**INFLUENCING E.U. POLICY-MAKING – HANDOUT (Topic 3)**

* Hellen Wallace – the European policy process has been peculiarly dependent on negotiation as a predominant mode of reaching agreements on policy and of implementing policies once reached.
* Negotiation process is a communication process, where actors send signals to each other in order to influence the expectations and/or the values of the other party.
* The relationship between the EU and negotiation processes is complex and distinctive – mostly defined by **diversity:**
  + The EU is characterized by **diveristy of negotiating contexts and occasions** (generated by the EU’s internal and external development)
  + The EU is characterized by **diversity of actors and preferences**
  + The EU demonstrates **diversity of strategies, negotiation style and communication**
  + The EU manifests **diversity of outcomes**
* Besides diversity, there are other important aspects that characterize the negotiation in EU policy-making: **interdependence of actors**, **regularities of interactions** and the presence of **formal and informal rules of institutions**:
  + Indeed the EU negotiations are **highly institutionalized** – they are embedded in a rich framework of formal and informal norms and rules.
  + EU negotiations **are permanent, linked and continuous** – the actors know that their relationship is long-lasting and the temptation to try to reap unilateral gains at the expense of other actors will be smaller that in one-shot negotiations.
  + The **formal negotiations are closely linked to informal negotiations**
  + Linkages between levels and sectors internally, but also between internal and external negotiations.

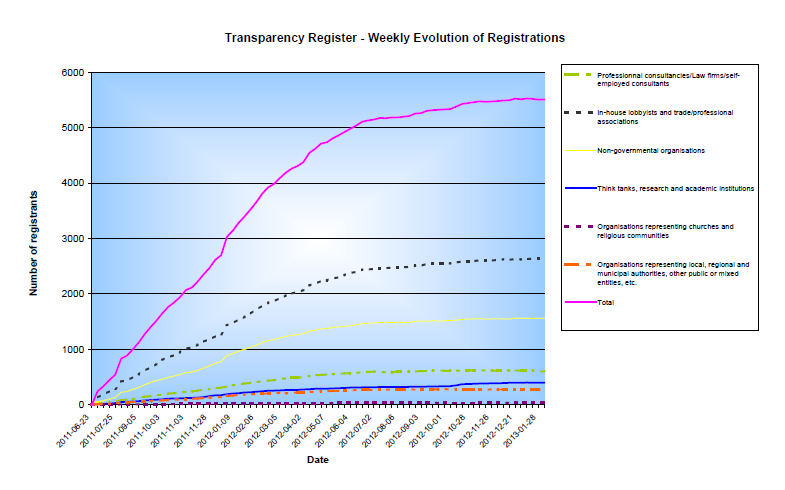
**Interest groups and EU policy-making:**

* The number of private individuals and groups seeking to influence the EU policy process has increased dramatically since the 1980s (until the mid 1980s there were up to 500 interest groups with offices in Brussels – but quintupled in the mid-2000s )



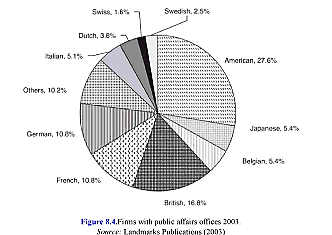
* In November 2005 – Commissioner Siim Kallas – European Transparency Initiative – The European Transparency Register (launched in 2008) – voluntary register of interest groups that want to gain access to the EC (this registration requires the acceptance of the Code of Conduct for Interest Representatives





1. **Business interests:**

* Lobbying of the political process by private firms only really took off at the national level in the 1970s – when governments began to set standards for the marketplace thorugh new forms of economic and social regulations. – STILL – with European Single Market these standards are now set almost exclusively at the European level, and business interests are this drawn to the new political center
* They represent different interests and most importantly from differenty approaches or levels (national, multinational, unions of staff employed...etc)



