent one of the values held by all European communities and which are the basic element of the European society model. Their role is essential for attaining a certain quality of life for all citizens, as well as for overcoming social exclusiveness and isolation.

2. ABOUT PUBLIC SERVICES IN GENERAL (SERVICES OF GENERAL INTEREST) IN THE EUROPEAN UNION JURISPRUDENCE

There is a big interest in the European Union about public services, which are mainly called services of general interest. In the reinforced activities of the Union in this field, the starting point is that the services of general interest are the main pillar of the European society model, that they contribute to a better quality of life and that they represent a supposition for the overall achievement of many fundamental rights. Namely, access to services of general interest in all its Member States is one of the joint values of all European societies. Moreover, the services of general interest contribute to the competitiveness of the European industry, as well as to the strengthening of the social and territorial cohesion in the European Union. They are considered as a vital component of the Union's policy in protecting consumers. For the countries accessing the European Union, services of general interest are essential for their smooth integration in the Union. Considering that the public service concept does not exist in all legal systems or does not always include the same positions³, the importance given by the European citizens and companies to operating and development of such services or service providing, derives from the policy of the European Union.

When dealing with providing services of general interest in the European Union, it could be determined that there is a differentiation between services of general economic interest and services of general non-economic interest. While the services of general non-economic interest have not been referenced at all in the provisions of the Treaty on the European Union, the role of the services of general economic interest on the Union's level may explicitly be recognized in Article 16 of the aforementioned Treaty. In Article 36 of the Treaty, in the part of the Charter on Fundamental Rights in the European Union, there is a recognition and value of the approach to services of general interest, in order to promote social and territorial cohesion of the Union. Article 86 (2) of the Treaty on Estab-

³ recommendation no. r (84) 15 of the committee of ministers to member states relating to public liability (adopted by the committee of ministers on 18 september 1984 at the 375th meeting of the ministers' deputies)

lishing the European Community, also explicitly recognizes the rights of the Member States to assign certain undertakings deriving from the operation of services of general economic interest. It establishes a fundamental principle, providing that the general economic interest services may continue to be secured and developed on the joint market. Those that provide services of public interest are exempt from the application of the rules of the Treaty, insofar where necessary to allow fulfillment of their mission of general interest. Therefore, in case of a conflict, the fulfillment of the public service mission may prevail over the rules of the Community, including the internal market and the rules of competition.

3. EUROPEAN STANDARDS ON SERVICES OF GENERAL INTEREST

3.1. Communication on services of general interest and the laeken report

Within the frames of the recent reinforced interest on more specific regulation and definition of the services of general interest in the European Union, the Commission has established principles and goals of its policies in the area of the two complementary Communication: "Services of General Interest in Europe" of 1996 and 2000⁴ and in the Laeken Report on "the services of general interest"⁵. In the Communication of 1996, the Commission has established that the performance and development of high quality services of general interest are utterly compatible with the rules of the Treaty and that the latter allows for taking complete responsibility in the specifics of these services. Recognizing the need for increased legal security of the Member States, as well as the operator of the Communication of 2000 explains the field and criteria of the application on the internal market and the rules set forth in the Treaty about competition.

The Laeken Report is a result of the demand of the European Council, and it does not intend to provide an overview of the politics regarding the services of general interest on the Union's level, nor does it replace the Communication of 1996 and 2000. Namely, the Communication, and especially the definitions, principles and goals determined thereby, remain valid. The significance of the Report may be seen in the perception of the need and in the pointing to the necessity of passing a Framework Directive about the services of general interest, but also in the given definitions of the terminology on this subject. Therefore, *the concept of services of general interest covers both market and non-market services, which the public authorities have qualified them to be of public interest, as well as a subject of specific obligations of the public service*. Having in mind that the concept of public services is an ambitious term, since it can only refer to a current body providing services or a role of general public interest granted by a competent body, it may be determined that there is often confusion between the terms of public service and public sector. Namely, the term "public service" is linked to the profession of providing services to the public, having a reference to which service would be provided, while the term "public

⁴ (COM (1996) 443 and COM (2000) 580 – Official Journal C 281 of 26.09.1996 and Official Journal C 17 of 19.01.2001)

⁵ (COM (2001) 598 од 17.10.2001 not published in the Official Journal)

sector" (including state service) is connected to the legal status of those providing the service, with reference to who owns the service.

