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Table of Contents/Table des matières

No. 2003/1

* **Alternative Regulations or Complementary Methods? Evolving Options in European Governance** — 2
  Dr Edward Best

* **The Next Phase in the Europeanisation of National Ministries: Preparing EU Dialogues** — 12
  Dr Adriaan Schout and Dr Kees Bastmeijer

* **Gender Equality and the EU**

  - **An Assessmentof the Current Issues** — 22
    Gracia Vara Arribas and Laura Carrasco

  - **An Insider's View** — 31
    Making Mainstreaming a Natural Part of an Administration's Policies: Setting Realistic Targets
    Odd Anders With

* ***e*Europe Awards** — 34
  Dr Christine Leitner and Alexander Heichlinger

* **Preventing Illegal Immigration: Reflections on Implications for an Enlarged European Union** — 36
  Cláudia Faria

* **New Publications** — 41

* **Announcements/Annonces** — 43

* **Institutional News/EIPA Staff News** — 69

* **Visitors to EIPA** — 70

* **EIPA Publications** — 71

* **Provisional List of Seminars and Conferences / *Liste provisoire des séminaires et conférences***
  (Pull-out)

Alternative Regulations or Complementary Methods? Evolving Options in European Governance

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Summary

Long gone are the days when the only choice for pursuing a Community objective was law, and law was adopted according to one main procedure. In many areas EU policy is formulated and implemented through a mixture of methods both legal and non-legal, European and national, public and private. After a flashback to recall some the main reasons why all these new methods have emerged, this article outlines the main features of two areas in which "self-regulation" and "co-regulation" are significant: environmental agreements and the social dialogue. It then gives an overview of the very different ways in which the "open method of coordination" is in fact being pursued. The final section then addresses some of the main issues which have been raised regarding the effectiveness and legitimacy of these new methods, and looks to the future.

Introduction

Many people feel that the European Union is unreasonably and even undemocratically complicated. It is, after all, an elementary feature of democracy that those who are subject to the law should know where it comes from. EU rules, however, seem to emanate mysteriously from cloud-covered "Brussels". The European Convention promises to clarify the reasons and the authors of European laws – for that is what they are, and may now at last come to be called. Yet, even as people may feel they are on the verge of understanding European law, they are told that there are other European processes which shape their lives but which are not laws and are not in the hands only of the EU institutions. It is not necessarily reassuring.

To promise too much simplicity, however, will not help either. Even if a new constitutional treaty provides a simpler framework, European governance is going to remain a complex matter. We are not going to establish a clear "delimitation" between EU and national competences. We will continue to have a system in which there is cooperation rather than separation between levels, and the division of responsibilities is made more by function than by sector. And to make things even more difficult, there will be grey areas in which the Member States retain legislative competence but where the Community can act – including by legal instruments – but only to provide supporting measures excluding harmonisation. Nor is there going to be a simple opposition between a "Community method" and "intergovern mentalism". To be sure, there is a "pure" Community method by which the Commission has the exclusive right of initiative, the Council decides (preferably by qualified majority) with the participation of Parliament (ideally codecision) and the whole thing is subject to the jurisdiction of the Court. Yet even within the Community there are major differences in how things are done, and in many areas policy is formulated and implemented through a mixture of methods both legal and non-legal, European and national, public and private.

A difficult series of balances must be struck – and explained – if we are going to respond appropriately to this challenge. This tension is well reflected in the European Commission's December 2002 Report on European Governance. On the one hand, the Commission urges "more focused European institutions with clearer responsibilities" supported by improved "bottom-up involvement in EU policy shaping and implementation". Yet it also argues in favour of "widening the choice of instruments to respond to new governance challenges".[1] The Commission's June 2002 Action Plan on Simplifying and Improving the Regulatory Environment thus talks of establishing mechanisms which will make it easier

> "to choose the most appropriate instrument or combination of instruments (of both a legislative and non-legislative nature) from the wide range of options available (regulation, directive, recommendation, co-regulation, self-regulation, voluntary sectoral agreements, open coordination method, financial assistance, information campaign)".[2]

The main aim of this article is to explain roughly what is involved in these different ways of doing things. After a flashback to recall some the main reasons why all these new methods have emerged, it outlines the main features of two areas in which self- and co-regulation are significant: environmental agreements and the social dialogue. It then gives an overview of the very different ways in which the "open method of coordination" is in fact being pursued. The final section then addresses some of the main issues which have been raised regarding

the effectiveness and legitimacy of these new methods, and looks to the future.

1. A Brief Look Back

Long gone indeed are the days when the only choice for pursuing a Community objective was law, and law was adopted according to one main procedure. There has been a constant but uneven strengthening of "supranational" processes, notably the extension of qualified majority voting (QMV) in the Council and the strengthening of the European Parliament's role in decision-making, first with the "cooperation procedure" and then through the creation at Maastricht and subsequent extensions of "codecision". In parallel, there have been a series of tendencies leading away from simple reliance on the law.

Completion of the internal market itself was made possible not only by QMV but also by the move away from detailed European harmonisation through adoption of mutual recognition and the *New Approach*, by which legislation was limited to defining "essential requirements" of health and safety while leaving the detailed technical specifications to standardisation bodies. In other words, progress was achieved by a combination of more efficient legislation (both in process and content) with decentralisation and voluntary standards.

As the single market programme was implemented, political consensus was more or less reached on the twin principles of *subsidiarity* – the Community should only act where this is necessary or more effective than action at the level of the Member States (or regions) by virtue of the nature of the objective to be achieved; and *proportionality* – Community action should be as limited as possible and leave as much flexibility as possible while ensuring fulfilment of the objectives. In other words, only as much law should be adopted as was strictly necessary.

The process of Economic and Monetary Union then served as an example of convergence and multilateral surveillance, prompting new forms of non-binding *policy coordination* in other areas, a process strongly influenced also by the spread into public administration and policies in the 1990s of the ideas of management by objectives and benchmarking. At the same time, effective implementation of major Community policies was seen to demand new forms of *participation*. In the structural funds, the doubling of resources was accompanied by new forms of partnership with sub-state and private actors, while environmental policy gave increasing weight to the involvement of stakeholders. Finally, Community policy has had to come to terms with increasing *diversity*. Integration has increasingly touched on sensitive issues such as social policy, where there are strong differences in national structures and legal harmonisation has been considered both unnecessary and unacceptable.

The various "new methods" which have emerged from all this are often lumped together in a rather indiscriminate way. A basic distinction can be made, however, according to the nature of the main actors who are involved in each case:

- forms of interaction between Community processes and *private actors*, which are generally referred to as "self-regulation" and "co-regulation"; and
- forms of non-binding policy coordination which take place mainly between *national governments and administrations*, with some role for the EU institutions, which are widely referred to as constituting an "open method of coordination".

2. Self-regulation and Co-regulation

A common language is only now beginning to be developed regarding self-regulation and co-regulation in the EU context. The common feature is the existence of some form of relationship between binding legislation and voluntary agreements in a particular area, but many different concepts and modalities can be observed.

A loose distinction is frequently made between more "top-down" and more "bottom-up" approaches. "Bottom-up" approaches consist of self-regulation which is initiated by stakeholders themselves (perhaps with a bit of prompting by the Commission) but which still takes place under the shadow of the law. The relationship can be simply one of Euro-acknowledgement of autonomous self-regulation in a particular sector or profession. So long as the resulting agreements do not conflict with European law or other policies, it may not seem necessary for anything at all to be done by the EU institutions, or indeed by national authorities. In other cases it is more a case of the institutions and governments not being able to regulate alone, as in the case of consumer protection in electronic commerce, where self-regulation is understood more in terms of Codes of Conduct for Online Businesses, Trustmarks and Alternative Dispute Resolution (ADR) mechanisms.

More "top-down" approaches include the use of standards – that is, voluntary measures which are adopted within the framework of legislative acts, in the spirit of the New Approach – and the implementation of Directives by voluntary agreements. The Commission's June 2002 Action Plan on Simplifying and Improving the Regulatory Environment is quite clear that what the Commission, at least, understands as "co-regulation" is essentially a means of implementation. This mechanism can offer advantages. It may "be appropriate in cases where flexible and/or urgent measures are necessary, provided that they do not require a uniform application in the Community and that they do not affect the conditions for competition"; and it can draw on the field experience of the parties concerned. However, it should only be used on the basis of a legislative act, and can be replaced by further legislation if necessary.[3] This is not a view which is shared by everyone, and a lively debate can be expected.

The following sections aim to give an idea of the present state of play concerning these kind of procedures by looking briefly at two cases in which self- and co-regulation already have a significant European experience: environmental agreements and the Social Dialogue.

Environmental Agreements

Voluntary agreements have long been explored at national level in the environmental area. European policy has also tried to incorporate such agreements, as part of an overall strategy in which stakeholder involvement and behaviour change are seen as essential elements. The 5th Environmental Action Programme of 1992 thus proposed a "reinforcement of the dialogue with industry and the encouragement, in appropriate circumstances, of voluntary agreements". The Council, ratifying this programme, noted that "... the involvement of all levels of society in a spirit of shared responsibility requires a deepening and broadening of the range of instruments to complement normative legislation including, where appropriate, market-based and other economic instruments, research and development, information, education and training, financial support mechanisms, voluntary schemes".[4] Ten years later, a similar "strategic integrated approach" is being pursued under the 6th Action Programme.[5]

General voluntary agreements at European level have been few: the eco-label award scheme (1992 - revised 2000) and voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) (1993 - revised 2001). There have been various efforts, however, to establish mixes of legislation and voluntary measures in specific cases. An early example was *detergents*, where the goals are not only a decrease in poorly biodegradable organic ingredients, which depends on change in manufacturing, but also reductions in energy use and in consumption per capita of detergents and packaging. These require changes in consumer behaviour which can be assisted through labelling, information and educational programmes. Community legislation to this effect existed, but in the mid-1990s, the European association AISE adopted a Code of Good Environmental Practice, leading to a 1998 Commission Recommendation[6] intended "to enhance the effectiveness and to guarantee the transparency and credibility of this industry commitment", which specifies targets for each of the main objectives and committed all parties to monitor and report.

An illustrative case of the perceived interplay between negotiation and legislation is that of *energy efficiency*. After the 1996 "Refrigerator Directive", negotiated agreements became more accepted, and the Commission had by 2000 negotiated two agreements with manufacturers (of TV and video recorders, and washing machines). According to its 2000 Action Plan, a large number of appliances would be subject to such agreements, but a framework directive was still desirable.[7] The Commission's 2002 argument is a perfect summary of this approach:

> "Negotiated agreements can present some advantages compared to regulation fixing mandatory standards. They can provide for quick progress due to rapid and cost-effective implementation. They allow for flexible and adjusted adaptation to technological options and market conditions… The adoption of a legislative framework on energy efficiency requirements would reinforce the potential impact of negotiated agreements by the industry. Being aware that the Community disposes of an efficient tool to set rapidly energy efficiency requirements through the adoption of implementing directives, the industry could either conclude satisfactory self-commitments or support compulsory requirements where it is clear that too many 'free riders' would not sign for the agreed targets and so doing would undermine the competitiveness of the manufacturers volunteering to comply."[8]

Perhaps the best known case is the European strategy to reduce *CO_2 emissions* from passenger cars, with its three pillars of fuel economy labelling of cars; the promotion of fuel efficiency by fiscal measures; and commitments of the automobile industry on fuel economy improvements. The first is addressed primarily by law: the 1999 "labelling" Directive on the availability of consumer information on fuel economy and CO_2 emissions.[9] The second requires agreement by the Member States to introduce differentiated taxation systems. The third is being pursued by negotiated agreements which were reached in 1999 and 2000 with European, Korean and Japanese Manufacturers Associations, which give recognition to the commitment given to the Commission by those bodies to achieve specified emission targets.

Packaging and packaging waste constitute a special case. The 1994 Directive was the first effort to apply the New Approach to environmental issues. It sets the "essential requirements" which must be fulfilled, while the corresponding detailed technical specifications are to be drafted by standardisation bodies. Compliance with the essential requirements is presumed through compliance with harmonised standards or, in their absence, with relevant national standards.[10] This process has been somewhat controversial. The Commission issued a mandate to the European Committee for Standardisation (CEN), which in 2000 approved five standards. These, however, met with formal objections from Belgium and Denmark. Three were subsequently not published at all, and one only accompanied by a warning that it did not cover all the essential requirements. A new mandate has been given and CEN has drawn up new draft standards which were undergoing internal consultation in February 2003.[11]

In the context of the June 2002 Action Plan, and in the light of specific environmental concerns, the Commission has tried to clarify things. The July 2002 Communication on Environmental Agreements at Community Level[12] suggests three categories of agreement where Commission action may be necessary (as compared to spontaneous decisions of stakeholders in areas where the Commission has no intention of proposing legislation):

- self-regulation which is acknowledged at Community level by means of a Commission Recommendation of an exchange of letter;

- self-regulation which is acknowledged by a Commission Recommendation which is accompanied by a monitoring Decision;
- co-regulation, in the sense of environmental agreements which are concluded in the framework of a legislative act in order to implement its "essential aspects".

It also puts forward both a number of basic legal conditions for environmental agreements and a set of "assessment criteria" applicable for both self- and co-regulation: cost-effectiveness of administration (that is, also taking into account the comparative administrative costs for the Community institutions!); representativeness of the parties concerned; quantified and staged objectives; involvement of civil society; monitoring and reporting; sustainability; and incentive compatibility (i.e. consistency with other policies in terms of signals given to participants in the agreement).

If these conditions are met, may we see more proposals providing for implementation by negotiated agreement? The first case was the 2000 End-of-life Vehicles Directive.[13] A nearly identical formula is used in the Directive on Waste Electrical and Electronic Equipment (WEEE) signed by the European Parliament and the Council on 27 January 2003:

> "3. Provided that the objectives set out in this Directive are achieved, Member States may transpose the provisions set out in Articles 6(6), 10(1) and 11 by means of agreements between the competent authorities and the economic sectors concerned. Such agreements shall meet the following requirements:
> (a) agreements shall be enforceable;
> (b) agreements shall specify objectives with the corresponding deadlines;
> (c) agreements shall be published in the national official journal or an official document equally accessible to the public and transmitted to the Commission;
> (d) the results achieved shall be monitored regularly, reported to the competent authorities and the Commission and made available to the public under the conditions set out in the agreement;
> (e) the competent authorities shall ensure that the progress reached under the agreement is examined;
> (f) in case of non-compliance with the agreement Member States must implement the relevant provisions of this Directive by legislative, regulatory or administrative measures."[14]

Social Dialogue

The Social Dialogue is perhaps the classic case of interplay between European legislation and private negotiation. In this case the social partners, in addition to their own autonomous dialogue, not only must be consulted by the Commission on social-policy initiatives. They may end up agreeing between themselves a text which can be transformed, without change – and without discussion by the European (or any other) Parliament – into European law.

This dates back to the mid-1980s, with the 1985 "Val Duchesse" initiative of Jacques Delors to promote industrial relations at the European level. The Single European Act introduced a new article stating that "The Commission shall endeavour to develop the dialogue between management and labour at European level which could, if the two sides consider it desirable, lead to relations based on agreement." In 1991 an Agreement on Social Policy was concluded between 11 Member States (not the UK) and attached to the Maastricht Treaty. This was introduced into the body of the Treaty (new Articles 138 and 139) at Amsterdam in 1997. It states that "The Commission shall have the task of promoting the consultation of management and labour at Community level and shall take any relevant measure to facilitate their dialogue by ensuring balanced support for the parties." Before submitting proposals in the social policy field, the Commission shall consult management and labour, first, on "the possible direction of Community action", and then, if Community action is considered advisable, on "the content of the envisaged proposal". On the occasion of such consultation, management and labour may inform the Commission that they wish to initiative a dialogue at Community level which "may lead to contractual relations, including agreement". Those agreements can be implemented either by "procedures and practices specific to management and labour and the Member States" or by a Council Decision on a proposal from the Commission.

The main "cross-industry" or "interprofessional" bodies which meet in the Social Dialogue Committee are:

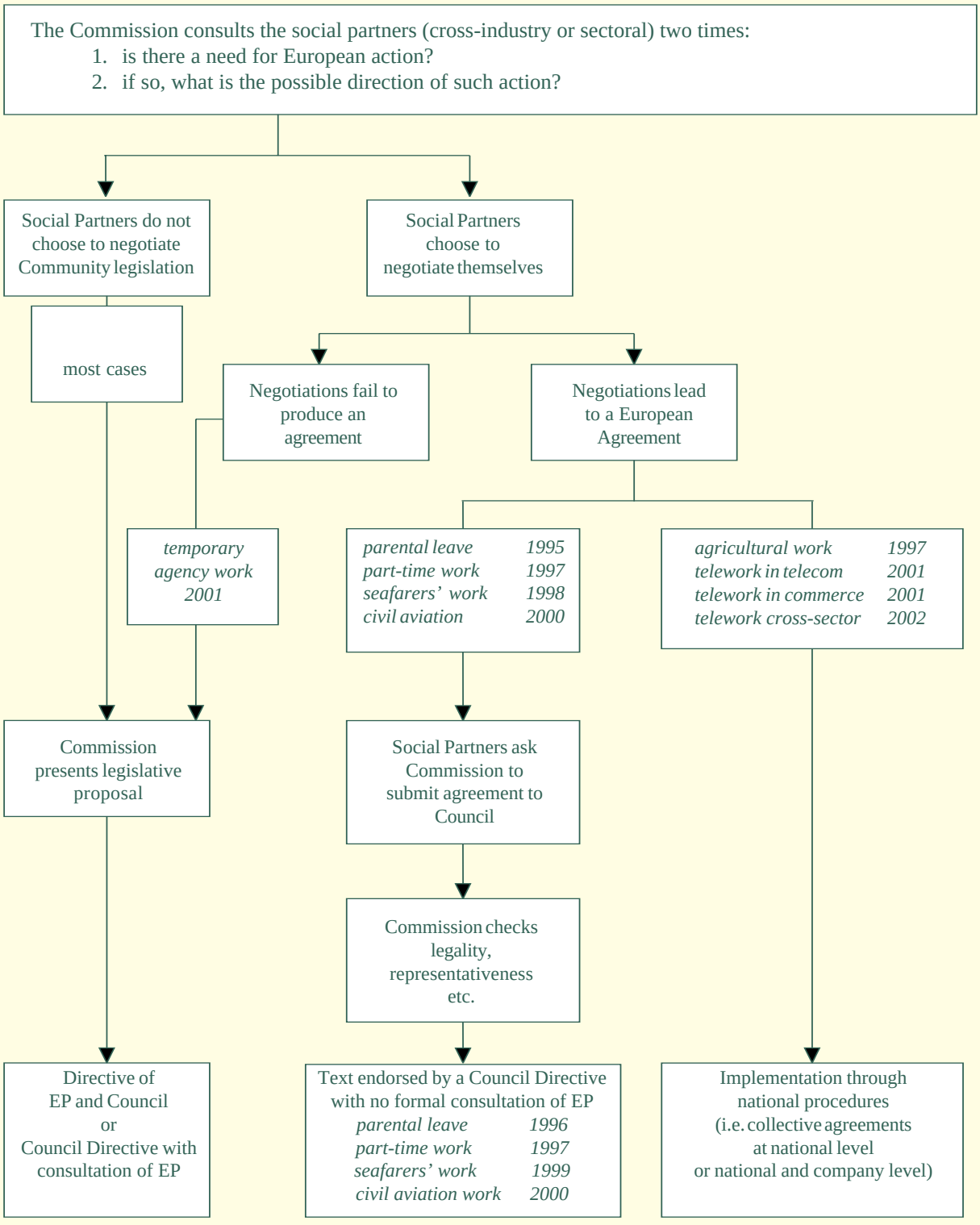
- the Union of Industrial and Employers' Confederations of Europe (UNICE), which now has a cooperation agreement for this purpose with the European Association of Craft, Small and Medium-Sized Enterprises (UEAPME);
- the European Centre of Enterprises with Public Participation (CEEP); and
- the European Trade Union Confederation (ETUC).

There are also now 27 Sectoral Social Dialogue Committees bringing together workers and employers in particular areas.[15]

Figure 1 shows the steps and options involved in the process foreseen by Articles 138 and 139 as well as the results to date under this procedure.[16]

The results are not impressive, at least in quantitative terms: three cross-industry agreements and two sectoral agreements which have been implemented through Council Directives; and three sectoral agreements which have been implemented through collective agreements. Significantly, the Social Partners chose, for the first time in the case of a cross-sectoral agreement, to implement the 2002 Framework Agreement on telework by the "voluntary route", rather than a Council Directive. The Work Programme of the European Social Partners for

Figure 1 – the European Social Dialogue



2003-2005 which was presented in November 2002 their intention to develop a work programme for "a more autonomous social dialogue"[17], which does seem to involve a desire to come out from under the shadow of the law. A recent exchange may be symptomatic. The Commission in December 2002 sent to the Social Partners a consultation document concerning stress at work. The latter responded with a joint letter in January 2003 indicating that such a consultation was inappropriate since, as stated in the joint work programme, they planned to reach a voluntary agreement themselves. The Social Partners are not asking for any change in the formal arrangements – indeed they have proposed to the Convention that the text of Articles 138 and 139 should be incorporated, as they stand, into the new Treaty.[18] However, this may largely be out of fear of finding something worse at the next IGC if they don't hold on tight to what they have.

2. The Open Method(s) of Coordination

Various forms of non-binding policy coordination are usually, and rather misleadingly, lumped together as "the open method of coordination". To be sure, there are common features. There is a desire to do something at European level, but harmonisation is considered both politically unacceptable and unnecessary; the process is one of convergence of national policies towards common objectives following common guidelines, rather than the establishment of a common policy; and the emphasis is more on policy learning than on legal enforcement. However, there are important differences.

The starting point was the Maastricht Treaty's provisions for achieving Economic and Monetary Union. Economic policy coordination has remained largely non-binding, with the central instrument being the ***Broad Economic Policy Guidelines (BEPGs)*** and the system of multilateral surveillance. The procedure follows an annual cycle. The Commission draws up recommendations each year which are submitted to the ECOFIN Council. ECOFIN presents a draft to the European Council, which adopts conclusions, and the BEPGs are then formally adopted by the ECOFIN Council in the form of a recommendation following the June European Council. Country-specific recommendations may be made by the Council on a recommendation from the Commission where it is considered that a Member State's policies "risk jeopardising the proper functioning of economic and monetary union".

