

Decision/Policy Making in the European Union

EU Integration after Lisbon



Intro

Policy Making in the EU

Stages

Modes

Players

Summary

Introduction

- ▶ EC/EU once confined to trade only, now much broader range of policies
- ▶ No uniform decision making process
 - ▶ Different domains
 - ▶ Different scope
 - ▶ Day-to-day business
 - ▶ More fundamental decisions
 - ▶ Systemic changes (treaties)
 - ▶ Experimental, evolutionary, often controversial
 - ▶ Various issues and *modes*

What is politics?

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(through policy!)

What is (Public) Policy?

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- ▶ “Public policy consists of political decisions for implementing programs to achieve societal goals” (Cochran/Malone)
- ▶ “Public policy is the outcome of the struggle in government over who gets what” (Cochran et al.)

What types of Public Policies (Lowi)

- ▶ Various “Arenas”

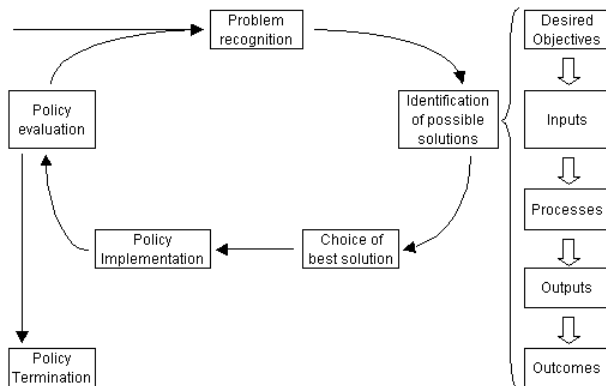
What types of Public Policies (Lowi)

- ▶ Various “Arenas”
 - ▶ Regulative Policies
 - ▶ Expenditure
 - ▶ Distributive
 - ▶ Redistributive
 - ▶ Macro-Economic Stabilisation
- ▶ Different modes/patterns/mechanisms in different arenas

Four main stages

- 1) **Preparation** Informal talks → formulation of a proposal
→ start of formal process
- 2) **Decision making** A legally binding decision is made
- 3) **Implementation** Decision is put into practice through real measures
- 4) **Monitoring** Judicial review, political evaluation

The Policy Cycle



Overview

1. “Traditional Community Method”
2. “EU Regulatory Mode”
3. “EU Distributional Mode”
4. “Policy Co-ordination”
5. “Trans-/Intergovernmentalism”

Community Method/Regulatory Mode

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Traditional Community Method

- ▶ Supranational
- ▶ Locking in → (joint) decision traps
- ▶ Strong commission
- ▶ Example (unique instance?): CAP

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EU Regulatory Mode

- ▶ Commission as architect, Council as forum
- ▶ Consultation of stakeholders
- ▶ EP
 - ▶ (One) channel for non-economic interests
 - ▶ Otherwise weak
- ▶ Example: SEM

EU Distributional Method/Policy Co-ordination

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- ▶ Examples: cohesion, research

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Policy Co-ordination

- ▶ “OECD method”
- ▶ Commission: networks of experts + “benchmarking”
- ▶ Limited role of EP (experts)
- ▶ Examples: Lisbon strategy (unemployment)

Trans-/Intergovernmentalism

- ▶ European Council/Council of Ministers
- ▶ Limited role for Commission (co-ordination \Leftrightarrow Council structures)
- ▶ EP, ECJ, national parliaments & citizenries largely excluded
- ▶ Opaque but sometimes efficient
- ▶ Examples: JHA, CFSP, Schengen
- ▶ Growing role for EP/national parliaments after Lisbon?

Who shapes policy?

- ▶ National/transnational interest groups
- ▶ National governments
- ▶ EU institutions:
 - ▶ Commission
 - ▶ Council of Ministers
 - ▶ European Parliament
 - ▶ Special role: European Court of Justice

Very important: preparation

- ▶ Policy-shaping begins long before formal process
- ▶ Commission involvement (legal base)
- ▶ Formal and informal consultation between national, sub-national, EU levels
 - ▶ “Issue networks”: large, open, conflict
 - ▶ “Policy communities”: small, tight-knit, consensus
- ▶ Most lobbying at this stage
- ▶ “Only 20 per cent” of any proposal subject to change after this stage

Formal decision making

- ▶ Legislative procedures: you know them already
- ▶ Many “technical” decisions taken by Commission (w Council
→ comitology)
- ▶ Formal decisions: mostly QMV or consensus

Implementation

- ▶ An integral part of policy-making
- ▶ Two important legal instruments
 - ▶ Directives (binding aims, MS choose means)
 - ▶ Regulations (immediately applicable)
- ▶ National actors important in indirect implementation
 - ▶ European Court of Justice: final legal decisions
 - ▶ Court of Auditors checks EC expenditure
 - ▶ *Commission monitors*