When speaking about services of general public interest *in the European Union countries, it should be pointed out that a generally accepted rule is that the Union leaves up to the Member States to decide whether they would provide public service by themselves, directly or indirectly (through other public bodies) or they would determine a third person to execute them.*⁶ When there is an economic activity on the Community's level, in accordance with the rules and principles of the Treaty, with the purpose of securing equal treatment and fair competition between public and private, it is necessary for the operators to fulfill defined guarantees, so that these services may be provided in economically best services available on the market. Services of general interest should be able to fulfill their role in conditions of financial balance. Today, many services of general interest that are performed in market conditions do not require any additional support in order to be profitable. However, other services of general interest need some form of support in order to survive. The boundary between these two categories of services has not been strictly defined and thus may depend upon technological and economic factors.

The Treaty on the European Union allows the Member States to be awarded the necessary support for the services of general interest, which otherwise could not be economically sustainable. Moreover, there are specific directives by sectors referring to issues of general interest and allow creation of funds or other mechanisms of compensation, in order to finance their execution. In principle, the possibility of the Member States to get financial compensation (financial support) for providing services of general interest may be reduced by the rules of the Community on state aid. So far, it has proven in practice that this framework is significantly flexible and allows for establishing services of general interest of the Member States wherever necessary.

In the European Union there is a possibility for diversity of the services of general interest in regard to their organization, the modus of their establishment, the application on the internal market, the arising rules on competitiveness and other complex issues. With the Communication of 2000, the Commission has set itself an obligation to continue applying the instruments that are available, in order to increase the legal security. Since then, the Commission has undertaken many measures in that regard, relevant to the services of general interest.

It emanates from the Communication of 2000 that all the services of general interest which do not constitute an economic activity, are not subject of competitive and internal market rules. Therefore, it was suggested to the Commission to comprise a list of services that are of non-economic nature. As far as the economic and non-economic activities are concerned, the Court of Justice has determined that "any activity comprised of supply of goods and services on their market is an economic activity".⁷ Although it is considered that in many cases of the practice, when dealing with services of general interest, this difference does not create any problems, it has still proven difficult to make a short definition of "non-economic" services. Also, the scope of services that must be provided on the

⁶ Unless otherwise determined with a specific Community law, like in the transportation sector.

⁷ Joint cases C- 180 to C- 184/98, Judgment of the Court of Justice of 12 september 2000, *Pavel Pavlov and Others vStichting Pensioenfonds Medische Specialisten* [2000] ECR I-6451

market is subject of technological, economic and social changes that have increased in time. It is therefore considered that while the list of examples may be composed, it would not be feasible to provide a definite *a priori* list of all services of general interest that would be considered "non-economic".⁸

In terms of the application of the Community's rules on selection of an operator, it is important to mention that *the Members States are free to decide how they would provide the service, whereas they may decide on their own to provide the service directly or indirectly (through some other public body)*. However, when they decide to entrust the services to a third party, they have to follow certain procedural rules and principles. These rules and principles emanate from the Treaty and are applied to all agreements concluded by the Member States for performing economic activities within the framework of the meaning of the Treaty, irrespective of their qualification in the national legislation. Nevertheless, there are many exceptions in the Treaty, such as the activities linked to the performance of public authority, where derogations are allowed, if they are justified for some reason, like public order, public safety and public health. The activities of "non-economic nature" within the meaning of the Treaty are also excluded from the application of these rules and principles.⁹

3.2. Green Paper on services of general interest

In terms of the increased activity of the European Union on legislative regulation of public services or services of general interest is the preparation of the, so called, Green Paper on Services of General Interest.¹⁰ When defining the public interest goals performed with these services, as well as the way they are organized, funded and assessed, the starting point is that the reality of the services of general interest in the European Union is complex and is constantly evolving, and thus entails:

- a broad circle of different types of activities, from huge network activities (energy, mail, transportation and communications) to health, education and social services
- the level of providing these services is also very different, from European or even global to purely local
- the services differ by nature, some are market services, while others are non-market
- the organization of these services differs depending on their historical, geographical and cultural tradition and characteristics of the specific activities.¹¹

Bearing in mind this complexity, the Commission has opened a debate on the role of the European Union when defining the public interest goals, towards which it aspires with these services and their organization, funding and development. At the same time, the EU has confirmed the significant contribution of the internal market and the competition rules in improving the quality and efficiency of many public services that are in interest of the public and the enterprises. Besides that, the Green Paper has taken into consideration the

⁸ Report to the Laeken European Council, Services of general interest, Commission of the European Communities, Brussels, 17.10.2001, COM (2001) final 598, 2.1.2.2, p. 11

⁹ Report to the Laeken European Council, Services of general interest, Commission of the European Communities, Brussels, 17.10.2001, COM (2001) final 598

¹⁰ COM (2003) 270, 21.05.2003

¹¹ Green Paper on Services of General Interest

globalization and liberalization, and has raised the issue whether the general legal framework on the services of general interest should be established on the level of the Community.

The European Parliament supported this publication and adopted a resolution¹² about it. In this regard it has expressed assurance that certain services of general interest would be excluded from the scope of rules on competition, such as health care and education, social accommodation and services of general interest that try to lead or increase pluralism of information and cultural diversities. It is believed that it is either not possible or relevant to have joint definitions on services of general interest or duties originating thereof, but that the European Union must determine joint principles such as universality and equality of access, continuity, safety, adaptability, quality, efficiency, availability, transparency, protection of users, consumers and the environment and participation of citizens, taking into consideration the specifics for each individual sector. The Parliament has also underlined the need for providing rules on competition, compatible to the duties of the public service and has openly defied against liberalization of water supply. Namely, the attitude of the Parliament is that water and waste management services should not be subject of sectoral directives of the European Union, but it also points out that the Union should remain utterly responsible for these sectors as far as the quality and environment protection standards are concerned.¹³

First, a need has been highlighted for the services of general interest to be organized and regulated as closer as possible to the citizens and for the principles of subsidiarity to be strictly followed. In this respect, the Commission values the essential role of the Member States and the regional and local authorities in the area of the services of general interest. This role is reflected in the policies of the Union on the services of general interest, based on different levels of activities and use of different instruments in accordance with the principles of subsidiarity.

The starting point is that access of all citizens and enterprises to high-quality services of general interest, which they could afford on the territory of the Member States, is the basic principle for promoting social and territorial cohesion of the European Union. The Commission was bestowed to promote and improve the effective universal approach to services of general interest through all policies. In this regard, universal service is the key concept that the Community has developed in order to ensure efficient approach to the basic services. By that, every person establishes a right to approach to certain services that are considered as basic and that impose some obligations to the operators of the services to offer defined services in accordance with specified conditions, including complete territorial coverage and affordable prices.¹⁴ The universal service is a dynamic and flexible concept and it has proven as an effective protection norm for those who do not buy basic services for themselves in any other way. The concept enables for joint principles to be defined on the Community's level, while their application to be left to the Member States, which makes possible for taking into consideration the specific situations in each country, according to the principle of subsidiarity.