The first "spillover" of this approach was the ***Luxembourg Process***, which bears that name due to the Extraordinary European Council on Employment held in Luxembourg in November 1997 to push ahead with the provisions introduced into the Treaty at Amsterdam earlier that year. Guidelines and targets were agreed for each of the four "pillars" of employability, entrepreneurship, adaptability and equal opportunities. These have been modified every year since and at Lisbon in March 2000, in addition to the "vertical" objectives, the Member States agreed on quantifiable "horizontal" objectives for the overall employment rate. The annual cycle has been as follows. The Commission proposes *Employment Guidelines*. The Council adopts the Guidelines after the December European Council. In the spring of each year, Member States incorporate the guidelines into *National Action Plans* (NAPs) stating how they will transpose the guidelines into national measures, which are forwarded to the Commission and to the Council together with an implementation report. The Council and the Commission present to the following December European Council a *Joint Employment Report*. The Commission also presents a new proposal for revised Guidelines for the following year which are formally approved by the Council on the basis of the conclusions of the European Council. The Council may also address country-specific *recommendations* to individual Member States. The objective of policy learning is also supported by a *peer review* programme between Member States, organised with the support of the Commission.

The ***Cardiff Process*** was established soon after, in June 1998, to improve the functioning of product and capital markets through peer pressure and benchmarking. By the end of November each year, the Member States submit national reports. The Commission produces by the end of each year a "Cardiff report" which is transmitted to the Council. The Economic Policy Committee carries out a country examination and produces its Annual report on structural reform in March. In parallel, the Commission produces "country fiches" which are used as input for the structural part of the Commission's report on the implementation of the BEPGs. All of this, together with the Council's conclusions concerning the internal market aspects of the reform process, goes through ECOFIN to the Spring European Council and then it is back to the Commission, as it makes recommendations concerning the next BEPGs.

The next step, the ***Cologne Process*** created in June 1999, provides for macroeconomic dialogue at European level. The meetings take place at technical and political level, and bring together the Council, the Commission, the European Central Bank and a representative of the monetary authorities outside the euro zone, and the social partners.

The ***Lisbon*** European Council of March 2000 was to go furthest of all, with its definition of a "a new strategic goal for the Union in order to strengthen employment, economic reform and social cohesion as part of a knowledge-based economy" and a new approach to achieve this goal, explicitly building on the BEPGs, the Luxembourg, Cardiff and Cologne Processes:

> "a new open method of coordination as the means of spreading best practice and achieving greater convergence towards the main EU goals. This method, which is designed to help Member States to progressively develop their own policies, involves:
> – fixing guidelines for the Union combined with specific timetables for achieving the goals which they set in the short, medium and long terms;
> – establishing, where appropriate, quantitative and qualitative indicators and benchmarks against the best in the world and tailored to the needs of different Member States and sectors as a means of comparing best practice;
> – translating these European guidelines into national and regional policies by setting specific targets and adopting measures…;
> – periodic monitoring, evaluation and peer review organised as mutual learning processes."[19]

The open method of coordination (OMC) was specifically invoked at Lisbon for information society, research policy, enterprise policy, and the various areas involved in "modernising the European social model by investing in people and building an active welfare state" (education and training, employment policy, modernising social protection, promoting social inclusion). The result has been a rapid spread of this new method in these, and other, areas.

OMC has in fact coincided with a gradual process of

"convergence of objectives" in *social protection*. The Council in mid-1992 adopted two Recommendations on "common criteria" concerning resources and "the convergence of social protection objectives and policies",[20] which was indeed "a premature version" of OMC.[21] Amsterdam introduced a clause in the Treaty permitting "measures designed to encourage cooperation between Member States through initiatives aimed at improving knowledge, developing exchanges of information and best practices, promoting innovative approaches and evaluating experiences in order to combat social exclusion."[22] The Council created a Social Protection Committee in June 2000, which was then given a legal basis in the EC Treaty as new Article 144 at Nice. This Committee elaborated a series of common objectives which were approved at Nice in December 2000 (and revised in December 2002). Member States were invited to submit "a national action plan covering a two-year period and to define indicators and monitoring mechanisms capable of measuring progress."[23] The first set of these "national action plans for inclusion" ("NAPinc") was presented in June 2001, and an initial set of indicators was approved in December 2001. At the same time a Decision was adopted setting up a programme of Community action to support transnational cooperation and mutual learning.[24]

Lisbon's call for a study on the sustainability of *pensions* and Stockholm's specific reference to OMC led to a Commission Communication in July 2001 outlining an "integrated approach" combining existing policy processes with the open method of coordination which would, it was argued, help Member States focus on necessary reforms and make pensions policy more transparent, contribute to consensus, foster mutual learning and help measure progress on the basis of commonly agreed indicators. Common objectives and working methods should be agreed by the end of 2001 and national strategy reports presented in 2002.[25] Eleven common objectives were agreed at Laeken. National Strategy Reports were submitted in September 2002 and a first peer review took place on the basis of these reports in October 2002. A Joint Commission and Council Report is to be presented to the 2003 Spring European Council.

OMC has been pursued enthusiastically in the area of *education*. The Stockholm European Council approved a report identifying three strategic and 13 associated objectives, and requested a work programme, which was presented at Barcelona.[26] Likewise the Council has supported a Commission White Paper on *youth* which proposes to use OMC to improve participation, information, voluntary service and research into youth-related activities.[27]

In the area of *research*, Lisbon prompted new initiatives both to improve national policies through benchmarking, and to promote even more transnational networking and cooperation. A Council Resolution of June 2000 invited the Commission to draw up a methodology for benchmarking national research policies and a list of indicators covering human resources, public and private investment, scientific and technological productivity, and the impact of RTD on economic competitiveness and employment. A first set of indicators was produced by the Commission in July 2001 and a European Innovation Scoreboard was developed. Benchmarking has also been applied to *enterprise policy*, together with an Enterprise Policy Scoreboard and a set of quantitative targets was presented in November 2002.[28] With regard to *information society*, a first *e*Europe Action Plan was rapidly presented and approved in June at the Feira European Council as the "*e*Europe 2002 Action Plan**,** which set 64 targets in 11 action areas to be achieved by the end of 2002. A second plan "*e*Europe 2005: An information society for all" was approved at Seville in June 2002.

OMC has also been pursued in areas *outside the Lisbon strategy*, notably in asylum and immigration. The Commission has presented a series of Communications suggesting that the Council should approve multi-annual guidelines accompanied by timetables, which should be implemented through national action plans in the "classic" spirit of OMC.[29]

3. Issues and Prospects

Different issues are posed by self- and co-regulation, on the one hand, and the areas involving some form of OMC on the other. However, there are some common challenges and themes. For present purposes, they can be divided into two groups relating respectively to issues of effectiveness and questions of democratic legitimacy.

What do we actually mean when asking whether things "work"?

Effectiveness

It is hard, as well as beyond the scope of this article, to give an evaluation of results in the areas under consideration. One should also exercise some care as regards how the question is formulated. What do we actually mean when asking whether things "work"?

In many cases there are quantitative targets and, so long as adequate monitoring has been carried out, some judgements can of course be made. In the case of voluntary environmental agreements, for example, one can measure progress. To look back to the cases cited earlier, the Commission's report on the intermediate results (for the period 1996-2000) indicates that the reduction of consumption of detergents and packaging is still less than half way towards the target.[30] The main findings presented by the Commission in December 2002 concerning the reduction in CO_2 emissions are also mixed with regard to the response of manufacturers. However, they are also pretty damning regarding the performance of Member States in complying with the law, five of them having recently been taken to Court![31] It is not always easy to tell which element has had most real impact.

Turning to OMC, it is likewise difficult to tell what share in the measurable results in employment figures,

for example, is due to the Luxembourg process itself, what is caused by other measures and what are matters which public policies of any sort cannot really influence in any predictable or measurable way.

While multilateral surveillance, peer review and so on are undisputedly valuable, the application of *benchmarking* to public policies raises important issues of both measurement and transferability. How should one compare "performance" – in terms of the efforts made or the results achieved? Are the indicators appropriate to the sector and valid across all the countries? By way of illustration, a Commission paper of January 2002 on the first results of attempts to benchmark national research strategies rightly stresses that "best practice is always context-specific and path-dependent. There is no universal set of best practices. Moreover, the complexity of RTD and innovation systems is such that individual policy instruments, applied in isolation, are unlikely to have a substantial impact on overall performance."[32] Taken out of context, imitation of particular policy measures can even have negative effects. It is worth stressing that this danger may also exist when it comes to methods of cooperation in the EU. It may be inappropriate to apply techniques which work in one sector to another. Consumer and environmental organisations, for example, argue that models developed for product safety (i.e. the New Approach) may not be appropriate elsewhere: "In the field of consumer safety there is a strong incentive for manufacturers to maintain a certain level of protection as a result of product liability legislation. This holds true at least in cases where a clear and direct relation between a faulty product, an accident and an injury exists. There is nothing comparable in the environmental field."[33]

What can one say, for example, about the Luxembourg process after five years? A review was conducted in 2002 on the basis of national evaluations,[34] but clear conclusions are not easy to reach. The process is certainly established procedurally: It works in the sense that it takes place regularly and has been accepted. It is still too early to evaluate real impact on employment and, as noted, it is difficult to evaluate what has been the specific contribution, if any, of the Luxembourg process itself. The process seems to have contributed to an increase in policy coherence at the national level, as well as in policy prominence and the spread of "new policy paradigms". Has there been "policy learning"? Yes, there have been some shifts in policy in some countries, but much of what has happened is better characterised as fairly marginal policy learning in Member States which were doing these things anyway. Finally, there are several dangers, not only that the whole thing could become a ritualised, empty process, but also that it could contribute to avoiding some of the tough decisions (labour market, investment etc.) which must be taken if there is to be real change on the ground.

Democracy, Participation and Accountability

There are also serious concerns for legitimacy. If it is difficult for citizens to understand European law, it is virtually impossible to see what is going on in most of these new methods.

The problem is most acute with regard to *OMC*. The procedures to be used concerning economic coordination and employment are stated in the Treaty itself. In other cases, procedures are to a greater or lesser extent ad hoc and unclear. As a Working Document of the Convention's Working Group on Economic Governance has put it, "there is the difficulty of identifying the players involved in the method, the procedure being in practice essentially in the hands of high-level committees devoid of democratic legitimacy which formulate almost the entire content of the guidelines to be adopted by the European Council."[35]

While multilateral surveillance, peer review and so on are undisputedly valuable, the application of *benchmarking* to public policies raises important issues of both measurement and transferability.

There seems to be a large measure of consensus in the European Convention that some "horizontal" definition of OMC should be introduced into the Treaty. It remains to be seen how its nature and scope of application will be defined. Should it be a procedure which applies only in some areas? - for example, only in those areas in which it will be specified that the Union only has competence to adopt "supporting measures". Or should it be seen as a method which could be chosen as a more flexible option, on a case-by-case basis, even in areas where the Union does has legislative competence? The conclusions of the Working Group on Social Europe generally coincide with the view of the Working Group on Simplification, to the effect that OMC should be given constitutional status as a means of "concerted action by the Member States outside the competences attributed to the Union" but that it "should not be confused with the coordination competences conferred upon the Union by various legal bases, notably in the economic and employment fields."[36] In other words, the future chapter on non-legislative measures should specify its aims and basic elements, and it should be used only where there is no Union legislative competence, coordination is not already enshrined in the Treaty "or where the Union has competence only for defining minimum rules, in order to go beyond these rules".[37]

Such an approach, strictly applied, would seem to imply limiting this newly-defined OMC to the other areas (if employment is dealt with separately) which are

being proposed as "areas for supporting action only" in draft Article 15(2) of the Constitutional Treaty, namely industry; education, vocational training and youth; culture; sport; and protection against disasters. "Industry" in this sense, however, presumably includes trans-European networks, enterprise policy and research and technological development, which, as the Working Group itself points out, have provisions for coordination in the Treaty but not detailed arrangements. Application of OMC in the social sphere other than employment could be covered by the paragraph in the Treaty which provides for cooperation to combat social exclusion.

The Working Group on Social Europe also makes a number of suggestions as to how the roles of all the EU institutions as well as the national governments and parliaments could be clarified, which will be an essential step in improving transparency and accountability.

Self- and co-regulation pose different questions. Political concerns are raised even where there is clarity of legal basis and procedure, as in the Social Dialogue. One issue is representativeness. The broader question is how far the procedure is acceptable at all in terms of democratic legitimacy, especially since the European Parliament plays no formal role. The Court of First Instance has argued that representative management and labour organisations can be a sufficient source of democratic legitimation. Others believe that management and labour organisations, even if generally recognised as representative, cannot represent the peoples of Europe as a whole and therefore are unable to convey democratic legitimation.[38]

Other important questions arise for implementing committees and agreements. Again, it is not just a matter of the representativeness of each organisation but also one of overall balance. Environmental and consumers organisations thus lament an "inherent imbalance between the resources and expertise that industry and societal groups like consumers are able to provide for any co-regulation exercise".[39] But how far should European institutions go in trying to promote balanced public participation without endangering the autonomy of "civil society"?

It is hard to see where else the Treaty might define a role for private actors in decision-making as Articles 138 and 139 do for social policy. The Commission's 2002 Action Plan and associated documents are helpful in identifying general parameters. These may serve as the basis for an eventual set of general EU guidelines, but specific issues will have to be addressed in the different areas in which self- and co-regulation are to be used.

A Concluding Remark

European integration has come a long way since six countries sought to create a common market through law. After fifty years of exploration beyond the nation state, 15, soon to be 25, countries are now preparing a constitutional treaty which must lay down the ground rules for cooperating in everything from a single currency to culture diversity. It is probably a sign of health that the process has thrown up such a wide range of options for doing so.

Clarification of the rules is essential. Simplification too, but only up to a point. There is not going to be a simple match between competences and procedures – pure Community law for exclusive EU competences, at one extreme, and non-binding coordination for pure national competences, at the other. It will help greatly, however, to have some more accessible set of principles by which people can understand and judge the mix of ways in which things are done. We have a rich set of options by which we can formulate the ways in which we wish to cooperate. We need to think more, however, about where legal and non-legal instruments should be seen as *alternatives* and where (and how) they are *complements*.

We need to think more, about where legal and non-legal instruments should be seen as *alternatives* and where (and how) they are *complements*.

International organisations, European institutions, the open method of coordination, are often dismissed as mere "talking-shops". But talking, or deliberation, is not necessarily a bad thing. As clouds thicken in the debate over Iraq, one recalls Churchill's comment that "jaw-jaw" is better than "war-war". It may be that "jaw-jaw" and "law-law" are also more compatible than is often thought, at least with a view to the long term…

NOTES

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3 Commission, *Action Plan "Simplifying and improving the regulatory environment"*, p.13.

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10 European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste. (OJ L 365 of 31 December 1994).

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The Next Phase in the Europeanisation of National Ministries: Preparing EU Dialogues

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Summary

Now that national officials are generally familiarised with EU policy, the next challenge in the Europeanisation of national administrations is to better align national policy initiatives with EU policy developments. New national policies have to be placed in an EU context to prevent re-fragmentation of the internal market and to share experience in policy innovations at EU level. Raising policy innovations to EU level ('uploading') requires engaging in EU dialogues to involve colleagues from other Member States and the Commission in the elaboration of policy and discussions on outcomes. Practice shows, for example in countries preparing for the Presidency, that such dialogues are often insufficiently prepared and that the work and resources involved are easily underestimated. As such, too many and premature ideas are being raised by different countries, and one-off workshops are added to the already overloaded EU policy agenda. Therefore, a better selection of viable innovations and a better preparation of EU dialogues are needed. This paper presents a framework for national officials to come to systematically prepared strategies for initiating discussions at EU level about policy innovations.

1. The challenge: aligning new national policy and European policy

National administrations have been going through several processes of Europeanisation over the last decade. The result of these developments is that most national officials are now well briefed about the EU context in which they operate, and more attention is being paid to the implications of EU legislation for national policy. Moreover, coordination between those working on national and European policy has been improved by means of new committees and guidelines that have been created in virtually all Member States.[2] Officials have become aware of the need to align national and EU expertise and have gained experience in working together. This does not mean that all ministries in the Member States have integrated European policy and legislation perfectly, but the difficulties that existed at the start of the 1990s have mostly been addressed. Generally speaking, officials no longer need to have the EU dimensions of the policies they are working on pointed out to them.

Now that the basis of Europeanisation has been laid, new aspects of it deserve attention. Being aware of EU implications and constraints also means that officials are now repeatedly confronted with the different kinds of interconnections between national and EU policy. Managing the overlap between national and EU policy implies taking difficult and delicate decisions. Moreover, such decisions are often taken without sufficient consideration of the complexities involved. Initiating new policy at EU level is extremely difficult and can be very costly. There are many aspects to be taken into account, such as different situations and idiosyncratic policy trends in Member States. Therefore, the next phase of the Europeanisation of ministries requires better alignment of national and EU policy trends.

This paper presents a methodology for arriving at informed decisions about whether a new national policy measure has to be put in an EU context and, if a European approach is appropriate, how to initiate the EU dialogue. Section 2 briefly explains the relevance of such a methodology and lists the nine steps we distinguish. Even though the steps as they are presented in the methodology should speak for themselves, the kinds of choices some of them offer need some additional discussion (Section 3). Section 4 deals with the outcome of the analysis and outlines four possible strategies. The question of who should decide on the 'best strategy' receives attention in Section 5. The table that presents our methodology is produced at the end of the paper.

2. Relevance and outline

Many questions arise when contemplating an EU dialogue and it appears that guidelines for making such strategic decisions are currently not available. As a corollary, as we see in practice, strategies for up-loading national policies are sometimes dangerously incomplete and decisions about EU dialogues are often taken haphazardly. The following kinds of difficulties this creates are just some of the many practical examples we encountered:

- national policy initiatives are put on track even though similar yet slightly different policies are being considered at EU level. As a result, the ministry will have great difficulty in adapting its own policy later on because, for example, industry has already anticipated the national obligations and requirements.
- a workshop at EU level is organised to launch an initiative. However, a single workshop will have

very little effect and underlines the tendency to greatly underestimate the effort required to put new policies on the EU agenda.
- the EU dialogue that is being initiated suffers from serious gaps. For example, the scientific evidence presented is based on the national situation, which makes the arguments a lot less convincing at EU level, or the resources required are misjudged. Moreover, we saw dialogues that were well prepared scientifically but failed a sound political perspective. Other initiatives pressed for regulation where general EU policy principles would favour subsidiarity or the open method of coordination.
- the EU agenda is overloaded. There is constant pressure for new EU initiatives originating from the Commission, 15 Member States, the upcoming EU Presidency and the other actors in and around the EU decision-making fora. Careful prioritisation is clearly required.

A more systematic approach is therefore needed to prevent mistakes, to ensure the provision of a realistic budget and to build the necessary commitment within the organisation. In this context the involvement of senior management and the minister at an early stage should also be considered. The table at the end of this article draws attention to the following aspects when considering a European dialogue on national policy initiatives:

1. Problem definition;
2. Starting position: Trends in national and EU policy;
3. The potential network;
4. Delineating the content – including gathering evidence and identifying the appropriate instruments and mechanisms needed for these to be effective (e.g. monitoring and reporting procedures);
5. Fora where the dialogue will be initiated (see the 'EU wheel' below);
6. Timing;
7. Required budget and human resources;
8. Following from these issues: Formulation of the strategy for the dialogue;
9. Start, monitoring and provisions for the evaluation of the strategy.

The kind of analysis presented in the table is relevant not only for national officials, it also has benefits for the EU at large. EU policy is often the result of lessons drawn from national innovations. Therefore, the better the national initiatives are prepared before up-loading them to the EU level, the better the EU policy will be. Quality and consistency of EU policy depends on well-prepared national strategies and identifying flawed proposals at an early stage.

3. Major issues in identifying a European strategy

Although the table is written so that it can be used without additional support, some additional background may be helpful on a number of issues. The points below underline some further reflections related to the steps in the table.

3.1 The problem definition and starting point

The starting point when considering a European dialogue is defining the problem: is it a national problem with a European dimension or is it in fact a wider European concern (Step I)? This question requires an overview of the European policy and legislation and of the dynamics in other Member States (Step II). For example, if the initiative concerns an issue which is being considered in several Member States and in the Commission, then there are good reasons for considering a European dialogue. Nevertheless, developing national instruments may still be valuable for solving a problem in the short term and for contributing to the European discussion. However, the risks of an isolated approach have to be acknowledged, e.g. that the national instruments might have to be changed or replaced due to the introduction of European measures later on. A national initiative may also refer to a typical national problem, in which case the European dimension of the issue is more limited. In such a situation the consideration of European legislation and policy may be limited to a check on possible conflicts with EC law (e.g. Articles 28-30 EC-Treaty) and related notification obligations.

If EU dialogue is considered, then a number of issues compete for attention. An EU approach may result in a common solution to a common problem. Moreover, collective action at EU level may lead to compromises from the outset and result in choosing sub-optimal solutions right away (e.g. a higher level of regulation than desirable). Furthermore, starting EU dialogues requires careful prioritisation as they are very expensive and only a limited number of initiatives can be taken. Presidencies and the Commission already place a heavy burden on the EU agenda and limit the opportunities for discussing policy changes with colleagues from other administrations.

The problem definition may also involve difficulties with implementation of EC legislation. It would be wise to check whether national problems also exist in other Member States. Starting a European dialogue with those Member States and the Commission might be a valuable initiative. When the implementation difficulties are related to typically national circumstances, then a limited dialogue with the European Commission alone might be called for.

3.2 Stakeholders

When deciding on a European dialogue, the stakeholders – in favour or against – have to be identified as soon as possible. Who may be involved in a future discussion, what are their interests and what might be their strategy? The network analysis should start within the ministry itself, although it might end outside the EU (with other countries and international bodies). The purpose of this is not only to weigh the opposition and support. It also helps to start building commitment and to ensure that everyone – the leading officials in the first place - has a

realistic picture of the issues at stake and of the political forces involved.

3.3 Timing

Good timing is essential when taking decisions on how to pursue national initiatives and deciding on EU strategies. Initiating an EU dialogue too early may mean that insufficient proof is available for new EU policy or that the relevance of the proposed initiative for other Member States is simply assumed on the basis of one's own experience. An EU dialogue is then bound to fail. The consequence of being too late could be that national measures are too far advanced to be changed or stopped. Hence, what was meant as an EU dialogue may lose its flexibility and may degenerate into convincing others of the national solution. This easily creates opposition instead of support. Moreover, specific expectations or even obligations may already have been created vis-à-vis industry, thus reinforcing the national momentum. Another risk of starting the dialogue too late is that the European discussion may be initiated by others (the Commission or other Member States) and may therefore be more difficult to influence.