* The EU now exhibits the same phenomenon as seen in the US which experienced a 37% increase in registered lobbyists between 1997 and 1999
* Business interests are well organized in Brussels – and have considerable financial and personnel resources behind them
* The main umbrella organization for business – Businness Europe (a confederation of 39 national federations of business from 33 EU members states, accession and aspirant – has around 1000 officials from the member organizations
* Another important group – European Round Table of Industrialists – chief executives of some of the largest firms in Europe
* David Coen – conducted a survey of 100 firms to ascertain how they allocated resources to European policy process (a hypothetical 100 units of resources between various channels to influence Brussels) – regulation of the market at the European level provides strong incentives for firms to spend valuable resources to ensure that policy outcomes do not harm their interests.
* We have a pluralistic way of interests’ representation





1. **Trade unions, public interests and social movements:**

* These groups were represented in Brussels thorugh the Treaty of Rome – within the Economic and Social Committee – but the role was strictly consultative
* STILL – the new EU competences in these policy areas brought them into Brussels’attention
* Maastricht Treaty – we started having an institutionalized social dialogue in the area of social policy (the Commission is now statutorily obliged to consult both business and labour before submitting proposals for social policy legislation
* Due to the key source of power and influence for these public interests is the Commission – almost all environmental, consumer and other public interest groups in Brussles derive their main source of funding via the various DGs of the Commission.
* One important group - The European Union Confederation – founded in 1973 (82 national trade union federations)
* Although few public interest groups had a voice in Brussels before the 1980s, later they started to play a central part in many EU level policy debates
* „The Green 10”, The European Consumers’ Organization, the Social Platform (a large number of social NGOs are brought together on the platform)
* Examples: a 4 year action programme 2002-2006 for promoting NGOs in the environmental field was allocated a budget of 36 million EUR from the EU funds

1. **Territorial interests: at the heart of multilevel governance:**

* The role of EU subnational regions: offices of state governments, regional councils and other official organs of the decentralized unitary systems, regional councils and other official organs, local government bodies and various intermediary associations of local authorities, communities, municipalities, towns, cities, regions and subnational units.
* The higher importance of Structural Funds – brought into Brussels’ attention the regional bodies
* The formal involvement of regions in EU policy-making was further institutionalized by the creation of the Committee of the Regions (see graph below) by Maastricht Treaty => CoR was consulted in all policy areas that had implications for European economic and social cohesion
* Brussels has become more like Washington – in terms of the volume and intensity of private lobbying of the political process.



1. **National interest Representation:**

* EU is a multinational political system and the structure of the policy process is deliberately designed to accomodate most, if not all, national preferences, cultures, styles and traditions.
* The practice of Commission develops policy proposals in cooperation with representatives from national administrations – through a network of working groups composed of national representatives and chaired by a Commission official. (these representatives are civil servants, but national administrations also use officials from domestic interests groups to represent their views are more likely to be influenced by interest groups from their own particular state than by the European level) – see Annex 4
* Commission is a highly understaffed and relies on officials and representatives from national constituencies –to supply knowledge and information about existing national policy regimes and interests.
* The same process of privileging national interest groups exists at the implementation stage – EU directives have to be transposed into law through national instruments.
* European level interest groups – try to coordinate the positions taken by their national members, so that a common message is transmitted – still, the cohesion often breaks down and the national interest groups often decide to line up with their national governments and officials + the European level associations have few sanctions to impose on their members

STILL:

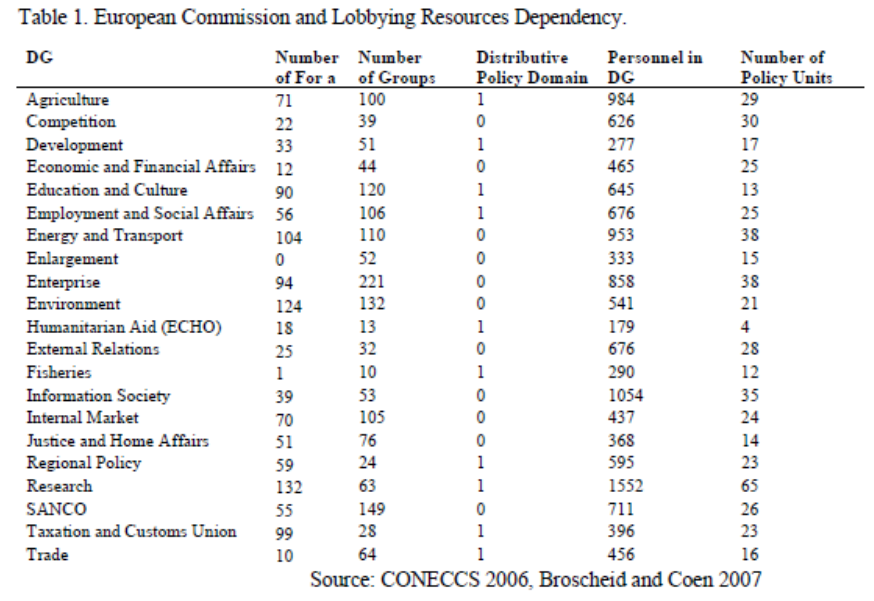
* Multinational firms are less interested in securing national protection of their products and markets than securing transnational policies that will enable them to increase productivity

**Access to EU policy-making:**

* The fact that all forms of lobbying have increased suggest – a great demand of representation but also a concomitent supply of access to policy process by political actors.

1. **European Commission:**

* In the EU groups were quick to recognise the formal and informal powers of the Commission as an agenda setter (lobbying resources allocated to this early stage of EU agenda-setting are likely to produce bigger policy pay-offs than resources allocated to lobbying later in the policy process.
* The key institution in the supply of access to non-state interests
* Commisssion is an extremely small bureacracy – lack of detailed expertise and knowledge => Commission has sought to formalize this process.
* Commission has drawn up directories listing all known national and European-level interest groups by policy area as part of the procedural ambition to maximize consulation
* If there is an unoccupied niche – it attempts to create and sustain one
* Practice of publishing „green papers” – preliminary legislative proposals – as a means of opening the discussion/ debate to a wider audience. – set out the basic ideas behind a potential piece of legislation
* „White papers” – a formal set of proposals that will result in a directive or regulation
* Individual Impact Assessment (IAs) – sets out the process and the timetable for consultation on a particular piece of legislation , and the particular target groups which the Commission intends to consult
* It has been a strategic actor in constructing constellations of stakeholders concerned with each of the Commission’s policy sectors:
  + **The 1992 An Open and Structured Dialogue** – Introduced the Green papers (consultative papers) – before 1990 only 4, in 2003 – 5 Green Papers, 142 Communications, as well as 73 Reports.
  + **In 2001 – Communication on Interactive Policy making** – development of 2 internet-based mechanisms to assist the Commission on a continuous basis (in 2003 - 60 internet consultations through **Your Voice in Europe**)
  + Created also a web-based database of formal and structures consultative bodies in the field of civil society - **CONECCS**
  + **2004 –** **Plan D** (Democracy, Dialogue, Decision)
  + It basically has **2 main complementary strategies** : one, more open an inclusive via internet and other more restrictive via committees – so-called committees of experts nominated by governments)



1. **European Parliament:**

* It is not responsible for policy initiation - still its powers have increased
* Whereas Council of EU has national public administrations to supply information, individual MEPs have limited research budgets – when writing reports and proposal for EP resolutions, rapporteurs seek out key interest groups to canvas their views.





1. **Council of European Union:**

* Through 3 channels:
  + The national delegations in Brussles (members of the Permanent Representations based in Brussels) – around 200 officials. Lobby groups try to influence esp. those officials that have an important saying in a particular policy. National association have better channels here than in the Commission
  + Members of the many Council working groups
  + Directly via national governments – this is actually considered the most important channel in the Council of European Union

1. **European Court of Justice:**

- Rarely and only if the lobby groups don’t find the channels in the other institutions -