¹² European Parliament Resolution of 13 January 2004 on the Green Paper on services of general interest (A5-0484/2003)

¹³ Green Paper on Services of General Interest

¹⁴ http://europa.eu/scadplus/glossary/universal_service_en.htm

A great significance for the further activity of the European Union in the area of the services of general interest has the Communication on the Green Paper¹⁵, which contribution may be seen in the following:

- Existence of a broad consensus has been determined on the basic significance of the services of general interests on the European societies. It has been generally accepted that these services should be done in a way that puts the users in the first place. It has been determined that there is no Treaty referring to the relationship between the services of general interest and the market principles.
- While the attitudes on the need for supplementing the Treaty are different, there is a general consensus that the Union would not be given additional authorities in the areas of the services of general interest. So, it emanates that the responsibilities of the Union and the Member States are clear and that there are requests for review of the Union's rules in some areas. Also, there is an agreement that a specific sector regulation may not be extended to all services. For some services (like for ex. water, waste, local public transportation) different views were given, as if a specific regulatory framework was desired on the Union's level. A need is specifically underlined for considering the sectors' specifics, such as health care. Namely, it was underlined that the nature of many social and health services leads to demands different than the ones in the network industries. There is a broad consensus that it is not necessary to create European regulatory authorities on this level. It therefore appears that the networks of the national regulators, which coordinate of European level, are an option to which an advantage is given.
- The viewpoints on the need of a general legal framework remain divided, whereas there is an agreement of an extended need for adjustment with a sector specific legislation.
- The distinction between the services of general interest and the services of general non-economic interest is more significant. Other criteria are sought apart from the economic vs. non-economic distinction, in order to create higher legal security. While there is some interest for further clarification of the situation of the organizations that provide social services based on the rights of the Community and for protection of the non-economic services of general interest as part of the European social model, there is a broad consensus that the Community should not be granted additional authorities in the area of the non-economic services.
- The viewpoints on the need of establishing a joint set of obligations on the Community's level are divided. While some point out the need for establishing obligations of the public service, sector by sector, others do not agree that the joint concept would be adequate and necessary. There is a general consensus that the regulation on the Community's level should be based upon principles and goals, while the Member States should be capable to implement and adapt them, according to the specific situations and needs that exist on national and regional level. There is no agreement on effective implementation of the requests on legislation of the Community or the impact of these requests to the social and territorial cohesion.

¹⁵ Report to the public consultation on the Green Paper on services of general interest, SEC (2004) 326, 15.03.2004

- Some problems are pointed out that stem from the application of the statute referring to procurement and state aid. Also, it has been determined that the rules referring to concession and public-private partnership need to be clarified. The comments relate to the fact that further harmonization of the obligations of the public services on Community level is not desirable. Interest is accented on flexible and non-bureaucratic good practice and standards that relate to the organization of the services of general interest.
- There is a clear request for lucid and simple rules that are applied in funding the services of general interest, especially those referring to state aid. Thus, the verdict of the European Court in the Altmark case is considered positive, but insufficient. Also, there is a general consensus that the Member States should remain unbound in determining the appropriate way to finance the services of general interest.
- It was confirmed that the principle of transparency is the key concept for the development and implementation of public policies that refer to the services of general interest. This principle ensures that public authorities must carry out their duties and that democratic elections could be conducted and valued. The principle should be changed for the process of service delivery, deliverance of public services, organizations, funding and regulation of services, as well as their production and evaluation, including the appellate mechanisms.

3.3. White Paper on services of general interest

The European Union has shown interest in high-quality services of general or public interest not only with the adoption of the Green Paper, but it has also extended the activity with the White Paper on Services of General Interest.¹⁶

In reference to the request of the European Parliament on the Green Paper of 14 January 2004¹⁷, the Commission has brought conclusions from the debate that were implemented in the White Paper. They were confirmed by the European Economic and Social Committee¹⁸ and the Committee of the Regions¹⁹. The services of general interest were also a subject of the intensive debate within the frames of The Convention on the Future of Europe. The Court of Justice has reviewed different issues linked to the services of general interest, especially in reference to their financing and decision making about the orientation for compensating public services.²⁰

The debate on the services of general interest that was started by the European Union was continued in order to make a contribution to the ongoing discussion, as well as to

¹⁶ White Paper on Services of General Interest, COM (2004) 374 final of 12.05.2004 – not yet published in the Official Journal

¹⁷ European Parliament Resolution on the Green Paper on Services of General Interest, 14.01.2004, (T5-0018/2004), in: White Paper on Services of General Interest, COM (2004) 374 final of 12.05.2004