3.4 Other considerations

The further steps in the table point to the need to develop a realistic budget, to calculate the necessary human resources needed for a good dialogue (often underestimated) and to carefully consider in advance what kind of instruments would be useful. Moreover, these steps underline the importance of incorporating more general policy trends in the EU. For example, the EU is in a process of re-orienting policy instruments and moving away from top-down legislation towards more flexible steering mechanisms (see e.g. the White Paper on European Governance[3]). Furthermore, consistency, sustainable development, subsidiarity and deregulation are general objectives of EU policy that need to be taken into account and therefore also appear in the table below. Finally, to avoid poor EU legislation, it is very important for officials to examine parallel developments in other policy fields in order to avoid reinventing the wheel and to build on experience from comparable cases. For example, proposals for allowing chemical substances on the internal market may benefit greatly from the experience of the European agency for accrediting medicines. If relevant experience is not included from the outset, it may be hard to incorporate it at later stages.

The table has been developed so that these and other issues systematically appear when contemplating a European dialogue.

4. Outcome of the analysis: the best strategy for an EU dialogue?

The systematic analyses guided by the table should equip national ministries to make better informed decisions on the ins and outs of a European dialogue. Roughly, four options will result:

a) the initiative will only be pursued at the national level. However, this may be merely a hypothetical option in some fields, such as environment policy or state aid, as the influence of EU policy and legislation is all-pervading;[4]
b) the initiative can best be pursued at the national level while informing and involving the Commission and other Member States as much as possible, e.g., through workshops on national achievements or by providing information at the regular high-level meetings that are held in each policy field.
c) the initiative should be primarily targeted at EU level. Ideas and innovations are designed and analysed at the national level, but a go-it-alone approach should be avoided. It might be useful to consider pilot projects with one or more countries – to share expenses and increase political visibility. More ambitiously, cooperation with more countries and the Commission should be considered;
d) no action should be taken – if EU legislation pre-empts a national approach or if the chances of a successful EU strategy are small.

Of course, the table is not about 'push the right buttons and you will get an answer'. The analysis does not lead to the perfect strategy for initiating a European dialogue about new policies or to the only viable choice. Many decisions on content and tactics will remain open and will depend on political desirability or the means available. Nevertheless, the steps in the table will at least ensure that the necessary homework has been done.

5. Who decides?

The final issue that needs to be addressed is: who will take the decision on the steps that need to be taken? From our examination and experience, it appears that often the relevant sector divisions decide on their own actions. As a result, there is no check on whether all aspects have been sufficiently considered, and unnecessary dialogues are not filtered out. Moreover, the autonomy of divisions prevents the setting of priorities. For example, ministries preparing for Presidency sometimes suffer from wanting to do too much – which also means that resources are spread thinly and that the overloading of the agenda annoys the EU partners. Therefore, it seems advisable to review the outcome of the analysis at a higher level, for example in an intra-ministerial committee. This may help to identify gaps and to set priorities between initiatives considered in the various divisions. Such broader involvement of the ministry also serves to reinforce commitment and visibility. Obviously, setting priorities between policies from different divisions can be painful, but ignoring the option creates resistance at EU level. The table can help internal decision-making by standardising the analysis. Involving the higher level also opens up the possibility for objective evaluation when the process is set in motion.

CHECKLIST FOR A EUROPEAN DIALOGUE **Objective: To determine a timely strategy for an EU dialogue when new national policy is initiated**	
I. Problem definition **Main question:** Should the initiative be taken at national level or is a European dialogue also required?	• Course of action needed: Only national? Only EU? Mainly national, but informing Member States and Commission informally? • Is there enough insight into the issue to solve this question? (For instance, is it clearly a European problem or mainly a national one?)
II. Starting position: trends in national and EU policy **Main question:** Is there sufficient insight into the European policy framework and into the current and planned activities at European and national level?	• Static perspective: What is the relevant EU context from a legal and policy perspective? Are there flanking policies (resolutions, programmes, etc.)? Which directives or other rules are important? • Dynamic perspective: What trends can be seen at EU level (e.g. White or Green papers)? Do they run parallel to national priorities? • Is there sufficient insight into trends in other countries? Where is there overlap or opposition? • Is there insight into other current or planned actions undertaken at the national level in other fora which may overlap? (Check with EU coordinating units in own ministry, with legal departments, with Foreign Affairs and with the Permanent Representation.)
III. The potential network **Main question:** Is there enough insight into the actors that are (can/should be) involved in the matter and the position they (can) have?	• What is the network and what are the interests of each actor?
• Within ministry	• Which directorates are involved? • Have the EU coordinators and the legal directorates been contacted? • Who coordinates the actions within the department, at national and EU level? (It should be clarified who has the lead and who will be kept informed.) • At what level should decisions about objectives and strategies be made? • Some countries plan too much, for instance for their Presidency, or take on too much in other respects. Keeping a cool head in setting priorities may be useful. This requires consultation and focus when scarce resources are being used. • Who has the right to commit resources? • Should the minister be informed?
• Interministerial relations at national level	• What other ministries besides Foreign Affairs and the Ministry of Justice are potentially involved in his policy? • Is it useful/tactical to inform other ministries at an early stage, for instance to prevent problems in a later phase (e.g. in the implementation process)? What are the potential implications for other ministries? How specific is your knowledge about these implications? It is advisable to assess the advantages and disadvantages in consultation with the EU coordinators well in time.
• Other actors, including other authorities (e.g. regional authorities, NGOs, consumer organisations, business sector, agencies)	• What persons or parts within the relevant groups concerned are involved? • Are these groups relevant for you (content-wise,

	strategically, to support your international dialogue)? • At what stage should they be contacted?
• Parliament	• Has Parliament been informed of the proposals, is its opinion known or have specific promises been made as regards new initiatives? (Such promises in early phases may seriously reduce flexibility.)
• Member States	• Which Member States are potential allies or opponents? • To what extent has the strategy been discussed with them? Can forces be joined? • From which quarter and at what point can opposition be expected? • What compromises are possible considering the different positions? • What arguments might convince the different countries? Are there contacts in the opposing Member States that could be used to better understand and perhaps influence the position of these countries?
• Countries other than the Member States	• Should countries outside the EU be contacted (e.g. with special experience or interests)?
• What do the four forthcoming Presidencies of the Council of the EU think?	• When decisions at European level are needed: What is the position of the Member States that will hold the Presidency in the coming years? • Can the proposal or dialogue be linked up with a subject that a Presidency has labelled as a priority? • Should bilateral consultations with the upcoming Presidencies take place (with whom, at what level, when, etc.)?
• The role of the Permanent Representation to the EU	• Has the policy matter and the strategy been discussed with the relevant official(s) at the Permanent Representation? • Have agreements been made about the frequency of reporting? • What do you expect from the Permanent Representation and what are they prepared to offer?
• The European Commission	• Which DGs of the Commission might be involved? • Which Units within the DGs are concerned? Who are the heads of unit? • Who is responsible for the dossier within the Commission? • Should, at some point, a top official of the Commission be contacted? (a Director, Director-General, Cabinet member, Head of division, Commissioner?) • Who in your department are the obvious persons to make these contacts? • Can the relevant Cabinet member of the national Commissioner play a role? • Does the Permanent Representation have useful contacts?
• European Parliament	• Which Committees are important for you? • At what stage do you wish to contact the chairmen of these committees? • Which rapporteurs are dealing with related subjects? • Each Committee has a secretariat: Which officials from the European Parliament are important for you? • Are there contacts with MEPs who may be able to provide useful information or who can play a role in lobbying?
• International treaties and international organisations	• Which other international structures are important: e.g. WTO, UNECE, UNEP, OECD? It is advisable to check this with international coordinators in your department and with the legal affairs departments. • Does the involvement of these organisations mean that other contact persons within your ministry should be approached as well?

• The "supporting network"	• With whom are you planning to work (within your ministry, in other ministries, upcoming Presidencies, etc.)? • Have you considered the possibility of setting up a structure for cooperation or forming a coalition? Besides considering the advantages, have you also looked at the possible drawbacks? For instance, is cooperation possible without immediately having to compromise? • Have you checked whether and to what extent existing networks or consultative structures can be used, such as high level policy groups in the EU, informal or formal working groups for specific directives or subjects, etc.? It is advisable to check this with the international coordinators and legal departments in your organisation. • Who will do the actual work, and do these people have the required capabilities (language, skills, etc.)?
IV. Content preparation and/or basis **Main question:** Is the proposal or the national position sufficiently concrete and well-founded, also in view of the positions of others in the relevant network?	• Are the arguments really convincing at EU level?
• Preparation and/or underpinning of the suggested policy and (if applicable) the need for European action • Living up to the requirements of EU policy: scientific evidence, proportionality and subsidiarity.	• If it concerns a dialogue aimed at making an informal examination of the problem (e.g. through bilateral consultations or workshops): Has this initiative been sufficiently prepared, not only as regards place and time but also in terms of content? Do the partners believe that this is indeed useful (at this moment)? • Has the suggested proposal or position an adequate scientific basis? If there are gaps in knowledge, should – if applicable – the precautionary principle be applied and can a good case be made for this? • (Anticipate tough debates about the precautionary principle.) • Subsidiarity check: Is EU action necessary or would it be preferable to take the measure at (sub)national level (see also below under "Instruments"). Would action in another framework – WTO or UN – perhaps be more useful or be necessary in addition? • Has a sound cost/benefit analysis been made? This analysis should 1) provide insight into the national consequences and 2) address the effects at EU level. • Impact assessment: effects on small and medium sized enterprises. What will be the costs for the business sector, what will implementation require from the business sector? • Proportionality: Does the cost/benefit analysis warrant EU action? • Are major implications to be expected? (If so: a sustainable impact assessment will be needed.) Are these reasonable effects, e.g. from the perspective of the "polluter pays" principle. (Check latest state of play with Commission on sustainable impact assessment.) • Considerations of implementability & enforceability (see below). • Is it advisable to reconsider national policy objectives in view of an EU dialogue?
• Objectives	• Have concrete objectives been formulated (at national and/or European level)? Can measurable sub-objectives be specified?
• Instruments	• If new European instruments are aimed at: – Are European legal instruments needed (regulation, directive)?

	– If legal instruments are necessary, has any thought been given to the level of detail of the rules? (Legislation of main principles is preferred above detail with a view to maintaining flexibility of EU legislation.) – Can the policy objectives only be reached through detailed legislation, or should the Member States themselves be able to choose the instruments on the basis of a few legally established principles, and what preconditions would apply in the latter case? – Can more be achieved by using other instruments (e.g. agreement at EU level, guidelines, covenants, publicity campaigns, financial instruments such as financing conditions, targets & monitoring trends, etc.)? – Will a comitology committee be involved at some point either in the dialogue or once the EU policy is accepted? What kind of committee would that be? • In the abovementioned choice of instruments, has sufficient attention been paid to the advantages and disadvantages of these instruments? In this context you can think of: – The time a European process will take – and no national measures can be taken in the meantime; – The possibility of taking additional (further-reaching) national measures after the European decision has been taken; – Implementability and enforceability in the EU – i.e. the insurance that a level playing field will remain; – Are the proposed instruments of value and/or applicable or sufficiently supported in other Member States? (e.g. covenants are more popular in Northern countries.) – Should the Commission or another body play a coordinating role in the implementation phase and is such a system likely to be successful? (e.g. who is in charge of monitoring or of setting up a reliable monitoring system?) – Is it advisable to link up with approaches in countries outside Europe (e.g. implementation of international treaties such as the Climate Convention and the Kyoto Protocol, etc.)? • Similar questions can be asked if the objective is to coordinate national measures – instead of trying to arrive at European instruments. (e.g. what mechanisms can be opted for to exchange experience with new measures across the EU?)
• Implementation, monitoring and evaluation at European level	• Is it known what the effective implementation of EU policy demands from the Member States and the EU? Do the Member States have the required capacities (the necessary people, structures and organisations)? Is an action plan needed to deal with shortcomings? • If it concerns framework rules that need to be further elaborated at the national level: How should this be done and has thought been given to the way in which actors (certain Member States, representatives of industry) can be prevented from exerting too much influence on the decision-making? If the option of an implementation committee is chosen: What form should this committee have and what are its pros and cons? EU coordinating units and legal affairs departments may be best placed to advice on such questions. • What is expected from the Commission in the implementation? • What would be reasonable transition periods? • Could specific derogations be possible? • Should a network be set up to monitor the implementation? How should this network be structured (what kinds of rules are needed, who assumes the role of secretariat for the network, how often shall it meet)? • Has an evaluation (at EU level) been included in the plans?

V. The wheels of European decision-making **Main question:** If the issues concerned will be decided on, or discussed at, European level or if a European decision or discussion is foreseen (not always applicable): In what EU consultative structures should the issue be discussed and is there sufficient insight into the strong and weak points of those structures?	• Which Commission groups are important in this context (e.g. working groups on certain directives, high level meetings)? • Which comitology committees are related? • Which Council(s) will or should be dealing with the matter? • What informal networks already exist in your field and can be used? • How often do these groups meet? • Who are the members of these groups? (expertise/ background, involvement in other relevant areas) • Have the Permanent Representation, the EU coordinating unit or other parts of your ministry regular contact with these experts and can they play a role in interesting the network? • Will these groups continue to follow the progress of the subject after e.g. the Council has made a decision? (If not: which other groups might and therefore may need to be involved in an early phase?)
VI. Timing **Main question:** Has serious thought been given to the moment at which initiatives should be taken, e.g. in the light of a forthcoming EU Presidency, national elections, etc.?	• Are there political considerations demanding that action should be taken soon or, conversely, be postponed? • Is it important to contact future Presidencies? Take into account that more than one Presidency may have to be approached – 6 months in the EU is very little time to get things moving. • Can the forthcoming own Presidency be used – or is this too far away? • Have any promises been made, e.g. to Parliament, which may have consequences for the timing of certain actions? (Promises to national Parliament may prove to be binding in terms of timing and content.) • Should bilateral consultations, or maybe even a workshop, be scheduled prior to official discussions? • Is there enough time for proper preparation? (see also under VII – Financial and human resources) • When considering timing, involve EU coordinators and the legal department from your ministry. It may be that parallel initiatives are being scheduled about other topics – e.g. by the Commission or Member States – which may compete with the time available for workshops or new initiatives.
VII. Required financial and human resources **Main question:** Do you have a good idea of what is needed for the European dialogue in terms of financial and human resources?	• Please take into account that moving policy forward in the EU or taking initiatives can be very time- and energy-consuming. • Have sufficient resources been reserved? • Should a budget be drawn up? • Is it necessary or advisable to have particular (technical/ legal/economic/administrative) studies carried out, and how much will that cost? • At what level – and for how long – have people been released for this initiative? • How many years do you think you will need and is the management aware of the patience that will be required? • Has it been checked whether others (other ministries, other Member States, the Commission) are willing to share in the costs or to carry out part of the tasks to be undertaken? • Has time been reserved for senior management involvement in contacting the Commission, Member States and other players? • Can certain costs be saved by joining ongoing discussions or existing networks?

VIII. Outcome of the analysis: choosing the strategy **Main question:** • Choosing the strategy: At what level is action taken (primarily)?	• Can the strategy be determined on the basis of the abovementioned considerations? In this respect you can consider of one of the following options: 1. initiate the measure, national only; 2. primarily national course of action. However, keep informal contact with the Commission, Member States and others; 3. primarily European course of action; 4. initiate policy both at national and European level (at the same time); 5. no action (for the time being).
• Determining the level of ambition:	• The 'maximum result that can be achieved', the 'likely outcome', the 'just acceptable' result and the 'worst case outcome'. In the light of the policy objectives it is advisable to determine on the basis of all the abovementioned points the maximum result that can be achieved and the still acceptable (minimum) result of the process to be launched. Please be aware that the outcome can be negative in your eyes (e.g. a regulation where you preferred deregulation or vice versa). It may also be useful to determine in advance what the minimum acceptable outcome is below which you will stop the activities.
• Laying down the strategy beforehand and obtaining the approval of the actors involved within your ministry and perhaps with partners in the dialogue (e.g. with colleagues from likeminded countries).	• In view of for instance the complexity of the course of action, it may be necessary to agree the strategy on paper with those involved and explicate who will do what. • Has the strategy been approved at the right level and does the financial department agree with the budgets involved? Is senior management committed to travel to Member States or the Commission if extra steps have to be taken? • Is the Minister's agreement required? Is it advisable to check the agreement at senior management level with likeminded ministries (to prevent the evaporation of lower level agreements in the heat of battle at a later stage)?
XI. Start, monitoring and evaluation of the chosen course **Main question:** Is it sufficiently clear what steps will be taken, how the strategy will be monitored and when and how it will be evaluated?	• What step should be taken first, from a tactical viewpoint? • Has sufficient thought been given to the desired order of the steps to be taken? In this context, has account been taken of any general obligations under European law, including notification obligations and state aid rules? A final check of the strategy could be done by EU coordinators or by the legal department. • Has thought been given to the interim assessment of the course taken – i.e. to building in opportunities to check whether adjustment or accentuation is necessary?Who is involved in the mid-term assessment: EU coordinators, other ministries, the Commission? • At what moment should the Minister be informed? • Are there ideas about the extent to which, and how, others (e.g. the Commission, Parliament and existing networks) are to be kept informed? This may also be important if the course chosen is (for now) primarily a national one. • Have agreements been made about compiling a dossier: Is there someone who documents the European dialogue, e.g. for people who will be dealing with this subject in the future and who may for instance be facing questions of interpretation? • Is there (or should there be) an intra-ministerial committee that decides on the "go-no-go" decision?

NOTES

[1] Dr J.A. (Adriaan) Schout is associate professor at the European Institute of Public Administration and at the Open Universiteit (NL). Dr C.J. (Kees) Bastmeijer is lecturer at the University of Tilburg (NL) and was coordinator for EU policies in the Dutch environment ministry. This paper is based on a project for the Ministry for Housing, Public Planning and Environment Policy (NL): Verschuuren, J.M., C.J. Bastmeijer, J.A. Schout, *Europese dialoog over voorstellen tot aanpassing van de Nederlandse milieuwetgeving*, University of Tilburg/European Institute of Public Administration 16 mei 2002. Also experience gained in working with ministries preparing for EU presidencies has been incorporated. The authors are Dr Ch. Demmke very grateful for his comments.

[2] E.g. Schout, J.A. 1999. *The internal management of external relations – The adaptation process of an economic affairs ministry to European integration*, Maastricht: EIPA; Kassim, H., A. Menon, G. Peters, V. Wright, (eds). 2001. *The National Coordination of EU Policy: The Domestic Level*, Oxford: Oxford University Press.

[3] Commission of the European Communities. 2001. *European Governance: A White Paper*. Brussels (COM 2001 428 final).

[4] Nevertheless, even though frictions with EU policy are highly likely, it might be useful to consider going ahead with new measures anyway. This may be the case when the experience that can be gained is required to call EU policy into question or build a case for changing EU legislation. This approach should of course be considered very carefully and the Commission should be informed of the experimental nature of the innovations that are put in place. ❑

Gender Equality and the EU

An Assessment of the Current Issues

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Summary

Equality between women and men is a fundamental principle of democratic societies. However, it is a fact that there still remain inequalities between men and women. Both at EU and at a national level, a wide range of tools and approaches have been developed with the aim of achieving the goal of equality.

The more traditional vertical approach to gender issues is now complemented by the gender mainstreaming of public policies and programmes. This pro-active approach requires those involved in policy making to integrate a gender equality perspective into all policies, at all levels and at all stages.

In this article we look at legislative developments in the EU with regard to gender equality, and at the implementation of gender mainstreaming that the Community has carried out since the early 1990s. We also elaborate on the elements necessary for the successful gender mainstreaming of public policies and provide examples of best practice at EU and national level.

I. Equality between women and men in the EU: An historical overview

EU gender policies have gone through major developments since the original Treaties. The Treaty of Rome included gender equality, although restricted to the principle of equal pay between men and women. Indeed, during negotiations on the Treaty of Rome, France argued that it was necessary to include the principle of equal pay for women and men in order to avoid distortions in competitiveness between Member States. Therefore, the reason for the inclusion of this principle in the Treaty was not so much a response to concerns about gender equality, but to the need to ensure the proper functioning of the Common Market.

Article 119 of the Treaty of Rome therefore established the principle of equal pay for equal work. Despite the limited scope of this Article, its inclusion in the Treaty allowed the Commission and the European Court of Justice (ECJ) to play a more active role during the 1970s in the promotion of equality between men and women in the field of employment and other matters related to the labour market, such as social security and social benefits linked to unemployment.

Accordingly, since 1975 a series of Directives have been adopted in order to clarify and develop this basic principle of Community Law. Parallel to the legislative action of the EC, the ECJ played a major role in promoting a *de jure* equality between women and men. Since its ruling in the Defrenne case[1], which among other things established the direct effect of Article 119 TEC, the ECJ has built up an important case law on gender related issues.

Logically, the first legislative measure adopted by the Council in the field of gender equality was the Equal Pay Directive[2], which developed and complemented article 119 TEC. It established that the principle of equal pay implied the elimination of any discrimination on the grounds of sex with regard to anything related to pay for the same work or work of equal *value*.[3] Shortly after the Equal Pay Directive, the Council adopted the Equal Treatment Directive,[4] broadening the principle of equal pay to equal treatment between women and men in the field of access to employment, professional training and promotion, and conditions of employment. In the late 1970s and in the 1980s the Council adopted legislation on equal treatment in the field of social security,[5] and the self-employed and the role of their spouses.[6]

In parallel with these legislative achievements, the Institutions started to introduce some internal reforms which reflected the growing interest in – and political commitment towards – gender equality. 1981 saw the creation of the Equal Opportunities Unit of DGV (EOU). Only three years later, in July 1984 the European Parliament (EP) created a Committee on Women's Rights and Equal Opportunities, which has since dealt with all matters relating to this topic. Also in the early 1980s, the work of the Community in the promotion of equality between women and men became more systematic and consistent, with the adoption of the first Equal Opportunities Action Programme, covering the years 1982-1985.

The Maastricht Treaty also furthered the protection of gender equality. The Social Protocol attached to the Treaty of the European Community provided that the Community would support and complement national action in several fields, including the promotion of equal opportunities between women and men in the labour market.[7] Between Maastricht and Amsterdam, the EU went further in its legislative activity in the field of gender equality. The Directives on pregnancy and

maternity leave,[8] the Directives on parental leave[9] and part-time work,[10] and the Directive on the burden of proof in cases of discrimination on the grounds of sex[11] complemented the Community legislative body on equality between women and men in the field of employment and social security.