Monitoring

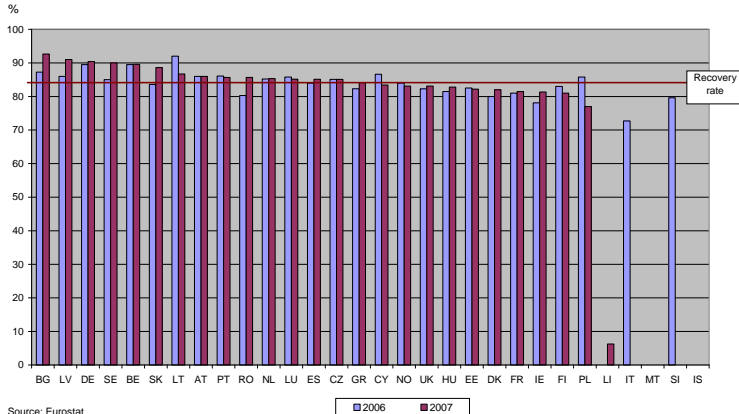
- ▶ Commission understaffed
- ▶ Needs to rely on national administrations
- ▶ Delay of implementation recorded by the Commission → “League tables”
- ▶ Huge monitoring exercise for the Central and East European Countries

Example: European Waste & Recycling Directive(s)

- ▶ “EU legislation on waste sets a number of targets for re-use, recycling and recovery for different waste streams including end-of-life vehicles (ELV), packaging and waste electrical and electronic equipment (WEEE)”
- ▶ “If there is no evidence of improvement, the Commission may decide to take steps against the non-complying Member States. The Commission has contacted the Member States which have failed to reach the prescribed targets in 2006. Only half of the Member States concerned have provided explanations”
- ▶ “24 Member States reported data on end-of life vehicles for 2007, but not all obligatory data have been provided. For 2006, Malta and Ireland have not reported their re-use, recycling and recovery data. Some 22 countries submitted a description of the data, but not all countries referred to the methodology used to report or the methodological guidance provided by the Commission in May 2009. As a result, the quality of data is in many cases unreliable and needs verification.”

End of Life Vehicles

Reuse and recovery rate of ELVs in 2006 & 2007,
 sorted by recovery performance in 2007



Source: Eurostat

Waste Electrical & Electronic Equipment (WEEE)

WEEE

Figure 6:

	COLLECTION	RECOVERY TARGETS								
	TARGET	1	2	3	4	5	6	7	9	10
	Collected from private households, target:	Large household appliances	Small household appliances	IT & Telecommunication	Consumer equipment	Lighting equipment	Electrical & electronic tools	Toys, leisure & sports equipment	Monitor & control instruments	Automatic dispensers
	in kg	in %								
target	4 kg per capita	80	70	75	75	70	70	70	70	80
BE	7,2	88	94	92	86	84	84	M	80	M
DK	10,8	97	96	92	91	85	96	96	96	97
DE	8,6	91	92	95	95	100	84	83	69	94
IE	M	M	M	M	M	M	M	M	M	M
EL	0,9	97	92	89	89	0	98	94	0	99
ES	3,6	76	59	79	94	92	73	66	84	M
FR	0,1	0	0	89	100	0	97	0	74	7
IT	0,8	M	M	M	M	M	M	M	M	M
LU	8,1	94	85	87	95	85	85	85	92	
NL	5,7	87	74	96	87	91	74	74	90	90
AT	7,4	87	85	87	89	86	85	86	86	93
PT	0,4	92	82	86	78	95	83	85	0	0
FI	7,1	91	74	76	74	79	73	60	48	90
SE	12,7	92	87	92	109	91	34	12	15	98
UK	M	M	M	M	M	M	M	M	M	M

target met
target not met

Collection and recovery rates for WEEE waste in 2006. Green – target met, red – target not met. As of end 2006, targets will become legally binding for EU15 (names of countries highlighted in yellow on the left), NMS having transition periods. Source: Eurostat.

Role of Member States

- ▶ Size of state and significance of issue
- ▶ High vs. low politics
- ▶ Capacity of government
- ▶ Relations with other govts & competence of negotiation team
- ▶ Package deals and side payments
- ▶ Setting of agenda and procedures

Efficiency

- ▶ Seen to be slow (up to 7 years), complicated, distant from the people, not understandable, too many parties
- ▶ Lack of transparency
- ▶ Sub-optimal outcomes
- ▶ EU is lacking of a fixed, central, authoritative point “to have the last word”

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- ▶ Not very different from national policy making
- ▶ EU tries to set up long term goals
 - ▶ 5 year financial programme
 - ▶ Agenda 2000 - 2006
 - ▶ Commission annual work programmes and longer-term perspectives

Summary I: 6 features of EU policy making

1. Large/changing number of actors of different types involved
2. Multi-layered/-centred: regional, national, European
3. Varying levels of seniority: HSG – ministers – COREPER – committees
4. Varying levels of formality: official, semi-official, informal
5. Different modes of policy making
6. Varying scope of decisions

Summary II: scope of decision (Peterson/Bomberg)

level	type	dominant actors	"rationality"
Super systemic	history making	E Council/ICG	intergovernmental
systemic	policy setting	Council of Ministers	mixed
sub-systemic	policy shaping	COREPER	supranational

Class questions

- ▶ “Stagnation, decision-making, blockages, institutional paralysis”. To what extent is this a fair summary of the EU in the seventies and eighties?
- ▶ How far did the Single European Act and the Maastricht Treaty go towards more efficient decision-making in the Community?
- ▶ What did recent treaties (Amsterdam, Nice, Lisbon) provide to maintain the functioning of decision-making in an enlarged Union?