¹⁸ Opinion on the Green Paper on Services of General Interest, CESE 1607/2003, 11.12.2003, in: White Paper on Services of General Interest, COM (2004) 374 final of 12.05.2004

¹⁹ Opinion on the Committee of the Regions of 20 November 2003 on the Green Paper on Services of General Interest, CdR 149/2003 final, in: White Paper on Services of General Interest, COM (2004) 374 final of 12.05.2004

²⁰ Judgment of 24 July 2003 in the case C-280/00 Altmark Trans, in: White Paper on Services of General Interest, COM (2004) 374 final of 12.05.2004

continue the defining of roles of the Union, which makes possible for these services to function properly. The White Paper has determined the contribution of the Commission in developing the positive role of the European Union in developing high-quality services of general interest, presenting the key elements of the strategy, which goal is to make sure that all citizens and enterprises in the Union have access to them.

While the services of general interest may be organized in cooperation with the private sector, or to be entrusted to private or public enterprises, the definition of the obligations and activities of the public services remains a task of the public authorities on the relevant level. They are also responsible for market regulation and ensuring that the operators perform the activities of the public services entrusted to them.

Even in the White Paper on the Services of General Interest there is a definition of the terminology²¹, which refer to the services of general interest as an attempt to overcome many mistakes that have appeared, having in mind the discussions on European level as a result of the terminological differences, semantic confusions and different traditions of the Member States. Namely, *the Member States use different terminology and definitions in context of the services of general interest, as a result of the different historical, economic, cultural and political development.*

It has already been stressed that the term "services of general interest" may not be found in the Treaty, but it appears in the practice of the Community, originating from the term "services of general economic interest", used in the Treaty. The first term is broader and entails the market and non-market services that public authorities classify as of general interest, and they are subject of specific obligations of the public service.

The White Paper on the Services of General Interest, as well as the Green Paper, focus mainly on the issues connected to the "services of general economic interest", the same way the Treaty itself focuses mainly on economic activities. The term "services of general interest" is used in the White Paper only when the text also refers to non-economic services or when it is necessary to specify the economic or non-economic nature of a specific service.

Bearing in mind that the terms "services of general interest" and "services of general economic interest" have not been identified with the term "public service", the White Paper highlights the opinion that this term may have different meaning and this might lead to confusion. The term sometimes refers to the fact that the services is offered to the general public, sometimes it is underlined that the service is ascribed a specific role of public interest, and sometimes it refers to the ownership or status of the entity providing the service²². Therefore, the term "public service" is not used in the White Paper.

The term "public undertaking" is used to define the ownership of the service provider. The Treaty provides for strict neutrality, so that it is irrelevant under Community law whether providers of services of general interest are public or private, as they are subject to the same rights and obligations.²³

²¹ These definitions are based on the Green Paper on the Services of General Interest COM (2003) 21.05.2004

²² As emphasized in the White Paper on the Services of General Interest, there is often confusion between the terms public service and public sector. The term public sector includes the public administration along with all the enterprises, controlled by the public authorities.

²³ White Paper on services of general interest, COM (2004) 374 final of 12.05.2004, Annex 1

4. CONCLUSION

The European Union has not shown interest in a long time for more detailed regulation of the public services or the services of general interest, a term accepted by the Union. The Treaty on the European Union pays more attention to the services of general economic interest and thus makes a distinction of the services of general interest to services with economic or non-economic nature, not determining more precisely the meaning of the services of general interest. Accordingly, the provision of the Treaty explicitly mentions only the services of general economic interest, while the services of general non-economic interest are left to the Member States to be further specified.

At the same time, it does not mean that the European Union leaves them to be guided in a way that would not satisfy the needs and interests of the users and consumers. Having in mind that the significance of the services of general interest is increasing with the development of Europe, and especially in the last few years, an intensive activity of the Union may be noticed in direction of more precise definition, forecast, determining and providing of the services of general interest, primarily the economic and non-economic services of general interest.