The Amsterdam Treaty

The Amsterdam Treaty constitutes an important breakthrough in the concept of gender issues at Community level. So far, gender matters had been limited to the area of employment, and were basically considered a question of social policy. This limited concept changed with the Amsterdam Treaty. In Amsterdam, gender equality was expressly included in the Treaties as one of the tasks (Article 2 TEC) and one of the activities (Article 3 TEC) of the Community. Article 3(2) is of particular importances, since it introduces for the first time in the Treaties the concept of gender mainstreaming, which calls for the integration of a gender perspective in all policy areas, at every level.

Major changes were introduced as well with regard to social policy. The provisions of the Social Protocol were incorporated into Title XI of the TEC. Moreover, Article 141 TEC (ex Article 119) was also subject to amendment in Amsterdam, partly incorporating the provisions of the Social Protocol, and partly incorporating developments in case law and secondary legislation. Accordingly, Article 141 now incorporates the concept of "equal pay for work of equal value" which was first developed by the ECJ and was expressed in the Directive on Equal Pay. A new paragraph 3 establishes that the Council, following the co-decision procedure, and after consulting the Economic and Social Committee, may adopt measures to ensure the application of the principle of equality between men and women in the field of employment and occupation, including the principle of equal pay. Finally the new paragraph 4 allows Member States to adopt or maintain positive measures in order to facilitate the exercise of professional activities for the under represented sex or to avoid or compensate disadvantages in their professional careers.

Another important contribution of the Amsterdam Treaty was the new Article 13 TEC, which establishes that, in the framework of the competences attributed to the Community, the Council, acting by unanimity, and after consulting the European Parliament, can adopt actions to combat all forms of discrimination. The wording of Article 13 includes eight specific grounds on which discrimination is prohibited: sex, race or ethnic origin, religion or belief, disability, age or sexual orientation. This Article is of paramount importance, since it covers discrimination beyond the labour market.

Two Directives have been passed based on Article 13, neither of which referred to discrimination on the grounds of sex. These are the Race Directive,[12] and Council Directive establishing a framework for equal treatment in employment and occupation.[13] Both of them are greatly influenced by the Directives on equal treatment between men and women. At the same time, the enactment of this legislation has also helped trigger the debate on gender equality which, at least in legislative terms, seemed to be on stand-by. The content of these two Directives also greatly influenced the amendment of the Equal Treatment Directive, in which amendments are very much in line with the wording of the two Article 13 Directives.

Mainstreaming involves the incorporation of gender considerations into all policies, programmes, practices and decision-making so that, at every stage of development and implementation, an analysis is made of the effect on women and men, and appropriate action is taken.

Indeed, the Equal Treatment Directive was finally amended last year, in order to respond to developments achieved in the field of gender equality, and to the case law of the European Court of Justice.[14] The main contribution of the Article 13 Directives introduced in the new Equal Treatment Directive is the definition of direct and indirect discrimination. The previous Equal Treatment Directive, even though it covered both types of discrimination, did not provide such definitions. For reasons of consistency, the European legislator considered it appropriate to follow the definitions of the Article 13 Directives in the drafting of the new Equal Treatment Directive. Apart from the influence of the two Article 13 Directives, perhaps the more remarkable aspect of the Directive is its addressing the issues of moral and sexual harassment in the work place, which are considered to be discrimination on the grounds of sex, and are therefore prohibited.

Since the new Equal Treatment Directive is based on Article 141, it refers exclusively to equal treatment between women and men in the field of employment. In its Annual Report on Equal Opportunities for Women and Men in the European Union for the year 2001, the Commission stated its intention to reinforce gender equality legislation by bringing forward a proposal for a Directive on sex discrimination based on Article 13 TEC.[15] The advantage of such a proposal is that we already have a very complete legislative body referring

to equality between men and women in the field of employment and social security, and this proposal could then extend to new areas beyond employment where the Community has not yet enacted legislation. The areas that it will cover remain to be seen, but it is possible that it will follow the lines of the two Article 13 Directives, and include issues such as social protection, education, access to goods and services, etc.

The European Women's Lobby (EWL), always very active in the promotion of equality between women and men at EU level, has issued what it has called the "Shadow Directive", aimed at influencing the Commission's proposal and the outcome of the legislation.[16] The scope of the Shadow Directive is very broad, and covers matters such as balanced participation in decision-making, access to goods and services, violence against women, taxation, reconciliation of working and family life, awareness raising and education, social protection and the fight against social exclusion, training and research, health, and the fight against sex stereotypes, including images of men and women in the media.

The Charter of Fundamental Rights of the EU

Before approaching the issue of mainstreaming in the EU, mention has to be made of the EU Charter of Fundamental Rights. In December 2000, in Nice, an EU Charter of Fundamental Rights was solemnly proclaimed by the EP, the Council and the European Commission. The Charter is a political document, without legally binding status, which mostly compiles rights that already existed at Community level into a single text.

With regard to gender equality, several provisions of the Charter are of relevance. In Chapter 3 of the Charter, under the heading "Equality", Articles 21 and 23 refer to the principles of non-discrimination and to equality between men and women respectively. Article 21(1) draws on Article 13 of the EC Treaty, prohibiting any discrimination, on any grounds. Article 23, based on Articles 2, 3(2) and 141(3) of the TEC, establishes that equality between women and men must be ensured in every field, including employment, work and pay, and admits the validity of positive action in favour of the under represented sex. Finally, Article 33 of the Charter contains the right to reconciliation of professional and family life.[17]

Despite the Charter's lack of legally binding status, the symbolic value of the text cannot be denied, and Advocates-General from the ECJ and the CFI have already expressed their intention to interpret the Charter as if it was legally binding. The future status of the Charter is being discussed in the framework of the debate on the future of Europe, and it looks like it will be included in the Treaties, probably in the form of a preamble, and that it will acquire legally binding status.[18]

II. Gender mainstreaming: Engendering public policies

The concept of gender mainstreaming involves decision-making in all areas of society being marked by an active concern for gender equality. It is a strategy aimed at changing the working methods regarding gender equality policy. The strategy has been developed to stress that equality issues cannot be confined to a sector called "women's development", or addressed through marginal actions and programmes. In the words of the Commission in its 1996 Communication on Mainstreaming, mainstreaming means "*not restricting efforts to promote equality to the implementation of specific measures, but mobilising all general policies and measures specifically for the purpose of achieving equality*".[19] It involves the incorporation of gender considerations into all policies, programmes, practices and decision-making so that, at every stage of development and implementation, an analysis is made of the effect on women and men, and appropriate action is taken.[20] As stated by the OCDE "*gender perspectives must become part of the process of formulating, implementing and evaluating policies and programmes.*"

The concept of gender mainstreaming appeared for the first time in international texts after the United Nations Third World Conference on Women (Nairobi, 1985), in the debate on the role of women in development. The Beijing Platform for Action, adopted after the Fourth World Conference on Women held in Beijing in 1995, was the formal starting point to undertake mainstreaming policy. At the Beijing conference gender mainstreaming was described from a new, radical standpoint: "*Governments and other actors should promote an active and visible policy of mainstreaming in all policies and programmes, so that, before decisions are taken, an analysis is made of the effects on women and men respectively*". In almost every chapter of the action plan, there is a section inviting governments to integrate the gender perspective into all policy areas, which has led to many countries adopting national plans for gender mainstreaming. A special adviser to the Secretary General was appointed after the Conference (1996) to support UN efforts to integrate the gender perspective into all UN activities.

The Council of Europe has also been very active in the promotion of equality between women and men, and in the development of the concept of, and techniques for, mainstreaming. The definition of mainstreaming adopted by the Council of Europe's Group of specialists on mainstreaming reads as follows: "*gender mainstreaming is the (re)organisation, improvement and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy-making*".[21]

III. Gender mainstreaming and the EU

The EU has played a very active role in the promotion and implementation of gender mainstreaming since the early 1990s. The mainstreaming strategy started to be used by the EU through the Third (1991-1995) and Fourth (1996-2000) Equal Opportunities Action Programmes, which had already advocated the inclusion of the gender perspective in all the policy areas and activities of the EU. Both programmes offered support

to projects in order to find working models to promote gender equality efforts in the Member States, including developing ways of integrating the gender perspective into all policy areas.

At the Fourth World Conference on Women (Beijing 1995) the EU was pushing to give gender mainstreaming a prominent position, and played a key role in the inclusion of the gender mainstreaming principle in the Beijing Platform for Action. As mentioned above, in 1996 the Commission issued a Communication on "Incorporating equal opportunities for women and men into all Community policies and activities" in which it stated that mainstreaming involves "*not restricting efforts to promote equality to the implementation of specific measures, but mobilising all general policies and measures specifically for the purpose of achieving equality by actively and openly taking into account at the planning stage their possible effects on the respective situations of men and women.*"

The effects of the gender mainstreaming approach of the Commission were particularly noticeable in the Fourth Equal Opportunities Action Programme, which was clearly inspired by the 1995 UN Beijing Conference on Women. The Programme aimed to promote the integration of equal opportunities for women and men into the preparation, implementation and monitoring of all policies and activities at Community, national, regional and local level.

But the main development with regard to mainstreaming came with the Treaty reforms introduced in Amsterdam. In the Amsterdam Treaty, the concept of gender mainstreaming was introduced for the first time into the text of the Treaties (Article 3(2) TEC) and at the same time promotion of equality between women and men became one of the tasks of the Community (Article 2 TEC). Article 3(2) TEC establishes that in all its activities, the Community "*shall aim to eliminate inequalities, and to promote equality, between women and men*". These Articles formalise the obligation of the Community to integrate the gender perspective as a horizontal objective affecting all areas. The integration of equal opportunities for men and women into all policies and programmes is therefore – and according to the Treaties – an obligation incumbent upon Member States, their regions and local entities, as well as Community institutions.

With the aim of furthering its mainstreaming policy, on 7 June 2000 the Commission adopted the first comprehensive Framework Strategy on Gender Equality, spanning the next five years and covering all aspects of the question: equality in economic, social, and civil life, equality in decision-making, and gender roles and stereotypes. It affects all Community policies and all Commission services. It combines measures designed specifically to foster equality (reactive intervention) with the mainstreaming of gender issues in all Community policies (pro-active intervention). Mainstreaming has thus become a central element in the Commission's new Framework Strategy. In line with the integrated approach, the Strategy makes use of all existing tools and structures, while supporting the development of new ones: monitoring, indicators and benchmarking. This strategy should bring more consistency in Community actions in the field of gender equality, as well as making the policy more visible.

Following the Framework Strategy, all Commission departments are asked to report on the actions they are taking in order to incorporate the goal of gender equality into their policy making process. The strategy focuses on five objectives to which all Community gender equality initiatives will be linked: equality in economic, social, and civil life; equal representation and participation in decision-making; and changing gender roles and overcoming stereotypes. It also sets targets that must be achieved in the five-year period of the Strategy. The programme 2001-2005,[22] which accompanies this strategy, has a provision of 50 million euro for the promotion of gender equality.

Awareness raising and training on gender related issues are of paramount importance for the effective implementation of mainstreaming. Without a clear understanding of the concept and importance of gender mainstreaming it becomes very difficult to achieve results.

The Strategy was followed by the adoption in 2001 of the first Annual Working Programme for Gender Equality,[23] which detailed all Community activities foreseen for 2001 for the promotion of equality between men and women in all policy areas. Together with the general Annual Work Programme, a Work Programme for the implementation of the Framework Strategy in 2001 was adopted for each Commission service.[24] This Work Programme detailed the on-going actions and future activities of each Commission service within the scope of the Framework Strategy. It followed the twofold approach already adopted in the Framework Strategy: specific actions addressed to women (reactive approach) and integration of a gender perspective in policy initiatives (mainstreaming). The activities in the Work Programme act as performance indicators, enabling better monitoring and evaluation of the progress achieved each year, and allowing shortcomings to be identified and then addressed in subsequent Work Programmes.

The same system was used for the Commission's Work Programme for 2002,[25] which retained some of the

2001 priorities and added new ones, and for the Work Programme for 2002 for each Commission service.[26] In the period between the two Programmes, the Commission conducted a self-evaluation exercise (Gender Scoreboard), in order to monitor and report on the progress achieved with the 2001 Work Programme.[27]

The Commission recently presented its Third Annual Work Programme within the Framework Strategy on Gender Equality,[28] supplemented by a Commission Staff Working Paper detailing the specific activities for each Directorate-General (DG) and service.[29] The same system as in previous years is applied, including an evaluation of the implementation of the 2002 programme and the setting of the priority actions for 2003.

In general, the approach of the Framework Strategy and the annual Work Programmes seems to be effective, in that it provides for a clear way of monitoring the performance of each DG and service and of the Community as a whole, based on the activities listed in the Work Programme of the previous year. Since it shows the shortcomings and the areas where progress has not been achieved, it permits actions to be focused where they are most needed. At the end of the 2003 Work Programme, which will mark the midpoint of the Framework Strategy, the Commission intends to conduct a more detailed study of the progress achieved in the implementation of gender equality than the evaluations already contained in the work programmes.

From a political point of view, the role of the European Council in the promotion of gender mainstreaming since 1997 has been of great importance. In November 1997, the Luxembourg European Council, devoted the fourth pillar of its strategy for employment to "*strengthening the policies for equal opportunities for men and women*". From this point onwards, successive Presidencies, in accordance with the mandates contained in both Community and international texts, have continued the work of incorporating the gender perspective in the various Council formations (other than the Employment and Social Policy Council). Both the Portuguese and the French Presidencies encouraged discussions on mainstreaming in the Council, which were continued by succeeding Presidencies. Through this process, gender mainstreaming has been incorporated also into the Councils on Education, the Internal Market, Science and Research, Development, External Relations and into the broad economic policy guidelines (ECOFIN). In 2002 the Spanish Presidency decided to incorporate the perspective of equality between men and women into the Environment and Agriculture Councils.

The European Parliament has also been very active in the promotion of gender equality in general, and gender mainstreaming in particular. The Parliament has repeatedly expressed its commitment to mainstreaming, calling regularly for gender mainstreaming in all Community activities. In its resolution on Equal opportunities for women and men in the EU, the EP said that any type of aid, funding or benefit granted by the Union must be subject to the requirement to observe the principle of equal pay for men and women. It has called for measures in the field of decision-making, career diversity for women, part-time work etc. With regard to the internal functioning of the Parliament, as already mentioned in this article, as early as 1984 the EP created a Committee on Women's Rights and Equal Opportunities, which deals with all relevant matters. With regard to the implementation of gender mainstreaming inside the European Parliament, on 20 February 2003 the Committee on Women's Rights and Equal Opportunities approved a report on gender mainstreaming.[30] The report deals with mainstreaming both at the political and the administration level, and puts forward recommendations on concrete measures to be adopted e.g. in the field of balanced participation of women in decision-making, gender mainstreaming of the work of EP committees, awareness-raising and training, the use of gender neutral language, working arrangements and conciliation of working an family life. The report, which will be discussed in the Plenary early March, highlights the need of signalling political will and commitment at the highest level, the allocation of adequate financial and human resources for gender mainstreaming, and the need of gender expertise.

The political Commitment of the European Commission to gender mainstreaming has also proved to be very strong, as we have already seen with the Framework Strategy. To start with, the Commission has gone through an important internal reform in order to be able to face the challenge of mainstreaming all policies and programmes. As already mentioned, in 1981 the Equal Opportunities Unit of DGV was created. The same year also saw the setting up of the Advisory Committee on Equal Opportunities for women and men, composed of representatives from the equality agencies or responsible ministries of the Member States, which advises the Commission on the formulation and implementation of its gender policies.[31]

The Santer Commission established in 1995 the Group of Commissioners on Equal Opportunities. The tasks (and composition) of the Group of Commissioners were re-defined in 1999,[32] and include guaranteeing the coherence of Commission actions in the field of equal opportunities, both internally and externally, as well as ensuring the implementation of mainstreaming as stated in Article 3(2) TEC. With the Framework Strategy on Gender Equality 2000-2005, the Group of Commissioners plays a relevant role in monitoring the progress and achievements of the annual Work Programmes.

As of mid-1999 most Directorates-General had a person designated for mainstreaming gender issues. There also exist two inter-service groups, which respectively work on equal opportunities in general and on the specific implementation of equal opportunities in the structural funds.

More recently, the Commission has taken a strong position on internal gender balancing, particularly with regards to the composition of the committees and expert groups (the target is 40%). It should also be mentioned that this target was nearly achieved by the Prodi Commission, where of 120 new cabinet appointments, nearly 40% were women.

IV. Practical implementation of gender mainstreaming: Tools, techniques and resources

Institutional and procedural review

Mainstreaming is a long-term strategy aimed at transforming policy making in a coherent way with respect to the principle of gender equality. It may therefore need the introduction of institutional changes in order to face the challenges arising from its implementation. Most countries have units, committees or departments which deal with gender equality matters, in some cases even individual ministers or ministries with the equality or women's affairs portfolios (e.g. Denmark, the Flemish Community of Belgium, Sweden and Portugal). Also in some countries independent ombudsmen or equality offices have been set up with specific mandates. We can find examples of Gender Equality Ombudsmen in Sweden, Norway, Finland and Lithuania. Many countries have also established parliamentary machinery for the promotion of gender equality, and specialised bodies have been set up within the parliaments.

The equality machinery should play a very important role in terms of co-ordination, advice and/or monitoring of the implementation of mainstreaming strategies. However, cross-departmental cooperation and the creation of new channels for consultation of all political actors are the key for success in effective gender mainstreaming of public policies. In many countries, inter-department or inter-ministry committees have been created in order to co-ordinate or achieve consistency in the mainstreaming of policies, or in order to advise the government on gender related issues. For example, in the Czech Republic a Government Council for Equal Opportunities for Women and Men was created in October 2001, and works as a permanent advisory body of the Czech Government in the area of creating equal opportunities for men and women. It brings together representatives of the different ministries, the Chair of the Statistical Office, representatives of NGOs active in the area of equal opportunities, one representative of trade unions and one of the employers, the Commissioner for Human Rights and an expert involved in the area of equal opportunities for women and men.

In addition to the institutional changes necessary for the effective implementation of gender mainstreaming, certain tools need to be used for the machinery to work effectively.[33]

Gender impact assessment methods

Gender impact assessment has its roots in the environmental sector. This tool will be used to scrutinise any policy proposal and to analyse its foreseeable impact on women and men, in order to correct any imbalances before the proposal is presented. Women and men have different needs and different priorities, and they also have unequal access to economic and social resources. Any apparently neutral proposal can indeed have a different impact on women and men. For example, in an area such as transport, that may seem gender neutral, decisions can have an impact on the situations of women and men if we look at the differences in their respective lives e.g. men are more likely to own cars than women, while women are more likely to need transport to shopping centres or childcare facilities. Taking into account the impact on gender in policies implies then that the needs and priorities of men and women will be equally favoured by those policies, and it helps avoid unintended negative consequences either for women or for men. Gender impact assessment can be applied to legislation, policy plans, policy programmes, budgets, concrete actions, research, etc.

As early as 1994, the Dutch developed a Gender Impact Assessment Tool: the Emancipation Effect Report (EER), commissioned by the Dutch Equality Division, and constructed by academic researchers. By 1999, nine EERs had been completed at national level, and the evaluations of the instrument were quite positive.[34] The Flemish Community of Belgium, which has been very active in the field of equal opportunities and gender mainstreaming since the mid 1990s, also developed a Gender Impact Assessment tool (1996-1997) which was then adapted to the local level (1998-2000). In the UK, the Policy Appraisals for Equal Treatment (PAET) guidelines were issued to all Government departments in 1998 in order to help them assess the impact of their policies on women, people from different ethnic groups and disabled people. These guidelines were complemented by a Framework for Gender Mainstreaming, available online, which should help policy-makers consider the impact of their policies on women and men.

Mainstreaming has to be seen always as a support strategy to other existing specific gender initiatives, and/or as an instrument for discovering the areas where specific measures are needed.

With regard to the internal functioning of the Commission, the Equal Opportunities Unit prepared a "Guide to Gender Impact Assessment" aimed at providing Commission officials with a basic checklist for the inclusion of a gender perspective in all Commission proposals. However, the Commission has recently reviewed this sectoral approach to impact assessment of Community policies. In the framework of the Better Regulation Action Plan,[35] the European Commission has established a new integrated method for impact assessment, which will apply gradually from

2003 to all major new initiatives. This new impact assessment will integrate all sectoral assessments (gender mainstreaming, business, trade, environment, etc.) into one global instrument. The integrated impact assessment tool builds on these existing practices and incorporates them into the new tool. The system is expected to be fully operational in 2004/2005.

Gender disaggregated statistics and the elaboration of engendered indicators

In order to effectively mainstream, the breaking down of statistics by sex is essential, as was highlighted by the Beijing Platform for Action. The data will help to measure progress towards equality, and to assess the impact on women and men of all policies, including those which were thought to be gender neutral. In fact, the lack of disaggregated statistics has proved to be one of the major hurdles when it comes to mainstreaming policies, and therefore one of the main priorities for action.

In Ireland, a Databank of Gender Disaggregated Statistics relevant to the National Development Plan 2000-2006 was commissioned by the Department of Justice, Equality and Law Reform, containing in 2002 approximately 700 statistics. In the UK, the Office for National Statistics implemented in 2002 a review of gender disaggregated statistics, which aimed to produce a clear and concise guide to official statistics disaggregated by gender.

With regard to the EC, the Commission has put a strong emphasis on data collection and engendered indicators. The evaluations contained in the Annual Work Programmes on Gender Equality show the efforts and achievements in introducing a gender breakdown in statistics. Successive Presidencies of the EU have already developed indicators on women in power and decision-making, the relationship between family life and working life, and pay inequalities between women and men. The Spanish and Danish Presidencies decided to tackle the issue of violence against women, so the Danish Presidency presented indicators on this issue based on a study prepared by the Spanish Presidency.

The 3R method, developed in the framework of the Programme Group of the Swedish Association of Local Authorities, is a review and analysis tool that serves as an aid in systematically compiling facts and information about the situation of men and women. The method involves developing quantitative data, figures and information, which then provide the basis for a qualitative analysis of the operation in question.

Monitoring

Continuous evaluation and follow up of policies has to be done both through regular meeting and reporting by policy makers, as well as research and studies by specialists. An example can be found in Norway, where academics are routinely commissioned to evaluate existing equality policies.

As mentioned before, the Framework Strategy provides a relatively simple monitoring system of the progress achieved each year in the implementation of gender equality. Each annual Work Programme sets a series of activities which are to be developed in the current year and used as performance indicators. The progress, achievements and shortcomings are monitored by the Commission's Group on Equal Opportunities, with the assistance of the Inter-service Group on Gender Equality. Those are then reported in the Gender Scoreboard, a self-evaluation of the Commission.

Educational tools and techniques

Awareness raising and training on gender related issues are of paramount importance for the effective implementation of mainstreaming. Without a clear understanding of the concept and importance of gender mainstreaming it becomes very difficult to achieve results. Therefore, awareness-raising and training courses aim at involving ministers, parliamentarians, and senior civil servants, in order to create the necessary political commitment to equality. At medium level civil service training programmes, the focus is on putting equality mainstreaming into practice and encouraging participants to integrate it into their work. Other mechanisms are the provision of manuals and handbooks, booklets and preparation of educational materials for use in schools.

The European Commission has been stressing over the last few years the relevance of training and awareness raising on gender issues, and so has the European Parliament. In the Commission, as of 2002, DG Personnel included a presentation on equal opportunities in the introductory courses organised for new Commission staff. Several DGs have also introduced training on gender equality, gender mainstreaming or equal opportunities as part of their general training courses or as specific training sessions. With regard to the Parliament, it organised gender sensitive training for male administrators conducted by men, in order to identify the barriers to womens' advancement and ways to tackle the problem. The novelty is that the audience is male administrators and that the message was carried by men.

Consultation, co-ordination and participation tools and techniques

Through the involvement of all actors in the process, the quality of gender policy making will improve. This can be done by the creation of working groups and think tanks within the administration, with the participation of both sexes in decision making, and with specific preparation of the actors involved in the process: conferences and seminars, hearings, creation of directories, databases and organisational charts.

An example can be found in the recent gender mainstreaming project of the Danish inter-ministerial action plan 2002-2006, called "The new gender equality strategy". This project started in 2001 and will last until 2006. The plan covers both ministerial departments and related agencies and institutions. Representatives from all ministries form the interministerial steering

committee. The action plan has settled the targets to be reached by 2006, with a clear agenda: initial overview of the situation, clear initiatives to improve the incorporation of gender, new bills, systematic assessment tools, mainstreaming of budgets, and evaluation of results.

V. Conclusions

Mainstreaming is a strategy that can never replace specific policy initiatives aiming at correcting gender inequalities. Mainstreaming has to be seen always as a support strategy to other existing specific gender initiatives, and/or as an instrument for discovering the areas where specific measures are needed. On the other hand, to have a restricted concept of equality would limit the initiatives, and women would continue to be seen as the "problem". Procedures will have to be adapted to the mainstreaming strategy to avoid the limitations of traditional policy making.

But changes in procedures are not enough. Existing policy tools and techniques will need to be developed and adapted, like for example, the integration of gender into statistical data collection and analysis, budget evaluations, new legislation, and new knowledge production. Knowledge and expertise on gender issues is also essential in order to avoid failures when identifying new gender interests. Ministries and agencies have to be able in their work to perceive society's gender equality challenges in the context of their own policy areas. The experiences from the activities realised will always need to be disseminated. It is a continuous learning process, subject to a continuous review of performance, as well as of the changes in the circumstances in society that led to the adoption of a particular policy. All this means that human and financial resources are essential to foster mainstreaming strategies, as is the political will to use all available resources to achieve a real equality between women and men in our societies.

NOTES

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1 Judgement of the European Court of Justice of 25/05/71, G. Defrenne v. Belgian State, C-80/70.

2 Council Directive 75/11/EEC of 10 February 1975 on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women (OJ L 045, 19/02/75).

3 This wording enhanced the protection offered by Article 119 TEC, since it permitted different jobs to be compared. The same wording was included in the revised Article 141 (ex Article 119) after the reforms introduced in Amsterdam. Now Article 141 TEC codifies the principle of *"same pay for equal work or work of equal value"*.

4 Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (OJ L 039, 14/02/76).

5 Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security (OJ L 006, 10/01/79), and Council Directive 86/378/EEC of 24 July 1986 on the implementation of the principle of equal treatment for men and women in occupational social security schemes (OJ L 225, 12.08.86).

6 Council Directive 86/613/EEC of 11 December 1986 on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood (OJ L 359, 19.12.86).

7 It should be mentioned that the UK was out of this system.

8 Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (OJ L 348, 28/11/92).

9 Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC (OJ L 145, 19/06/96).

10 Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC (OJ L 014, 20/01/98).

11 Council Directive 97/80/EC of 15 December 1997 on the burden of proof in cases of discrimination based on sex (OJ L 014, 20/01/98)

12 Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (OJ L180, 19/07/00).

13 Council Directive 2000/78/EC of 27 November 2000 establishing a framework for equal treatment in employment and occupation (OJ L303, 02/12/00).

14 Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (OJ L 269, 05/10/02).

15 Originally, publication of the proposal was foreseen for May 2002, but when this article was finished the proposal had not been issued.

16 A summary of the Shadow Directive can be consulted on the website of the European Women's Lobby (http://www.womenlobby.org). A copy of the full text of the Directive can be obtained from the Secretariat of the EWL.

17 The rights included in this Article draw on Council Directive 92/85/EEC, and on Directive 96/34/EC.

18 With regard to the actual scope of the Charter in addressing equality between men and women, the EWL was rather critical. It considered that besides the uncertain legal status of the Charter, it is an insufficient reference document to address discrimination, and more specifically that the reference to the prohibition of discrimination against women was also insufficient.

19 COM (96) 67 final of 21 February 1996 on "Incorporating equal opportunities for women and men into all Community policies and activities".

20 Definition taken from the "Gender Proofing Handbook" written by Marie Crawley and Louise O'Meara, at the

intiative of the Six County Development Board.

[21] See "Gender Mainstreaming. Conceptual Framework, Methodology and Presentation of Good Practices", Final Report of Activities of the Group of Specialists on Mainstreaming, 26 March 1998.

[22] See Council Decision of 20 December 2000 establishing a Programme relating to the Community framework strategy on gender equality (OJ L17, 19/01/2001).

[23] See COM (2001) 119 final, 02/03/01.

[24] See Commission Staff Working Paper on the Work Programme for 2001 for each Commission service for the implementation of the Framework Strategy on Gender Equality, 02/03/01.

[25] See COM (2001) 773 final, 17/12/2001.

[26] See SEC (2001) 1992, 17/12/01.

[27] Gender Scoreboard, 15/02/2002.

[28] See COM (2003) 47 final, 03/02/2003.

[29] See SEC (2003) 137.

[30] The rapporteur or the report is German socialist Lissy Gröner.

[31] See Commission Decision 82/43/EEC of 9 December 1981 relating to the setting up of an Advisory Committee on Equal Opportunities for Women and Men (OJ L 20, 28.01.82).

[32] See SEC (1999) 1483, 16/09/99.

[33] For a more extensive description of national machineries for the promotion of gender equality, see the 2001 Council of Europe's Handbook on National Machinery to Promote Gender Equality and Actions Plans.

[34] For a more detailed analysis of the EER, see Mieke Verloo, "Another Velvet Revolution? Gender Mainstreaming and the Politics of Implementation", IWM Working Paper No. 5/2001.

[35] See COM (2002) 278. ❑

An Insider's View
Making Mainstreaming a Natural Part of an Administration's Policies: Setting Realistic Targets

Odd Anders With[1]
State Secretary, Royal Norwegian Ministry of Children and Family Affairs

Dear audience, dear fellow participants,

It is a great pleasure to be here with you, and I am honoured to contribute to this exchange on policies, tools and best practices for managing gender equality in Europe. As you all know, Norway is not a member of the EU. We are, however, closely affiliated through the EEA Agreement. In1996, Norway became, through this agreement, an active partner in the EU's co-operation on gender equality. This has given us a much more intimate knowledge of EU policy and activity in the social field and has certainly provided an opportunity for mutual learning and exchange.

Through on-going co-operation in the field of gender issues, we have gained a profound respect for the committed and innovative approach adopted by the EU.

I have been invited to talk on how to *make mainstreaming a natural part of an administration's policies* and *setting realistic targets*. I wish to take this opportunity to highlight some of the elements I consider to be crucial for the relative success of this strategy in Norway. I will also touch upon some more recent EU developments.

My argument will be structured around two main points, the first being *political will* at the highest levels of decision-making. Secondly, as indicated in the title of my speech, the need to *set realistic targets*. I am speaking from the point of view of a politician and I will not elaborate on the technicalities or methodology involved in the mainstreaming process.

First of all I should state what I understand by gender mainstreaming. It is a concept that has emerged in recent years as the common denominator for a strategy aiming to promote gender equality as an integral part of all relevant policy processes – by the actors normally involved. An authoritative definition has been provided by the Council of Europe, in the 1998 Report of the Group of Specialists on Gender Mainstreaming. Their definition reads as follows:

> *Gender mainstreaming is the (re)organisation, improvement, development and evaluation of policy processes, so that a gender perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy making.*[2]

This definition corresponds closely to the Norwegian idea of mainstreaming.

I wish to underline that the mainstreaming strategy does not in any way replace specific measures of positive action to promote the under-represented sex, or national machinery and other mechanisms to promote gender equality. The two approaches are equally necessary and complementary. The impact of former discrimination against women sometimes calls for radical measures of positive action.

It should be noted, however, that such radical measures of positive action are disputed. EU law and court practice appears to be more limiting than in Norway. The EFTA Surveillance Authority has brought a case before the EFTA Court against the Norwegian Government for an alleged breach of the EU Equal Treatment Directive over the earmarking of a limited number of academic positions for women, which is considered to go beyond the scope of positive action according to EU case law (European Court of Justice).

Women are poorly represented in top positions in academic life. In spite of the high representation of women among students – since the 1980s women have been in the majority in higher education – only 13 per cent of professors are women. The number of women in permanent and higher academic positions has increased extremely slowly. The gap between the available pool of qualified women and the number of women in academic positions is actually widening. Radical measures of positive action are clearly needed. The Norwegian Government will defend its case in the EFTA Court on 18 October 2002.

In Norway, women are fairly well represented in politics. Since the 1980s informal quotas for women have been practised in all the major political parties. These ensure that women and men are equally represented in electoral lists and in internal party decision-making bodies. The party I represent, the Christian People's Party, has a woman leader.

The Gender Equality Act establishes a minimum 40 per cent quota for either sex at all publicly appointed boards, committees and expert groups. However, in the private sector, women are scarce at the top. The boards of private companies include only 6 per cent women. One major success of the Government I represent is the agreement reached that a 40 per cent sex quota shall apply to state companies, and to joint stock companies in the private sector.

These are examples of the importance of political will. Political will comes first on the list of necessary prerequisites for gender mainstreaming identified by

the Council of Europe Group of Specialists on Gender Mainstreaming.

Allow me to state that the EU commitment and the leading role taken by the EU Presidency impress me. I understand that each EU Presidency selects one or two policy areas for mainstreaming by the Council of Ministers. The Danish Presidency is focusing on the Employment and Social Affairs Council. Particular attention is being directed to the gendered patterns and effects of social exclusion. I believe many of you will also participate in the Gender and Social Exclusion Seminar in Copenhagen taking place on 26-27 September.

The EU has also developed a method to measure and compare progress in various fields such as social and economic policy. In the context of the follow up to the Fourth World Conference on Women at Beijing (1995), the EU Presidency each year develops a new set of indicators to measure progress in selected areas of concern. The Danish Presidency, drawing on a preliminary report prepared by the preceding Spanish Presidency, will accordingly present indicators to identify the prevalence and measure progress in eradicating violence against women. Norway was fortunate to be invited to the informal meeting of EU Ministers under the Spanish Presidency, where violence against women was discussed. Combating violence against women is a priority area of concern for the Norwegian Government. I will come back to that later. It is in general very helpful for us to participate as observers of the EU's political exchanges.

Gender mainstreaming in the EU has been very successful in certain fields, such as employment policy, research and development, and structural policy (the European Structural Funds). I believe this is the result of a concentration of efforts and mobilising the necessary resources to ensure tangible results.

This is a very valuable message for successful gender mainstreaming and serves to demonstrate my main points: there is great potential in p*olitical commitment* when translated into action, in this case influencing EU decision-making at the highest level. These fields are also good examples of *setting realistic targets*, in that policy clusters and areas of concern are tackled progressively one by one. I consider the step-wise approach of the EU a good strategy.

Political commitment to gender equality needs to be organised and translated into action. In 1998, under the first Norwegian Government to be led by Prime Minister Bondevik, a Committee of Junior Ministers on Gender Equality was set up. The aim was to ensure political will to sustain and further gender equality as a task for all Ministries. All successive governments have continued this practice. I chair the current Committee.

The Committee monitors gender mainstreaming in Government policies, with a view to implementing the Beijing Platform for Action. The Committee is an excellent forum for ensuring Government attention on gender issues. It is also well suited to co-ordinating efforts, allocating responsibilities and securing joint financing for campaigns or action plans that involve several actors. Mobilising joint action to combat violence against women and the related problem of trafficking in women has been mobilised through this forum. The role of the gender equality machinery could be compared to midwifery: helping to deliver, but not in charge of raising the child.

Gender mainstreaming means giving responsibility to the *actors normally involved*, as pointed out in the Council of Europe definition of gender mainstreaming. Violence against women is basically a criminal offence that is a matter for the police and the judiciary. Thus the Government's *Action Plan to combat Violence against Women* is based within the Ministry of Justice, which deals with the Penal Code.

Yet this is a cross-sector responsibility. There is a need for shelter and medical and other assistance to the victims, and treatment of the perpetrators. The Ministry of Health and the Ministry of Children and Family Affairs contribute to the implementation and have "ownership" of parts of the overall plan. Implementation involves a wide range of actors, both public agencies at various levels of government, and voluntary organisations tending to the needs of the victims or treatment of offenders. Shelters for battered women are generally operated by voluntary organisations. They are jointly financed by local authorities and the Ministry of Children and Family Affairs.

A co-ordinator has been hired and is associated with the Police Department of the Ministry of Justice. In this way, responsibility is based in the organisation where it naturally belongs. As a result of the National Action Plan, human and financial resources have been allocated to ensure proper follow-up. Allocation of sufficient human and financial resources is another prerequisite for successful gender mainstreaming.

The Government wants to promote public awareness and further improve co-ordination and co-operation. The mandate of the *Violence Against Women Commission* is to examine the situation of abused women and to identify further measures in law and the judiciary, in the social services, in the organisation of the shelters and in terms of measures of a preventive nature. Specific attention will be paid to the situation of immigrant women. The Commission brings together experts, researchers and practitioners from diverse sectors and organisations selected for their personal competence in the field. The report of the Commission is due in September 2003 and will provide a solid basis for further Government action.

Co-operation and consultation is at the heart of Government action against gender based violence.

We achieve better and more visible results by concentrating our efforts and resources and by moving at a realistic pace, step by step. This is the approach we are taking in our recent *gender responsive budget* initiative. Gender disparities in terms of income and access to economic resources are core challenges in terms of gender equality. The gender pay gap and unequal gender impact of the pension system are highly

relevant. Analysis of the Government's budget proposition can prove to be instrumental in ensuring public resources are allocated in a way that promotes gender equality.

The Committee of Junior Ministers on Gender Equality directs and monitors the process. Three specific areas were selected to highlight and profile the pilot initiative:

- improving the recruitment of women in management positions
- increasing flexibility in working life, with a view to reconciling work and family life
- defending the human rights of migrant women, with a focus on negative practices such as forced marriages, female genital mutilation, trafficking in women, and protection against gender based persecution (asylum).

Acting as Chair of the Committee I invited all the Ministries to join a common effort to mainstream gender in the budget process. They were invited to select only one or a limited number of policy areas for gender analysis for presentation in the budget proposition. The response was generally positive, although all Ministries were not able to participate in this pilot initiative. The Government decided to present the contributions of eight Ministries in a separate annex to the budget proposition for 2003 of the Ministry of Children and Family Affairs.

Our approach is quite simply as follows:

- Select one or more budget chapters for the assessment
- Follow the normal budget structure, which in Norway entails:
  - Reporting on the results of preceding activities
  - Assessing the current situation and current challenges
  - Identifying objectives/targets and measures to be taken
- Assess the gender equality dimension/effect on women and men, girls and boys.

The themes selected for the current assessment include:

- Parts of the funding scheme of the Norwegian Industrial and Regional Development Fund
- Directions regulating the award of disability pensions to part time workers (mainly affecting women)
- State wage policy
- Child care grants
- Research and development related to immigration policy
- Budgetary implications of policy related to promoting women in higher/management positions, such as in the armed forces, in the judiciary, in industry and in the university/academic sector.

The assessments are presented in a Norwegian publication which will be presented at a seminar on 21 November targeting, as well as the central administration, the Norwegian Parliament (Stortinget), the research community, NGOs and the media. Speakers representing these various target groups will contribute their views and possible contributions to the process. The intention is to promote public awareness and support in favour of the initiative.

The Nordic Council of Ministers has decided to launch a joint project involving both the Ministries of Finance and the national machineries for gender equality. The aim of the project is to promote gender mainstreaming in Nordic economic policy, with an emphasis on the state budgets. Gender responsive budgeting is becoming a key tool for implementing gender mainstreaming in many countries. South Africa is a well-known example. Australia prepared 'women's budgets' in the 1980s. Since the Beijing Conference in 1995 many countries have followed suit. Other interesting initiatives include the Women's Budget Group in the UK and the French *Yellow Paper*.

I consider gender responsible budgeting to be an innovative and concrete expression of gender mainstreaming.

In Norway, the mainstreaming strategy is a logical extension of the Gender Equality Act that came into force in 1979. The Act covers in principle all areas of society, although the emphasis is on education and working life. It places an obligation on public authorities to promote gender equality in all fields of action. A recent revision of the Act has strengthened that obligation. Public authorities shall, accordingly, promote gender equality in an active, goal-oriented and systematic fashion. They will also be obliged to report on their activities.

Norway has a relatively long record of gender mainstreaming. Organised activities go back to the mid-1980s and are aimed at sensitising the entire central administration to the equality issue and establishing gender equality as an integrated responsibility in all areas of policy.

In Norway, gender equality is a generally accepted value. Nearly all the political parties are committed to gender equality. But, as I indicated earlier, being committed is not enough. Political will is powerful only when turned into action. In my role as a politician, I have chosen to exercise my political will to promote gender equality. In this task I co-operate with my colleagues in the Government, with the administration and with other actors. Together we can make a difference!

Thank you for your attention!

NOTES

[1] Presentation held at EIPA Seminar 23-24 September 2002 at Maastricht: Managing Gender Equality: Policies, Tools and Best Practices in Europe.

[2] Council of Europe EG-S-MS (98) 2 "Gender Mainstreaming. Conceptual framework, methodology and presentation of good practices". Strasbourg May 1998. ❑

www.e-europeawards.org[1]

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What is the background of the *e*Europe initiative?

The eEurope Awards, as announced by Erkki Liikanen, European Commissioner for Enterprise and Information Society, at the 2001 Ministerial *e*Government Conference "From Policy to Practice", are part of the *e*Europe Initiative.

The European Institute of Public Administration (EIPA) was contracted by the European Commission to manage the *e*Europe Awards until 2005. The project is funded by the European Commission (under the IST[2] programme).

What are the *e*Europe Award themes for the year 2003?

For the coming year, Mr Liikanen has announced two awards:

The first Europe Awards for eHealth will be presented within the framework of the Ministerial Conference "*e*Health 2003: ICT for Health" – scheduled for 22-23 May 2003 in Brussels, which will be jointly organised by the Greek Presidency and the European Commission. The most successful projects will thus receive an award at this conference. The call for applications closed on 20 February 2003, with the evaluation taking place in early March. It has been a great success, with more than 170 applications from all over Europe. The number of applications and the wide variety of projects illustrate the growing interest in *e*Health projects in Europe.

The second *e*Europe Awards ceremony will take place at the follow-up Ministerial Conference to the 2001 *e*Government Conference, which will be jointly organised by the Italian Presidency and the European Commission, on 7-8 July 2003 in Como (Italy).

The call for applications is open until 4 April 2003 at 24:00hrs. Applications should be submitted electronically, in English, via the web-site (www.e-europeawards.org), which can also be used to upload any supporting documents.

The best applicants will receive an award, to be presented by Commissioner Liikanen and the Italian Minister for Innovation and Technologies, Lucio Stanca. For both calls, a certain number of applicants, selected by independent evaluators, will be offered the opportunity to give a demonstration at the respective high-level conference to an audience of Ministers and other senior decision makers from European ministries and public services.

Four award competitions will take place between 2003 and 2005.

What does the *e*Europe Awards consist of?

- The Call for applications is the request for solutions to be submitted on-line. The guidance notes, eligibility criteria etc. can be consulted on the *e*Europe Awards web-site.
- The Award(s) refers to the physical award(s) or prize(s) to be presented for the best submissions as judged by the Evaluation Committee on the basis of the information provided by the applicants.
- The Awards Ceremony will take place on the occasion of a high-level conference and will be hosted by the European Commission Information Society Directorate-General and the Council Presidency. The award(s) will be presented to the selected winners by Commissioner Erkki Liikanen.
- The Conference is a two-day event hosted by the European Commission Information Society Directorate-General and the Council Presidency. Participation is by invitation only and all arrangements will be handled by the Information Society Directorate-General and the Council Presidency.
- The Exhibition will take place alongside the conference and includes exhibitions and demonstrations by invited participants as selected by the Evaluation Committee on the basis of the received applications. Stands will be provided and an Exhibition Catalogue will be published with details of all submitted eSolutions and relevant contact details. The Exhibition will be hosted by the European Commission Information Society Directorate-General and the Council Presidency, which will also handle invitations and other practicalities.

At what themes is the *e*Government call particularly targeted?

- The role of *e*Government in European competitiveness;
- A better life for European citizens;
- European, Central and Local Government *e*Cooperation and Public *e*Services.

The role of eGovernment in European competitiveness

The focus here is on how *e*Government underpins and promotes European competitiveness. As a major player

in the European economy, government has a unique role and responsibility, not just as a consumer and developer of ICT and an effective and efficient provider of a whole range of necessary services, but also in ensuring that high quality *e*Services are made available to support the development of a competitive knowledge-based economy. *e*Government can, in this way, contribute directly to the enhancement of European job creation, productivity and overall competitiveness.