It is set out from the position that it is either not possible or not relevant that joint definitions be created on the services of general public interest or for the commitments of the public services thereof, but that the European Union must determine joint principles, such as universality and accessibility, continuity, safety, adequacy, quality, efficiency, availability, transparency, protection of the groups with disabilities, user and consumer protection and protection of the environment and citizens' participation, bearing in mind the specific conditions for each separate sector.

The meaning of the Communication on the Green Paper is big and it shows the general consensus in determining the need for a provision on high-quality and available services of general interest for all citizens and enterprises in the European Union. It has also confirmed the existence of a joint concept on services of general interest in the Union. This concept influences the values and goals of the Union and it has been *based upon a set of joint elements, including universal services, continuity, affordability, as well as user and consumer protection*. Still, a question is raised whether the general legal framework of the services of general interest should be based on the Union's level, while the detailed definition of the services, which should be provided and offered by these institutions, to be left as a responsibility of the Member States. It derives from the position that the authorities pertaining to the institutions of general interest, which are currently awarded to the Community, are suitable and adequate in order to make sure that the services that function well must be provided and developed within the Union.

In any case, the increased activity of the Union contributes to seeing the *need* and pointing to the *necessity of passing a Framework Directive for the Services of General Interest*, but also to the given definition of the terms pertaining to this issue. It should be highlighted that the Directive for the services on the internal market mentions only the services that suit the economic activities, but it also implies to the non-economic activities. An intention is being noticed in Europe to consider as many services as "economic" as possible and accordingly, if the public authorities provide these services guided by social motives and not by profit, it is left to be defined as services of general economic interest, and not as services of general interest. This development of "economic" services

exists only due to the parallel growth of the numerous companies from the private sector that offer services from the domain of the public entities.²⁴ It should still be pointed out that although the public services mostly become "economic", it is not understood as "commercial" or "doing business on the market".

Also, the Court of Justice imposes indications that the Treaty on the European Union gives freedom to the Member States to define the providing of services of general interest and to establish organizational principles for the services they intend to provide. In any case, this freedom must be achieved transparently and flawlessly in terms of the general or public interest, and the Member States must have in mind the law of the Community when establishing arrangements for implementation of the outlined goals or principles. For example, they have to respect the non-discrimination principle and Community legislation on administrative agreements and concessions when organizing a public service. Moreover, when dealing with services of economic nature, the compatibility of their organizational order with the other areas of the Community law must be secured (especially the freedom to provide services and the freedom to establish a competition law).

In the EU, the starting point is that *universal service* is considered as a dynamic and flexible concept, which has proven as an effective protective provision for those who do not otherwise buy services for themselves. The concept allows that the *joint principles be defined on Community level and that the application of these principles be left to the Member States, thus creating an opportunity for taking into consideration the specific situation in every country, in accordance with the principle of subsidiarity*.

Consequently, in this area in the Union, at this stage of development of the European Union, there is a determination to harmonize the rules of the public services of the Member States, and not to unify them, as they do not have enough strength to perform the unification. Therefore, the Union uses a mechanism of directives, by which the process of harmonization in this area will begin.

²⁴ For example, "health" services are considered potentially "economic", as there is a "market" in some health services. Also, there is a "market" in education services, by paying participation fees in private schools and there are even (in Great Britain) companies that offer to provide education services entirely on local level. More: Council of European Municipalities and Regions, *Services of General Interest: Public Interest, Democratic Choice*, September 2003

EVROPSKI PRAVNI OKVIR ZA JAVNE SLUŽBE**Iskra Akimovska Maletić**

Autor daje detaljnu analizu javnih službi uopšte kao i u jurisprudenciji Evropske unije. Nakon toga autor razmatra evropske standarde o službama od opšteg interesa, odnos službi od opšteg interesa i Leakeno-ovog izveštaja, Zelenu knjigu o službama od opšteg interesa i belu knjigu o službama od opšteg interesa.

Ključne reči: Javne službe, opšti interes, Evropska Unija, država.