A better life for European citizens

ICT can increase the scale, scope and quality of access to government services and thus promote participation and inclusion in policy making and implementation, plus generally improve the quality of life for citizens, households and families. The principle of access for all is an important policy objective of the EU as well as of national and regional government authorities. This includes tackling the digital divide between citizens and businesses with and without appropriate access and skills.

European, Central and Local Government* e*Cooperation and Public* e*Services

The focus here is on public eServices that already – or show the clear potential to – cut across different government levels (European, national, regional, local) and/or different types of government units (departments, authorities or agencies), to promote joined-up and borderless government. Examples include services that are already at – or could be extended to – cross country/regional level (e.g. administration, education, job searching, procurement, etc.), or networks of excellence centres already with – or which could have – a cross country/regional dimension (e.g. transport/environmental centres, authentication mechanisms that could be adopted at pan-European level, etc.).

What are the overall objectives of the *e*Europe Awards project?

The overall goal of the project is to launch and organise the *e*Europe Awards for Innovation in *e*Government for the years 2003 to 2005, making them a driving force in the identification and promotion of excellence and creativity in the public sector within an enlarged European Union. The awards scheme will be closely related to the *e*Europe initiative. Through 4 awards, the project aims to highlight, disseminate and promote the efforts made by local, regional and European administrations in using ICT to improve the quality and accessibility of their public services and to support mutual recognition and the adoption of best practices. By offering recognition, the awards will show that governments can improve the quality of life for citizens and increase public trust in governments.

For further information, on-line applications and the helpdesk, please refer to the eEurope Awards web-site www.e-europeawards.org, where you can also subscribe to the "news service".

NOTES

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Preventing Illegal Immigration: Reflections on Implications for an Enlarged European Union[1]

Cláudia Faria
Lecturer, EIPA

Summary

This paper reflects the implications of enlargement for the EU's migration policy, particularly for the fight against illegal immigration, the management of external border controls, and the application of the Schengen acquis after accession. Structural and procedural problems that might be aggravated after enlargement are also analysed.

I. The Framework

The fight against illegal immigration has been a priority for previous Presidencies of the Council of the EU, as it also is for the Greek Presidency. Illegal immigration is a matter of major concern for most Member States of the EU; Greece, with its particular geographical situation and its maritime landscape dotted with thousands of islands, has a justifiable interest in the management of external border controls and the fight against illegal immigration.[2]

Recent polls of EU citizens[3] have shown that freedom and security rate high in their concerns. Immigration involves both freedom of movement (in the area without internal border controls of the so-called Schengen Member States) and security (due to the fact that immigration as a whole, and particularly illegal immigration, is still seen today by many as a security issue). Immigration used to be tackled as a technical problem, to be discussed between the Governments of the Member States, but has evolved a global perspective that takes into account its legal, political and social aspects, as well as its strong connection to the Union's external action.

For example, at the Seville Council, held during the Spanish Presidency, immigration was a priority on the agenda; the Presidency and the United Kingdom proposed that economic "sanctions" should be taken against third countries which would not comply or co-operate with the EU's policy on the prevention of illegal immigration.[4] However, other Member States strongly opposed this proposal, arguing that it would affect human rights issues and that it would be difficult to impose it on third countries; the final text approved makes reference to a possible review of relations with third countries which don't co-operate with the EU on migration issues.[5] Following the Seville Council Conclusions, the European Commission presented on December 2002 a Communication on the integration of migration issues in the EU's relationship with third countries.[6]

Another interesting illustration of this evolution was the proposal to create an inter-pillar[7] high level group to discuss migration and to address its root causes and implications in a horizontal, comprehensive way: not only concentrating on repressive measures, but also on integration, information, external policy, co-operation with third countries and development aid.[8] Well-intentioned though this initiative was, it had limited practical results due to difficulties in implementing the measures approved; in fact, those measures implied that migration policy should be integrated into the Union's foreign policy and development policies. In addition, the co-operation of third countries in implementing the proposed action plans was vital, but was rather difficult to accomplish, since the target countries of the action plans regarded this as a unilateral application by the EU.

To understand the phenomena of the fight against illegal immigration and the EU's immigration policy today, we have to bear in mind that Europe was traditionally an *emigration* area. Today most Member States still have very large national communities living abroad, either in other Member States or in other continents of the world, notably North America and Australia. This traditional culture of emigration might explain how difficult it has been in recent decades for EU countries to recognise, acknowledge and adapt to the fact that they are indeed, today, countries of *immigration*. In historic terms, this phenomenon is relatively recent and quite dramatic, due to the steady increase of large numbers of immigrants and asylum seekers, and to the problems of illegal immigration and, more recently, trafficking in human beings. However, if the traditional culture of immigration can explain some reluctance to adapt to being a host country, it does not explain very well the difficulties in tackling legal migration and the integration of legal immigrants which, in a coherent migration policy that encompasses the dynamics of inclusion and exclusion, have to be seen as a counterpart of the fight against illegal immigration.

Many still see immigration as a security issue, which must be dealt with through repressive measures and the

strengthening of border controls, and through exchange of information and close co-operation between the Member States. However, many changes have recently taken place in the EU's policies: following a report from the United Nations on world demographic tendencies and projections,[9] a discussion was opened on the need to have a more open immigration policy in Europe, rather than a zero policy, which is no longer justifiable or desirable. This remains valid although a report from the European Commission stated that immigration alone can't correct the effects of an ageing population.[10] Even recognising this much, harmonisation at EU level on this matter is scarce, and the majority of the Member States still maintain restrictive immigration policies and limited measures for the active integration of third country nationals legally as residents in their national territories.[11]

The approach of the EU to the fight against illegal immigration includes measures on border controls, on preventing illegal residence and illegal employment in the territory of the Member States, and on penalties for those who provide aid for illegal immigration and facilitation of unauthorised entry, as well as on a policy for the return of illegal immigrants, based on the conclusion of readmission agreements with several countries of origin and transit.[12] The conditions of entry and residence, the issuing of visas, including family reunification and integration measures, constitute an important part of the EU's migration policy, that should involve a balanced approach between repressive and integration measures.[13]

Further, immigration matters are closely connected with the fight against serious crime, organised and transborder crime, and the fight against terrorism. EU Member States are parties to the United Nations Convention against Transnational Organised Crime that features two additional Protocols, one against the Smuggling of Migrants by Land, Sea and Air and another to Prevent, Suppress and Punish the Trafficking in Persons, especially Women and Children.[14] At the EU level, the strong determination of Member States to fight these forms of crime raised concerns from the United Nations High Commissioner on Refugees (UNHCR) as to the situation of asylum seekers caught in situations of smuggling or trafficking, and the protection of victims of trafficking.[15]

It is in this light that the challenges of **enlargement** vis-à-vis the fight against illegal immigration at EU level have to be analysed.

II. The Challenges

Several factors may indeed have an influence on the current European strategy for tackling illegal immigration after enlargement; they include formal, structural and legal factors, all of which have some bearing on the matter:

1. co-ordination difficulties (in a Europe of 25 national systems, after 2004)
2. shifting of external borders to the east
3. future changes in decision making procedures.

1. Co-ordination after Enlargement

Immigration and the policies of admission and exclusion from the national territories are acutely sensitive issues for the Member States. It is quite paradigmatic that, even though immigration is included, since 1999, in Title IV of the EC Treaty, decisions still have to be taken by unanimous voting on most issues.[16] The difficulty in co-ordinating the extremely different systems that currently exist in the Member States has to be recognised. All Member States have different national systems and structures for analysing asylum requests, for issuing visas and residence permits, for the management of borders and for co-ordinating and exchanging information amongst their national authorities. The need for harmonisation at EU level, for the creation of common systems, common standards and a common approach, has been in some ways curtailed by national difficulties in changing legislation and structures, by pressure from public opinion and by the cumbersome decision making procedures on immigration issues at EU level.

If co-ordination and harmonisation face insurmountable difficulties today, how will work progress in a Europe of 25?.[17] Candidate Countries have been changing their legislation, structures and procedures in line with the complex 'acquis communautaire', in order to adapt them to EU standards – but will it be enough?.

Let's take as an example the management of external border controls, an area where good coordination and exchange of information is vital: border control authorities in the Member States range from military bodies to civil services, from paramilitary structures to police forces. In some countries, different entities are in charge of land, maritime and air borders. In others, several entities are involved and competencies are divided between immigration controls and border patrols. The complexity of the structures, procedures and entities involved might have contributed for the delay in creating a European Border Guard: a proposal that was, after initial enthusiasm, left for the longer term.[18]

Another problem of co-ordination concerns the exchange of information. The Member States cooperate closely on exchanging information on migration flows, specifically through the Council working group CIREFI (Centre d'information, de réflexion et d'échanges en matière de franchissement des frontières et d'immigration) – this will become even more complex with 10 new countries joining, making it essential to have thorough analyses of the information gathered.

2. External Border Controls to the East

The second factor which could influence the EU's migration policy after enlargement is the shifting of external border controls to the east. The Schengen Agreements gave a new perspective to immigration policies by abolishing internal border controls, creating an area of freedom of movement, and by introducing a system of compensatory measures to cope with a possible increase in organised crime; consequently, external border controls were strengthened, uniform short visas were created and police and judicial co-operation was

stepped up with the introduction of the Schengen Information System. Schengen functioned as a laboratory for the EU Member States and constituted a form of closer co-operation for those who wanted to move more quickly towards the objectives of achieving an area without internal borders and common immigration policies. Also, fines were stepped up for carriers transporting people without appropriate documents, and for aiding illegal immigration.

But Schengen harmonisation is far from perfect: uniform visas only allow for short stays, national visas can be issued for longer periods (making it difficult to control the movement of those citizens holding national visas, since there are no internal border controls), and the situation of long term residents and their rights was not regulated.

The Schengen space pushed away external border controls to an exterior belt, that should be so much stronger as it weakest link.[19] Abolishing the borders altogether would put in peril the whole concept of the State as we know it; this makes the area of freedom of movement an even greater achievement, by managing to push out, to an exterior belt, the immigration border controls of the Member States, and by allowing each one of them to control the entry of third country nationals to the whole Schengen space. It functions as a "ring", whose role is to protect and to divert pressure from the centre to the exterior ring.

On the other hand, the tightening of border controls might lead to an even greater desire to avoid them. In fact, the strengthening of border controls and a strict immigration policy on admission might be a key pull factor for immigrants (if the doors are closing, something worthwhile must be inside), for aid to illegal immigration and trafficking in human beings (the development of organised criminal networks which profit from immigrants desire for a better life) and for the difficulties of the return process (immigrants will be reluctant to leave, since they'll know it will be virtually impossible to return).

As regards enlargement, Member States concerns have been identified primarily as:

- On the one hand, that the freedom of movement and the lifting of internal border controls will lead to a migration flow from candidate countries to current Member States, swamping the labour market.

From an historical perspective, and analysing previous enlargements, there is apparently little justification for this fear; there was no massive influx to other Member States in the past – indeed, quite the contrary. Added to the fact that economic conditions improved in the new Member States, an important psychological factor for citizens of the new States is acknowledging their right to freedom of movement and establishment, rather than actually exercising this right. The European Commission confirmed that the effect would be limited and more cross-border mobility can be expected initially, from east to west, even if some countries will be more affected than others.[20]

- On the other hand, concerns of an influx of illegal immigration from third countries to the east are connected with the need for integrated border management, for teams of joint border controls and also for burden sharing, both financial and operational.

The Candidate Countries will in the future also apply the Schengen "acquis", in full, and have been preparing for the lifting of external border controls through legislative, operational and technical measures. Internal border controls will not be automatically removed after accession; this depends on the evaluation of the standards and the compliance with the "acquis" by the Schengen Evaluation Committee[21]. Enlargement can also bring additional complexities to this area due to geographical factors (neighbouring countries, the extent of the candidate countries' land borders), structural factors (decision making, voting) and solidarity (the burden sharing proposed for border control measures).

3. Decision Making Procedures

The restructuring of this area of complex decision making, where decisions taken are not applicable to all Member States (there are opt outs from Title IV for the UK, Ireland and Denmark) and where different legal instruments apply,[22] not all of them legally binding and not all with direct effect, is urgent.[23] Even if, in principle, the co-decision procedure will apply after the five-year transitional period, this will not be automatically effective and will need a decision taken unanimously by the Council, in each and every area. Therefore, it is not yet known to which areas the codecision procedure and qualified majority will apply. The Treaty of Nice, which recently entered into force, anticipated the application of co-decision and qualified majority voting for some areas.[24]

Another important element is the fact there there will be no opt outs for the candidate countries, as regards Title IV TEC or the application of the Schengen acquis – both will apply fully and without exceptions such as those which are currently valid for three Member States, according to the respective Protocols annexed to the Treaty of Amsterdam.[25]

The Convention on the Future of Europe (Working Group X, on Freedom Security and Justice) studied in detail the problems involved, both at the level of simplifying the instruments and integrating the area into a "pillarless" structure that would take into account some particularities, and at the level of reviewing decision making procedures and the underlining principles of this policy area. The final report from Group X (CONV 426/02, of 2 December 02) revealed divisions on some controversial proposals, which were left for the European Convention to decide upon and address in a wider context.[26]

However, the results that will come out of the European Convention are directly relevant to this area: if the pillar structure is abolished, migration policy as well as police and judicial cooperation in criminal

matters will be integrated into a coherent structure. It remains to be seen whether co-decision will apply, and what exceptions and specific conditions will be taken into account for some policy areas.

Conclusions

The accession of the Candidate Countries (10 in the near future) will certainly have an impact on the EU's migration policies, as it will undeniably have in other areas of Community action. The most visible impact will be the shifting of border controls to the east (when Schengen is applied), as well as the increased external land border of the EU.

A problem might arise if neighbouring Candidate Countries start applying Schengen at different times, and consequently remove internal border controls at different moments in time, which might call for a co-ordinated regional approach, in order to save efforts and resources.[27, 28]

In general, the impact of enlargement should be considered positively, taking into account the considerable efforts put into place, on one hand, by the Candidate Countries in order to be ready and comply in full with the acquis, and on the other hand by the EU (both the Commission and the Member States) through several training and twinning programmes[29] in support of those efforts. Further, the reforms that are taking place at EU level and through the European Convention and its Forum lead to expectations of improvement on the clarity, efficiency and restructuring of the decision-making procedures.

NOTES

1 Paper adapted from a speech on "The EU's response to illegal immigration as a potential factor of instability in the enlarged European Union", given at an advanced training seminar for the members of 'Team Europe' (European Commission) on "Justice and Home Affairs in the European Union: towards the creation of a common area of freedom, security and justice", Brussels, 29 November 2002.

2 The Greek Presidency's message starts with a mention to the right to security ("Our message reflects our objective of promoting a community of values which recognises the citizen's right to security, democracy (…)") and further refers to "The Union's policy on immigration, asylum and the management of external borders (…)" as "one of the most important priorities of the Greek Presidency.". Immigration figures as the 3rd priority in the Presidency's list, with a focus on the social and economic integration of legal immigrants, as well as on the control of illegal immigration. Link to the Presidency's website: www.eu2003.gr

3 Link to Eurobarometer's website: http://europa.eu.int/comm/public_opinion/

4 This would particularly affect countries of origin and of transit of immigrants and asylum seekers.

5 The Seville Council's Conclusions nºs. 33 to 36 refer to the Integration of immigration policy into the Union's relations with third countries. The Council urged that any agreement between the EU/EC and any country "should include a clause on joint management of migration flows and on compulsory readmission in the event of illegal immigration." It highlighted "the importance of ensuring the cooperation of countries of origin and transit in join management and in border control", adding that the "Union is prepared to provide the necessary technical and financial assistance". Further, the European Council considered necessary "to carry out a systematic assessment of relations with third countries which do not co-operate in combating illegal immigration" and emphasised that "inadequate co-operation by a country could hamper the establishment of closer relations between that country and the Union". Finally, in case of unjustified lack of co-operation, the Council may adopt measures under its external policy and other policies.
Link to the Seville Council's Conclusions: http://europa.eu.int/

6 Link to the text in http://www.ecre.org/eu_developments. The Commission is also planing to present a proposal for a regulation establishing a legal base regarding cooperation with third countries in the area of migration (in "Biannual update of the scoreboard to review progress on the creation of an area of "freedom, security and justice" in the European Union", COM(2002) 738 final, 16.12.02).

7 Inter-pillar in the sense that it did not only pertain to Third Pillar issues (Justice and Home Affairs), but also to Second Pillar (External Policy) and even First Pillar (for example, development aid). This approach focuses on the overall root causes of migration pressure and presents global inter-pillar proposals for solutions.

8 The High Level Working Group on Asylum and Immigration, created in December 1998, by the General Affairs Council of the EU, initially drew up action plans for five countries: Afghanistan and the region, Iraq, Morocco, Somalia and Sri Lanka.

9 United Nations Secretariat – Department of Economic and Social Affairs – Population Division, *Replacement Migration: Is it a Solution to Declining and Ageing Population?*, 21 March 2000. According to this report, an average annual net migration of 857.000 persons would be needed in order to prevent the decline in EU's population, in the next 50 years.

10 The Commission's Report on "*The Social Situation in the European Union 2002*", http://europa.eu.int/comm/

11 The European Council of Tampere, specially dedicated to Justice and Home Affairs and held under Finish Presidency, in 15/16 October 1999, called for the fair treatment of third country nationals who are legally residents, in particular long term residents, stating that a "more vigorous integration policy should aim at granting them rights and obligations comparable to those of EU citizens" and acknowledging the need for approximation of national legislations on the conditions for admission and residence (numbers 18 to 21 of the Presidency's Conclusions)

12 Vide the European Commission's Green Paper on a Community Return Policy on Illegal Residents, COM (2002) 175 final, 10.04.02 and the recent Council Directive 2002/90/EC of 28 November 02, defining the facilitation of unauthorised entry, transit and residence, OJ L328/17, 5.12.02.
Link to the document: http://europa.eu.int/eur-lex/

13 The Council recently reached an agreement on a Directive on the right to family reunification for third country nationals who reside lawfully in an EU Member State, the first community legal instrument to be adopted in the area of legal migration (28.02.02); see site www.europa.eu.int

14 The Convention and its Protocols were adopted by resolution A/RES/55/25 of 15 November 2000, of the UN General

Assembly, signed in Palermo, and is not yet in force. More information on the texts, background and signatory states in website http://www.undcp.org/

15 In this context, the EU approved Council Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings [Official Journal L 203, 01.08.2002]. Link to the document: http://europa.eu.int/scadplus/
See also the proposal for a Council Directive on the short-term residence permit issued to victims of action to facilitate illegal immigration or trafficking in human beings who cooperate with the competent authorities (COM(2002) 71 final, 0043/CNS).

16 With the exception of certain aspects of visa policy, to which qualified majority already applies (article 67 TEU). The Nice Treaty, that entered into force on 1 February 2003, amended article 67 TEU and introduced qualified majority for other areas, under certain conditions (OJ C 80/1 of 10.03.01).

17 Reference to 25 members based on the "green light" given by the Commission to 10 candidate countries for accession in 2004.

18 Vide the Communication from the Commission to the Council and the European Parliament on a Common Policy on Illegal Immigration, COM (2001) 672 final, 15.11.01 and the Communication from the Commission to the Council and the European Parliament of 7 May 02, Towards integrated management of the external borders of the Member States of the EU (COM (2002) 233). See also the final report of the feasibility study for the setting up of a European Border Police, under italian leadership, on www.statewatch.org/news/2002/sep/Euborderpolice.pdf.

19 "The European Union's external borders are still sometimes seen, rightly or wrongly, as the week link in the chain, affecting the member states' domestic security, particularly in an area without internal frontiers. And in all the opinion polls concerning the prospect of enlargement, the public are reminding us of the need to preserve or better still raise the level of domestic security in the EU. As I see it, the time has come to adopt a consistent common approach in close cooperation with future member states." – António Vitorino, Justice and Home Affairs Commissioner, in New Europe – The European Weekly, Nº 509, February 23 – March 01, 2003, http://www.new-europe.info/May2002.htm.

20 See note 10 above.

21 This Committee was set up by the Schengen Executive Committee "to establish whether all the preconditions for bringing the (Schengen) Convention into force in a candidate State thereto have been fulfilled and secondly to ensure that the Schengen acquis is properly applied by the States already implementing the (Schengen) Convention, notably by pinpointing problems and proposing solutions." (Decision of the Executive Committee of 16/09/98, setting up a Standing Committee on the evaluation and implementation of Schengen, SCH/Com-ex (98)26 def., published as part of the Schengen acquis as defined by Council Decision 1999/435/EC of 20/05/99, in OJ L239, 22/09/00). The Evaluation Committee will verify that "all of the preconditions for the practical application of the Schengen Convention and the abolition of checks at the internal borders have been fulfilled."

22 Although migration policy is now communitarised, some issues like for example trafficking in human beings are relevant both to the fight against organised crime (under the Third Pillar, having it's legal basis in Title VI of the TEU) and to the prevention of illegal immigration (under the First Pillar, having it's legal basis in Title IV of the TEC); instruments approved under the remaining Third Pillar (Police and Judicial co-operation in criminal matters) are Decisions, Common Positions, Framework Decisions and Conventions.

23 The positions of Denmark, and of the UK and Ireland are detailed in the respective Protocols annexed to the Amsterdam Treaty, as well as in the Protocol that integrated the Schengen acquis in the EU.

24 See note 16 above.

25 See note 23 above.

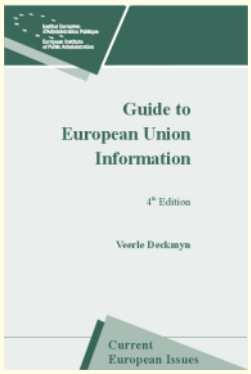
26 Link to the Final Report at http://register.consilium.eu.int/ and to other documents produced by Working Group X at http://european-convention.eu.int/

27 The removal of internal borders controls is not automatic after accession, but depends on the verification of the conditions associated with the Schengen "standards" and the full compliance with the acquis, which will be accessed by the Schengen Evaluation Committee in each Candidate Country (see note 21 above).

28 In practice, a former border of a Candidate Country with another Candidate Country may become an external border of the EU and, after a period of time, become an internal border, when the other Candidate Country is also ready to apply Schengen and remove internal border controls. This involves costs for equipment and human resources alike. The Nordic Countries, for example, applied Schengen at the same time, in March 2001, in order not to disrupt the Common Travel Area that already existed between them.

29 As the PHARE programme (http://europa.eu.int/comm/enlargement/pas/phare/), a pre-accession instrument financed by the European Communities to assist the applicant countries of central Europe in their preparations for joining the European Union, and the ARGO programme (Council Decision 463/EC of 13 June 2002, OJ L161, 19/06/02), an action programme for administrative cooperation in the fields of external borders, visas, asylum and immigration, that supports projects in which Candidate Countries participate. ❑

Guide to European Union Information
4th Edition *



The aim of this guide is to help readers find their way through the maze of information published by the European Union.

The guide focuses on "primary" information produced by EU Institutions. It includes a section on online information, a breakdown of decision-making processes with their information sources, a guide to document citation and a list of useful contact points.

The guide is of interest to all involved with EU information.

* Veerle Deckmyn, EIPA 2003, 75 pages
ISBN 90-6779-175-X: € 20.00
French and German versions forthcoming

Civil Services in the Accession States: New Trends and the Impact of the Integration Process *

This publication by Danielle Bossaert and Christoph Demmke compares the structure and organisation of civil services in the accession states. The objective of this project is to highlight common and divergent trends in the development of their civil services, with a particular emphasis on civil service law.

Following a brief assessment of the reform process in the accession states, the authors examine whether (and how) these countries are guided by one or more civil service models from the EU Member States as well as the extent to which it is possible to classify the models as career or position systems. The main part of the research analyses the structure and organisation of the civil services in the accession states. The purpose of this is to compare the specific and material aspects of national civil service law and administrative structures in these countries (e.g. the definition of public service and employment relationships, recruitment criteria, control and competency issues in personnel management, working time, staff appraisal, pay, mobility, training, etc.).

Next, the authors conduct an analysis of the effects of the European integration process on the administrations of the accession states, examining whether their civil services meet the requirements of Community law pursuant to Article 39 (4) of the EC Treaty (free movement of workers and the clause excluding the public service) and Articles 136-141 of the EC Treaty (the "equality chapter"). The study concludes with an examination of the future challenges facing the civil services of these countries.

* Danielle Bossaert and Christoph Demmke, EIPA 2003, 107 pages
ISBN 90-6779-173-3: € 21.00

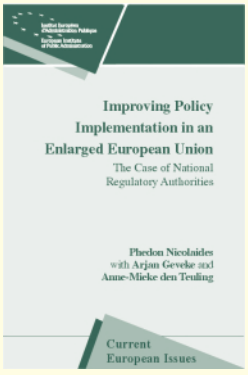
From Luxembourg to Lisbon and Beyond: Making the Employment Strategy Work *

How well is the European Employment Strategy working? How can we improve it for the future? Five years after it was created at Amsterdam and Luxembourg, and two years after it inspired the Open Method of Coordination at Lisbon, fundamental questions are now being asked about this new kind of non-binding policy coordination. This approach has allowed the EU to move ahead gradually in sensitive areas through mutual learning and the convergence of national policies around common guidelines rather than by legal harmonisation. And it seems to have contributed to some improvement in the employment performance of labour markets. Yet there are concerns and doubts. How can the procedure and the guidelines be simplified? Can benchmarking and peer review achieve effective convergence or policy learning? How can one enhance the participation of the social partners and the host of interested actors at national, regional and local levels? Should there not be a role for the European Parliament? Both the achievements and the problems are presented in this new book, which brings together leading practitioners and academic specialists to reflect on the challenges which must be faced if the enlarging Union is to make this new form of governance work.

"With the arrival of the single currency, it is all the more necessary to place the question of employment high on the European agenda. Even if the European Employment Strategy has succeeded in stimulating job creation by applying 'convergence stress' on the Member States, it must be recognised that the results of the strategy are still mediocre. Against this background, this book is a very timely contribution to an in-depth and open discussion of the Luxembourg process."
Jean-Claude Juncker, Prime Minister of Luxembourg

* Edward Best and Danielle Bossaert (eds), EIPA 2002, 127 pages
ISBN 90-6779-170-9: € 27.20, Only available in English

Improving Policy Implementation in an Enlarged European Union: The Case of National Regulatory Authorities *



The European Union faces a problem of uneven implementation of its rules by national authorities. Agreement on common rules at the Community level does not necessarily translate into commitment to apply those rules coherently and effectively. This "implementation deficit" will worsen as new members enter the Union because the European Commission is unlikely to be able to maintain the same vigilance as guardian of the Treaties.

This study argues that effective policy application and enforcement depends on national authorities that are empowered, sufficiently independent and fully accountable. Excessive political control either by the Member States or Community institutions is counter-productive. This is because implementing authorities need to maintain a degree of autonomy and discretion to be able to respond to changing market conditions. It is for this reason that accountability instruments are indispensable. They restrain discretion without sacrificing flexibility.

This study examines the institutional arrangements in Member States and candidate countries for national regulatory authorities (NRAs) and considers how they may be made more accountable. It proposes performance appraisals and peer reviews.

Peer reviews can also be carried out at the European level. But they should be widened in order to identify best practices and national methods of problem solving. In this way, NRAs, and especially NRAs in the future Member States, will learn from each other. This learning is indispensable to counter-balance the decision-making independence of NRAs. It can stimulate a healthy competition of ideas that will contribute to regulatory convergence and consistent application of EU law without regulatory ossification and inflexibility.

* Phedon Nicolaides with Arjan Geveke and Anne-Mieke den Teuling, EIPA 2003, 117 pages
ISBN 90-6779-174-1: € 21.00, Only available in English

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Seminar

"Who's Afraid of European Information?" **16-18 June 2003**

The aim of this seminar is to provide those working in the field of European affairs on a daily or occasional basis, with the skills to trace and use European documents, by offering them a complete overview of major European information sources, and methods of gaining access to it.

Training Course

"Mastering the CELEX Database – EXPERT" **2-3 October 2003**

This practical training session is meant for those who are already familiar with the CELEX Menu system and who would like to get to grips with advanced and combined search strategies.

Conference

"Keep Ahead with European Information" **20-21 November 2003**

This conference is aimed at experienced European information professionals. It will look at new and important issues, products and services of interest to those who work with European information on a daily basis.

Seminar

"The European Union – Know the Essentials and Find Information" – A seminar for translators **10-12 December 2003**

This seminar is primarily aimed at translators with German as a source or target language, who in their work are faced with texts for which they have to acquire an understanding of the European Union and its decision-making processes, or who would like to get some training in this area of translation.

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International Conference

The Contribution of Information and Communication Technologies (ICTs) to Representative Institutions: *e*Democracy

Bilbao (E), 3-4 April 2003

The progress of ICTs and their impact on political life and the construction of new forms of participation and intervention in public matters is the subject of numerous analytical seminars. The rapid development of these technologies offers new opportunities in the design, planning and implementation of public policies and facilitates free and simple access for those citizens who have overcome the so-called "digital divide".

This conference, which is jointly organised by the European Centre for the Regions, EIPA's antenna in Barcelona, and the Basque Parliament (Eusko Legebiltzarra) proposes to analyse the impact of ICTs on representative institutions. This is why the term *e*Democracy has been opted for rather than the more general term of *e*Government. During the two-day conference, a general framework for the issue will be established by prestigious theoreticians. European regions will present models of best practices and municipalities will present initiatives for *e*participation in the decision-making process. Finally, the importance of the European dimension and its initiatives will be examined.

The conference will be open and is of particular interest to those holding public office, particularly those elected by the public, the responsible politicians and experts in the institutions in which political debate takes place (municipal councils, autonomous governments, parliaments), sociologists, journalists, companies and experts working in the area of ICTs, members of political parties and, in general, citizens interested in participating in public matters.

Participation is **free** thanks to the sponsorship of the Basque Parliament and includes documentation, refreshments and a certificate of attendance. The conference, which will take place at the Guggenheim Museum, is open to all Europeans.

The working languages will be English, Spanish and Basque, and simultaneous interpretation will be provided throughout the programme.

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Seminar

Hospital Management: Public, Private or Mix?

Milan (I), 4 April 2003

Objective

The European Training Centre for Social Affairs and Public Health (CEFASS), the Milan Antenna of the European Institute of Public Administration (EIPA), is pleased to announce a one-day seminar on hospital organisation.

Are there different ways of managing a hospital? This is the question that the seminar will address. The hospital sector is often regarded as a "pachyderm", difficult to manage and change. Indeed, its complex structure makes it hard to bring about any change in its organisation. It should be pointed out, however, that the key element of any human system is the people that make it up. Any change to be introduced has to modify what is already in place, and therefore has to overcome the entrenched habits and culture of the context.

Over the last years, some interesting changes have taken place within certain hospitals, introducing quite radical new ways of operating, while they seek to attain a new equilibrium to manage their activities. The search for new managerial solutions is a consequence of the resource constraint that characterises the health care sector and demands more efficiency.

The seminar is an opportunity to learn about some of these changes and about the difficulties and reasons that induced, for example, a public hospital to have a completely private management. Attention will also be paid to private hospitals providing care to the public. The seminar will therefore be an occasion to hear about different possibilities of efficient management that can be found within the hospital sector providing care to the public.

The seminar should give you the opportunity not only to learn about these experiences but also to actively interact with the speakers, as all presentations will be followed by an open discussion during which you can voice your comments and questions. At the same time, you will be able to meet colleagues from various European regions and with different experience.

Target group

The seminar is targeted at people involved in hospital organisation (e.g. hospital managers).

The maximum number of participants is 20.
The working language of the seminar will be English.

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Seminar / Séminaire

Human Resource Management

Improving Performance in the Public Sector – Ways and Means

Maastricht (NL),
14-15 April 2003 / *les 14 et 15 avril 2003*

Objective

This seminar will focus on two main themes, namely measurement of performance and methods for improving performance. Everyone knows that "what gets measured gets done", but what if you select the wrong performance indicators? Performance-related pay is a relatively new phenomenon in the public sector that focuses on motivating individuals by providing additional rewards for additional output. But what happens to existing intrinsic motivators and the ethos of public service for its own sake? Communication and participation are increasingly seen as mechanisms for improving performance, but are we doing it properly? What about managing underperformance? The themes will be approached from both a practical and an analytical perspective by speakers with a background as practitioners, academics or consultants.

The seminar is aimed at an international audience of public officials working in the field of HRM, as well as other interested persons from e.g. trade unions and universities or research establishments dealing with HRM in the public service. The seminar will also provide an opportunity to meet people from other countries and to discuss matters of common interest.

Objectif

Ce séminaire sera centré sur deux thèmes principaux: la mesure de la performance et les méthodes visant à améliorer la performance. Tout le monde sait que "tout ce qui est mesuré est réalisé". Cependant, que se passe-t-il si l'on sélectionne les mauvais indicateurs de performance? L'une des approches pour reconnaître et récompenser les bonnes performances est la rémunération à la performance. Il s'agit d'un phénomène relativement nouveau dans le secteur public, qui consiste à motiver les membres du personnel en leur offrant une récompense supplémentaire pour une meilleure performance. Mais qu'en est-il des motivations intrinsèques et de l'éthique de la fonction publique? La communication et la participation sont de plus en plus considérées comme des moyens d'améliorer la performance, mais adoptons-nous la bonne approche? Qu'entend-on par "gérer la sous-performance"? Les thèmes seront abordés sous un angle pratique et analytique par des orateurs expérimentés, comprenant des praticiens, des universitaires et des consultants.

Ce séminaire à dimension multinationale s'adresse aux fonctionnaires travaillant dans le domaine de la GRH, ainsi qu'à toute personne intéressée notamment au sein des organisations syndicales, des universités ou des instituts de recherche. Il offre une occasion privilégiée de rencontrer des participants d'autres pays et d'ouvrir le débat sur des thèmes communs.

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Seminar

The Efficient Management of the EU Structural Funds

Maastricht (NL),
16-17 April 2003, 2-3 October 2003

The European Institute of Public Administration (EIPA) is organising two seminars on the theme "The Efficient Management of the EU Structural Funds". These seminars will take place on 16-17 April and on 2-3 October 2003 at EIPA's premises, located in the centre of Maastricht, the Netherlands. The seminar will be conducted in English; simultaneous interpretation into German will be provided if there are a sufficient number of participants who require it.

The objective of this seminar is twofold: (1) to bring together practitioners at European, national and sub-national level as well as academic experts in order to share experiences and identify cases of good practice in the management of EU Structural Funds; (2) to discuss possibilities to streamline administrative procedures in view of the next reform of the Structural Funds.

The speakers at the seminar will be high-level representatives of the European Commission as well as of various Member States' authorities and prominent academics.

The seminar is intended for practitioners from national and sub-national authorities and other public bodies of the EU Member States and associated countries working with EU structural instruments, as well as for academic experts.

As the seminar will be of a participatory nature, the participants will be strongly encouraged to actively take part in several discussions throughout the entire programme. Moreover, the participants will have ample opportunities to informally exchange points of view related to the topics of the seminar both with the respective speakers as well as among themselves.

For further information and programme, please contact:
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Seminar

Anti-Money Laundering

Maastricht (NL), 24-25 April 2003

The European Institute of Public Administration (EIPA) is pleased to announce a two-day seminar on anti-money laundering. This is one of a series of seminars related to financial services, initiated by EIPA in 2001. As a response to a perceived need within the public administration sector to be informed about issues related to the wider financial sector, the seminars address issues relevant both to the private and to the public arenas.

Money laundering is the process by which one conceals the existence, illegal source or illegal application of income, and then disguises that income to make it appear legitimate. Laundering of criminally derived proceeds has become a lucrative and sophisticated business, and is an indispensable element of organised criminal activities. Many means are used for this purpose, and the launderers are using increasingly sophisticated techniques to blur the divide between legal and illegal or criminal business. Legitimate enterprises are used to obscure the sources and provenance of criminally derived money. "Clean" money appears in the form of new investments, or other financial instruments, and can be used for a myriad of purposes. Since the terrorist attack of 11 September 2001, the focus has increasingly been drawn to the financing of terrorism throughout the world. This seminar will address new and existing worldwide cooperative efforts to combat money laundering and the need for increased cooperation and exchanges of information between the public and the private sectors and between countries. Furthermore, it will focus on recent developments in European legislation, enforcement and current policies in the light of the global impact of terrorist attacks.

The speakers will include representatives from the European institutions, the OECD's Financial Action Task Force on Money Laundering and national Financial Intelligence Units.

The following topics will be covered:

- what is money laundering and the scale of the problem;
- how to fight the financing of terrorism;
- enforcement and regulatory resources to tackle money laundering;
- increasing investigation and prosecution of money-laundering organisations and systems;
- increasing public-private cooperation and improving the exchange of information;
- increasing coordination of law enforcement;
- the role of multilateral initiatives, and cooperation through the Egmont group;
- the role of financial institutions (banks), and efforts to improve corporate governance standards.

The seminar is targeted at those involved in anti-money laundering efforts: in the private sphere, within financial institutions, those responsible for compliance and reporting; and in the public sphere, those responsible for the enforcement and implementation of regulations.

The seminar will be held in English.

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Seminar

The Implementation of European Environmental Legislation

The Strategic Environmental Impact Assessment Directive (2001/42/EC)

Maastricht (NL), 15-16 May 2003

On the way to 2004
Member States and regions are currently busy with the implementation of Directive 2001/42/EC on the environmental impact assessment of plans and programmes. They will adapt existing and adopt new internal rules so as to comply with this Directive before 21 July 2004. The seminar will discuss the quality of the Directive against the background of the implementation activities in several Member States where guidance documents have already been developed, as well as the work of the European guidance group which has been drafting a document to provide a framework for the national activities.

Content
Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (SEA Directive) aims to achieve greater integration of the environment in sectoral policies – a fundamental objective of the Treaty of Amsterdam – whilst exacting a minimum assessment of the plans and programmes that are likely to have an environmental impact before they are approved.

Target group
The seminar will bring together officials from the EU Member States and the candidate countries to discuss the individual challenges at national and regional level. Presentations on national practices will be followed by intensive workshops in order to exchange experiences.

Topics
The seminar will focus on some of the challenges of the implementation exercise such as for instance devising objectives for SEA, screening, consideration of alternatives, the link to other plan and programmes, monitoring of the process and public participation.

Working language
The seminar will be held in English.

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Seminar

The Presidency Challenge

The Practicalities of Chairing Council Working Groups

Maastricht (NL), 15-16 May 2003

The European Institute of Public Administration (EIPA) in Maastricht (NL) is pleased to inform you that it is organising a seminar entitled "The Presidency Challenge". This seminar will take place in Maastricht on 15-16 May 2003.

Objective

The Presidency plays a central role in managing the formulation of Council decisions. A successful Presidency depends in particular on the abilities of the working party chairmen and their teams to ensure momentum and achieve results in a complex multinational arena.

The objective of the programme is to discuss and analyse the role of chairmen and national delegates as well as the practical details involved in managing Council working parties. Moreover, it discusses the relationship between the Presidency and the institutions and provides a forum for debate on the context and preparation of the Presidency.

Finally, it offers an opportunity to participants to discuss their future work with each other, with representatives from the EU institutions and with officials who have had recent experience in chairing working parties.
The seminar is deliberately interactive and consists of a mixture of simulations, workshops, case studies and lectures.

Target Group

The programme is aimed at Member States that will chair the Council in the run-up to 2006. These are Italy, Ireland, the Netherlands, Luxembourg and the United Kingdom. We will try to balance the number of participants from the different Member States. To ensure an interactive working environment we have limited the number of participants to 25.

Ideally, participants will be future working party chairpersons, members of the teams of chairpersons and national delegates. The focus of the seminar is on the first Pillar.

The working language of the seminar will be English.

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Seminar

Gender Mainstreaming of Public Policies

From Theory to Reality

Organised by
The European Institute of Public Administration (EIPA), Maastricht (NL)
and The European Centre for the Regions, EIPA's Barcelona Antenna (E)

Maastricht (NL), 19-20 May 2003

Gender mainstreaming involves incorporating the gender perspective into all policy areas at all levels. The achievement of gender equality in our societies is therefore not a task attributed to a specialised department or ministry – all those involved in the development and implementation of public policies and programmes have a responsibility to consider their impact on women and men. This undoubtedly creates many new challenges for policy makers and for all those involved in policy implementation.

As last year, the European Institute of Public Administration and the European Centre for the Regions are bringing together policy makers and public managers from all levels of administration, as well as representatives of economic and social organisations, to exchange best practices in the effective implementation of gender mainstreaming of public policies. This seminar will offer the participants an insider's view of various international, national and sub-national experiences in the field of gender mainstreaming and will provide a platform for them to share their experiences through debates in thematic working groups.

The working languages of the seminars will be English and French.

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Understanding Decision-Making in the European Union: Principles, Procedures, Practice

Comprendre le processus décisionnel de l'Union européenne: Principes, procédures et pratique

Maastricht (NL), 12-13 June 2003, 22-26 September 2003, 27-28 November 2003 /
les 12 et 13 juin 2003, les 25 et 26 septembre 2003, les 27 et 28 novembre 2003

The European Union encompasses cooperation in an ever greater number of policy areas. This cooperation is taking place in an ever greater number of different ways, and involves more and more different actors. To understand EU decision-making processes, one cannot only think of a "Community method" in some fields and "intergovernmentalism" elsewhere, nor limit attention to European law. The "open method of coordination" and other forms of soft law are increasingly employed in the social sphere. At the same time, the Union is consolidating cooperation in Justice and Home Affairs and rapidly developing new external capabilities through the common European Security and Defence Policy. In this context, it is increasingly difficult as well as important to be aware of how European cooperation works in the different fields.

These two-day seminars are intended for all those interested in obtaining a broader understanding not only of how the European Institutions are evolving but also of how different types of policy are now being managed. They will be particularly useful for junior public officials and representatives of organisations involved in European programmes, who will be helped to develop rapidly in their specialisation while having a good feel for the bigger picture.

The courses start by presenting the functioning of the European institutions and their interaction in the classic policy cycle, which remains an essential starting point for understanding the Union. The sessions on decision-making in the Community legislative process include a simulation of a Council working party and a case study illustrating the operation of the co-decision procedure, as well as a practical guide to EU documentation on line. Some of the new methods of cooperation will then be examined. Finally, the evolution and operation of the Second and Third Pillars will be examined, including a case study on the European Union's crisis-management capabilities.

The seminars will be held in English with simultaneous translation in French.

La coopération au sein de l'Union européenne touche des domaines de plus en plus nombreux. Réunissant des acteurs très différents, cette coopération se traduit aujourd'hui sous diverses formes. Pour bien comprendre les processus décisionnels européens, on ne peut se contenter de considérer la "méthode communautaire" dans certains domaines et la "méthode inter-gouvernementale" dans d'autres, ni limiter son attention au droit européen. On voit émerger la "méthode ouverte de coordination" et d'autres formes de droit non contraignant sur le terrain social. Dans le même temps, l'Union est en train de consolider la coopération dans les domaines de la justice et des affaires intérieures et de développer rapidement de nouvelles capacités externes à travers la politique européenne commune en matière de sécurité et de défense. Dans ce contexte, il s'avère donc de plus en plus difficile mais nécessaire d'appréhender le fonctionnement de la coopération européenne dans les différentes sphères.

Ces séminaires de deux jours s'adressent à tous ceux qui veulent acquérir une meilleure compréhension des institutions européennes et de leur évolution, et de la façon dont les différentes politiques communautaires sont gérées à l'heure actuelle. Ils seront particulièrement enrichissants pour les jeunes fonctionnaires et représentants d'organisations participant à des programmes européens, qui pourront ainsi bénéficier d'un soutien pour évoluer rapidement dans leur domaine de spécialisation tout en disposant d'une vision plus large.

Les séminaires débuteront par une présentation des institutions européennes et de leur interaction dans le cycle politique classique, point de départ essentiel pour comprendre l'Union. Les sessions consacrées à la prise de décisions dans le processus législatif communautaire comporteront une simulation d'une réunion d'un groupe de travail du Conseil, une étude de cas illustrant le fonctionnement de la procédure de codécision, de même qu'un guide pratique de la documentation européenne en ligne. L'on examinera également certaines nouvelles méthodes de coopération. Enfin, les séminaires s'intéresseront à l'évolution et au fonctionnement du deuxième et du troisième pilier, notamment à partir d'une étude de cas sur les capacités européennes de gestion des crises.

Les séminaires se tiendront en anglais, avec traduction simultanée en français.

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Seminars

Long-Term Care: The Challenge for an Ageing Society

Milan (I), 19-20 June 2003

The European Training Centre for Social Affairs and Public Health (CEFASS), the Milan Antenna of the European Institute of Public Administration (EIPA), is pleased to announce that it is holding a one-day seminar on long-term care.

The scientific and technological progress that followed the Second World War has given individuals a much longer life expectancy than in the past. This appreciable achievement does, however, have certain implications that are seldom taken into account. A longer life expectancy implies a change in the composition of society, as the number of old and very old people increases. This change requires society to adjust to a different age distribution and therefore adapt its care provision. In fact, the old and very old sectors of the population will require a different range of care options, as they are often affected by chronic diseases and higher health risks.

The European Commission has in recent years underlined the importance of long-term care (LTC). The number of old and very old people will steadily increase and reach the highest level when the 'baby boom' generation falls within that age range. In the coming years, LTC will be strictly for the elderly, as it is the population group needing longer, if not constant care.

The seminar will address the problems of ageing, and the consequent need for LTC to be seen as an attempt to improve the quality of care and cooperation between the different health and social services, in order to provide a high quality of life to people in need. The seminar aims to provide an insight into the way that the service is provided in some EU contexts where LTC provision has been established for a long time. At the same time, the seminar will be an occasion to discuss service provision in the participants' countries.

The seminar will give you the possibility to deepen your knowledge of LTC, to learn about LTC provision in other countries and to put your knowledge into practice in your own system, as well as to discuss these and related issues with other participants. The seminar will also be an occasion to meet people involved in your field, helping you to establish connections and network at a broader EU level.

Target group
The seminar is targeted at people involved in LTC organisation and/or provision (e.g. civil servants, health workers).

The maximum number of participants is 20.
The working language of the seminar will be English.

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Eleventh "Schengen" Colloquium

"New Borders, New Networks: *Handling the Expansion of the AFSJ*"

Maastricht (NL), 19-20 June 2003

The European Institute of Public Administration (EIPA) is organising its eleventh annual "Schengen" Colloquium on 19 and 20 June 2003. This event will focus on two key challenges facing the Area of Freedom, Security and Justice which are especially topical in view of current developments in international security.

The first is how to ensure adequate control of the EU's external borders. The Schengen acquis has been formally integrated, but vital work continues to ensure that systems operate properly in practice. This is all the more important in view of the imminent enlargement of the Union to 25 Members, which will create new external borders posing particular challenges. The first part of the Colloquium will therefore focus on the ongoing evaluation process, cooperation in ensuring adequate border control in the future, and management issues related to immigration and visa policies.

The second challenge concerns the internal structures that are being created. In particular, the Colloquium will look at the functioning and competencies of the recently-created EUROJUST unit and its interaction with the European Judicial Network and EUROPOL. What problems have been encountered? What solutions can be identified? And what new issues will these networks face in an enlarged EU?

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Seminar / Séminaire

European Negotiations

Négociations européennes

Maastricht (NL),
23-27 June, 6-10 October, 24-28 November 2003 /
du 23 au 27 juin, du 6 au 10 octobre, du 24 au 28 novembre 2003

This is a practical programme which aims to explore and define the strategies and tactics inherent in negotiations at the European Union level. This programme adopts a twofold approach. On the one hand, progressive simulation exercises will enable the participants to experience genuinely recreated negotiations and transform them into a laboratory to reflect on ways and means of optimising the experience of European negotiations. This programme obviously aims to help participants to improve their negotiation abilities and therefore places emphasis on practical skills development. For this particular purpose, individual performance cards will be drawn up and made available by the trainers. On the other hand, sessions in which debriefing of the simulations will take place will present both theoretical and empirical research on the factors which influence negotiations. Such factors include good preparation, particular techniques of negotiation, cultural patterns, communication skills and personal style. Similarly, the EU context is presented highlighting *inter alia* the institutional intricacies, Council rules of procedure, and the roles of the Presidency, the European Commission and the Parliament in negotiations. Finally, the multinational composition of the group should also offer participants an opportunity to discover together the special dynamics of the European negotiations in this intensive and highly participatory programme.

Ce séminaire, à caractère pratique, vise à explorer et à définir les stratégies et tactiques inhérentes aux négociations à l'échelle de l'Union européenne. La méthode du programme est double. D'une part, des exercices de simulation progressifs permettent aux participants de recréer plusieurs situations authentiques de négociations et de les transformer en un laboratoire où ils pourront réfléchir sur la façon d'optimiser l'expérience des négociations européennes. Ce séminaire est avant tout conçu pour aider les participants à perfectionner leurs talents de négociateurs, et met donc l'accent sur le développement des aptitudes pratiques. A cette fin, des fiches d'action personnalisées seront préparées et distribuées par les formateurs. D'autre part, des sessions d'évaluation des simulations présentent à la fois des recherches théoriques et empiriques sur les facteurs qui influent sur la négociation: la bonne préparation, les techniques particulières de négociation, les traits culturels, les canaux de la communication et le style personnel. Le contexte de l'Union européenne est lui aussi présenté, et en particulier les rouages institutionnels, les règles de procédure au sein du Conseil ou encore le rôle de la Présidence, de la Commission et du Parlement européen dans les négociations. Enfin, la composition multinationale du groupe devrait offrir aux participants une occasion unique de découvrir ensemble la dynamique particulière des négociations européennes dans ce programme intensif et fortement participatif.

The working languages are English and French. Simultaneous translation will be provided.

Langues de travail: anglais et français (l'interprétation simultanée étant assurée).

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Advanced Interactive Workshop

Policy and Legal Developments in State Aid Control

Maastricht (NL), 26-27 June 2003

The European Institute of Public Administration (EIPA) would like to announce a two-day Advanced Workshop on EC state aid policy entitled "Policy and Legal Developments in State Aid Control", which will take place in Maastricht (NL) on 26-27 June 2003.

Objectives

The aim of this Advanced Workshop is to discuss some of the main recent developments in and the future challenges for state aid policy in the European Union. To devise appropriate aid schemes, Member States not only have to ensure accurate interpretation of the EC legal requirements, but they also need a proper understanding of the approach adopted by the Commission. In this respect, case-study analysis and exchanges of experience with officials from the Commission and other Member States are essential.

The Advanced Workshop intends to bring together senior national and Community officials in order to address five major issues:

- Developments in the concept of state aid
- Compensation of undertakings for the performance of services of general economic interest
- Public participation in undertakings
- Fiscal aid
- Preparation of new group exemption regulations

Emphasis will be placed on the presentation of concrete cases, rigorous analysis and informal exchanges of information and experience.

Target Group

The Advanced Workshop should be of particular interest to policy makers and practitioners involved in the formulation and implementation of state aid schemes, as well as to lawyers and business people who have to operate within the scope of the EC state aid regime.

The working language of the Workshop will be English.

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Second Seminar

The European Food Safety Authority

Towards Efficient Risk Analysis: Deveopments So Far and Remaining Challenges

Maastricht, 30 June-1 July 2003

Background

A year ago, the Regulation setting up the European Food Safety Authority (EFSA) was adopted, and EFSA is now on its way to becoming fully operational. As a reaction to the new allocation of competences that this has brought about in the area of risk analysis, some reforms have also already been introduced at national level, creating new or restructuring existing bodies.

The time has come to evaluate the developments that have so far taken place and to identify remaining problems and see where there is scope for further improvements.

In particular, a reinforced and systematic integration of all relevant stakeholders is a key element in ensuring that risk analysis is both efficient and credible:

- Consumers' attitudes and perceptions differ between countries and consumer groups, and can change over time. Knowing what concrete communication strategies are appropriate to aid consumers take informed decisions about food risks is therefore a major challenge. Then there is the additional question of how to integrate consumers within the relevant risk analysis procedures.
- Producers also play a key role in ensuring the "From the Farm to the Fork" approach. This takes into account the possible relevance and integration of companies' own private risk assessments and their impact on the perception of risk and on the decision-making process.

The multinational dimension is gaining in importance as the ongoing WTO negotiations enter a crucial phase: by the end of March, the national terms and conditions for the Agricultural Agreement have to be submitted, and issues related to food safety, common standards, accepted risk assessment procedures and labelling provisions will play a key role.

Objectives of the seminar

The seminar will provide an international forum to analyse the reforms introduced, presented in the form of national case studies. The exchange of experiences with structural reforms in intensive workshops will enable the identification of achievements or of the remaining shortcomings. This will support the responsible representatives in finding an appropriate way to restructure their own authorities.

Target group

- Public officials from national, sub-national and local authorities involved in risk assessment and communication
- Consumer and farm associations
- Representatives from the processing, distribution and retail sectors
- Marketing and communication personnel
- Researchers and experts in the area of food safety.

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Institut Européen d'Administration Publique
European Institute of Public Administration

THE AMSTERDAM MAASTRICHT SUMMER UNIVERSITY

Seminar

A Secure Future for an Enlarged Europe?

jointly organised by
The Amsterdam-Maastricht Summer University (AMSU) and
The European Institute of Public Administration (EIPA)

Maastricht (NL), 30 June-2 July 2003

The European Union is on the verge of radical transformation. The European Convention is expected to conclude by June 2003 and to propose a new constitutional treaty for consideration by the next Intergovernmental Conference. The unprecedented enlargement should enter its final phase in the run-up to accession by ten new members in 2004. Security issues will be high on everyone's agenda, posing new challenges for the EU.

This seminar will provide a forum in which to discuss the fundamental question facing Europe today: of how to help ensure that this leads to "One Europe" which is not only secure in its ability to manage its own affairs with 25 members, but also capable of contributing effectively to security and good governance throughout the continent and beyond?

The sessions will be led by academic specialists and practitioners who are directly involved in these historic processes. The speakers on the first day, which will focus on the results of the Convention, will be Edward Best, Head of Unit 'European Governance and Policy Processes' at EIPA, and Alexander Stubb, a member of the European Commission's Group of Policy Advisers and Task Force on the Convention. On the second day, Simon Duke, Associate Professor at EIPA and specialist on Common Foreign and Security Policy, together with an internal-security practitioner, will address the broad EU security agenda. Finally, the state of the enlargement process will be evaluated by Phedon Nicolaides, Professor of Economics at EIPA and adviser to the Chief Negotiator of Cyprus for accession to the EU, together with Leopold Maurer, Head of Unit in DG Enlargement at the European Commission.

Each day will consist of an introductory overview, followed by a series of structured debates in which all participants are invited to play an active role.

For additional information, the complete programme and registration form,
please visit the AMSU website:
http://www.amsu.edu/courses/law/publ22003.htm

or contact:
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THE NETHERLANDS

Seminar

Committees and Comitology in the Political Process of the European Community

Maastricht (NL),
2-4 July, 16-18 September 2003

Committees play a significant role in the various phases of the political process in the European Community. They participate in designing, deciding and implementing EC policy: expert or advisory committees help the Commission in the process of drafting legislation; Council working parties or committees prepare decisions of the ministers; and in the process of implementation, so-called 'Comitology' committees supervise the implementation of EC law.

The seminar is designed to help civil servants from the Member States and the Community institutions to gain a better understanding of the role these committees play in the policy process both from a theoretical and from a practical point of view. In the first part of the seminar a typology of committees – based on their function in decision-making – will be developed, followed by simulations and case studies of the various types of committees designed to illustrate the role they play in the policy process and the way they operate.

Particular emphasis will be placed on the new rules for Comitology committees as laid down by Council Decision 1999/468 of June 1999.

The combination of theoretical discussions and interactive learning will give participants the opportunity to improve their theoretical and practical knowledge of the work of committees in all aspects of Community policy-making and implementation

The seminar will be conducted in English.

For more information and registration forms please contact:
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Seminar

European Summer School for Policy Makers "Tools and Skills for Policy Making"

Maastricht (NL), 7-11 July 2003

Objective
Successful policy formulation and implementation requires a combination of experience and theoretical insight. For this reason, the newly launched European Summer School for Policy Makers has a dual purpose. Firstly, it aims to familiarise participants with policy-making tools, such as risk analysis and impact assessment, that are increasingly used in different policy fields. Secondly, it will help participants understand how they can apply such tools in the context of the European Union. At the Summer School participants will be able to update their knowledge of how the Union functions and improve their skills in negotiating within EU policy committees.

Method
The European Summer School for Policy Makers takes an interactive and interdisciplinary approach. Formal lectures will be supplemented with case studies and simulations, thus enabling participants to gain a thorough understanding of how the various policy tools can be used to maximum effect. There will also be discussion sessions where participants can learn from each other's experience.

Target audience
As its name indicates, the European Summer School aims to attract middle and senior-level policy makers and managers from across the European Union and the candidate countries. Not only will they benefit by learning about policy problems and solutions in other countries, but they will also appreciate the difficulties in finding common solutions to policy problems.

Organisers and venue
The workshop will take place at the conference facilities of EIPA in Maastricht, the Netherlands.

For more information and registration forms, please contact:
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The Round Table 2003 / Table ronde 2003

Sectoral Policies in European Territories

The Important Role of Regional and Local Actors, Partnerships and Networks

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Les politiques sectorielles dans les collectivités territoriales européennes

le rôle important des acteurs, des partenariats et des réseaux régionaux et locaux

Brussels (B), 15 July 2003 /
Bruxelles (B), le 15 juillet 2003

For the sixth time, the European Centre for the Regions (EIPA-ECR) – the Antenna of the European Institute of Public Administration (EIPA) in Barcelona (E) – in cooperation with the Italian Union of Chambers of Commerce (UNIONCAMERE) and the Conference of Presidents of the Italian Regions and Autonomous Provinces, will bring together political representatives of local and regional authorities, high-profile civil servants – both from sub-national public administrations and from regional and local offices in Brussels –, so they may update their knowledge and freely discuss current issues and policies as well as new challenges facing the regions in today's Europe.

The **2003 Round Table** will be held on **Tuesday 15 July 2003** at the premises of the European Parliament in Brussels (B), with the support of the Committee of the Regions (COR) and the Economic and Social Committee (ECOSOC). The working languages will be English, French, German and Italian, and simultaneous interpretation will be provided.

Le Centre européen des régions (IEAP-CER) – l'Antenne de l'Institut européen d'administration publique (IEAP) à Barcelone (E) – réunira pour la sixième fois, en coopération avec l'Union italienne des Chambres de commerce (UNIONCAMERE) et la Conférence des Présidents des régions et des provinces autonomes italiennes, des représentants et responsables politiques des autorités régionales et locales, aux côtés de fonctionnaires de haut niveau issus à la fois d'administrations publiques de niveau infranational et de leurs bureaux de représentation régionaux et locaux à Bruxelles. Cette réunion sera l'occasion d'une mise à jour de leurs connaissances et d'une discussion à bâtons rompus sur des questions et politiques actuelles, ainsi que sur les nouveaux défis auxquels sont confrontées les régions dans l'Europe d'aujourd'hui.

*La **Table ronde 2003** se tiendra le **mardi 15 juillet 2003** dans les locaux du Parlement européen à Bruxelles (B), avec le soutien du Comité des régions (CdR) et du Comité économique et social (CES). Les langues de travail seront l'anglais, le français, l'allemand et l'italien. La traduction simultanée sera assurée.*

Further details about the programme and the practical organisation are available on our website: http://www.eipa.nl or can be obtained from /
De plus amples informations sur le programme et l'organisation pratique peuvent être obtenues en consultant le site de l'Institut (http://www.eipa.nl) ou en s'adressant directement à :

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Institut Européen d'Administration Publique
European Institute of Public Administration

THE AMSTERDAM MAASTRICHT SUMMER UNIVERSITY

OECD OCDE

Seminar

Challenges and Risks of GMOs

What Risk Analysis is Appropriate? Options for Future Policy Making Towards Integrated Agro-Food Systems

jointly organised by
The Amsterdam-Maastricht Summer University (AMSU) and
The European Institute of Public Administration (EIPA) in association with
The OECD Co-operative Research Programme:
Biological Resource Management for Sustainable Agricultural Systems

Maastricht (NL), 16-18 July 2003

Genetically Modified Organisms are the subject of public disputes all over the world on environmental, food safety and economic issues. Differing perceptions of risk in different national cultures have given rise to a range of risk management approaches, with specific advantages and disadvantages. Firstly, the Seminar will present the multinational framework determining the scope of and restrictions on national policies and border protection: in this context the relevant WTO agreements on standard setting, labelling requirements and intellectual property rights are key aspects. Parallel multinational agreements, such as the Convention on Biodiversity, will be presented and their respective relation to WTO agreements clarified. Case studies will make it possible to learn from success stories and to exchange experiences of different national approaches for each level of risk analysis as well as to develop an insight into the relevant intellectual property regime. Finally, both the achieved successes and the remaining problems will be covered in a session on the imminent problems for risk assessment due to scientific uncertainty, the consumers' right to information, specific requirements for effective public communication and the different positions of relevant stakeholders. The closing session will then attempt to develop an integrative strategy.

The workshop will be conducted by Dr Bettina Rudloff, Expert at EIPA, and by a number of academics and experts from international organisations and governments, as well as industry and consumers' organisations.

For additional information, the complete programme, and the registration form,
please visit the AMSU website:
http://www.amsu.edu/courses/law/publ12003.htm

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Practitioners' Seminar

Implementing INTERREG III: Practical Experiences and Future Challenges

Maastricht (NL), 4-5 September 2003

The aim of this seminar is to analyse the managerial requirements of INTERREG III and to discuss practical examples of the three strands of INTERREG III.

The seminar will bring together regional, national and Community senior officials in order to address important issues such as:

- Management structures and procedures;
- Financial management and control;
- Cross-border impact at programme and project level;
- Public procurement rules;
- Managing INTERREG / PHARE CBC programmes;
- Best practice in project selection.

Emphasis will be placed on the presentation of concrete cases, a rigorous analysis and the informal exchange of information and experience.

For more information and registration forms, please contact:
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Colloquium / Kolloquium

The Mutual Recognition of Diplomas

A quest for a more effective/efficient operation

Die gegenseitige Anerkennung von Berufsabschlüssen

Auf der Suche nach einer effizienteren Vorgehensweise

Maastricht (NL), 8-10 September 2003 / *8.-10. September 2003*
24-26 November 2003 / *24.-26. November 2003*

This colloquium is the next in EIPA's successful series of colloquia on the issue of recognising foreign diplomas and qualifications, which even after 10 years of internal market is still a problematic area for the free movement of professionals and professional services. In the colloquium at 8-10 September 2003, the situation in the accountancy profession as well as in crafts and trades will be examined more closely. In the colloquium at 24-26 November 2003, the situation in the teaching and paramedic professions will be examined more closely.

The event aims to review and improve the understanding of the Community framework of the recognition of diplomas and to address the remaining problems in the application of this system by bringing together experts and practitioners. It will provide an opportunity for officials and professionals who deal with this subject on a daily basis to meet and to discuss the operation of the various national systems. The approaches and systems used by Member States will be reviewed and the upcoming reforms, such as the proposed new European directive in this field, will be discussed. Through this comparative review ideas can be developed to improve the system used, also making it possible to eliminate remaining problems in a pragmatic and unbureaucratic manner. There will be ample opportunity to exchange experiences and discuss ideas. Discussions will focus mainly on the European system and the national actions taken to implement it as well as on the practical steps that can be taken to make the system run more smoothly and efficiently. These discussions will involve officials who manage the respective systems. It will thus be the perfect occasion to seek clarifications and discuss ideas on improvements, as well as an opportunity for 'troubleshooting'.

This colloquium is designed to address the needs of a wide spectrum of officials, professionals and other interested persons, although it is primarily aimed at officials who are involved in the process of recognition of foreign diplomas and qualifications. Furthermore, the colloquium will also be useful to policy makers and advisers on EU issues, academics lecturing in EU law and policies and, of course, to those responsible for granting diplomas and developing the corresponding curricula.

The working languages of this seminar will be English and German (simultaneous interpretation will be provided).

Dieses Kolloquium ist die neueste Ausgabe in der erfolgreichen Serie von Kolloquien des EIPA über die Anerkennung ausländischer Diplome und Berufsabschlüsse, einem auch nach 10 Jahren des Binnenmarktes problematischen Feld für die Freizügigkeit von Personen und den freien Dienstleistungsverkehr. In dem Kolloquium am 8.-10. September 2003, wird die Lage in den Berufen der Wirtschafts- und Buchprüfer sowie des Handwerks näher beleuchtet. In dem Kolloquium am 24.-26. November 2003, wird die Lage der Lehrer sowie die Lage in den paramedizinischen Berufen näher beleuchtet.

Ziel des Kolloquiums ist eine Verbesserung des Verständnisses und der Handhabung des EU-Systems zur Anerkennung von Diplomen und Berufsabschlüssen sowie die Lösung bestehender Probleme bei der Anwendung dieses Systems. Das Kolloquium bietet eine Gelegenheit für Beamte und alle diejenigen, die täglich mit dieser Materie befasst sind, sich zu treffen, die unterschiedlichen Wege, die die Staaten eingeschlagen haben, kennen zu lernen und ihre Arbeitsweise vergleichend zu erörtern. Die von den Mitgliedstaaten verwendeten Systeme und Methoden und die anstehenden Reformen, wie zum Beispiel der Vorschlag für eine neue europäische Richtlinie, werden ebenfalls behandelt. Erreicht werden soll die Zielsetzung des Kolloquiums durch einen intensiven Austausch von Erfahrungen und Ideen, die in mehreren Ländern entstanden sind. Durch das Zusammenbringen von Experten und Betroffenen können die verbleibenden Probleme beleuchtet und in der Folge durch praktische Maßnahmen verringert werden. Durch diesen vergleichenden Über- und Rückblick können Ideen zur Verbesserung des Systems entwickelt sowie verbleibende Probleme durch pragmatische und unbürokratische Schritte aus der Welt geschafft werden. Besonderes Augenmerk gilt dem europäischen System und den nationalen Maßnahmen, um dieses umzusetzen, sowie den praktischen Schritten, das System zu erleichtern und effizienter zu gestalten. Die Diskussionen werden mit Beamten geführt, die die entsprechenden Systeme verwalten, und das Kolloquium ist daher eine ideale Möglichkeit, um Klärungen zu erhalten, Verbesserungsvorschläge zu erörtern sowie generell Problembeseitigung zu betreiben.

Das Kolloquium richtet sich dementsprechend an ein weites Spektrum von Personen: Beamte, Berufsberater und andere interessierte Kreise, die sich mit der Anerkennung ausländischer Abschlüsse befassen. Es ist darüber hinaus für Entscheidungsträger und Berater in EU-Angelegenheiten, Spezialisten und Dozenten auf dem Gebiet des EU-Rechts und natürlich diejenigen, die Diplome ausstellen und Lehrpläne erstellen, nützlich.

Die Arbeitssprachen sind Deutsch und Englisch. (Eine Simultanübersetzung wird zur Verfügung stehen.)

For more information and registration forms, please contact /
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Workshop

The Enforcement of European Anti-Trust Rules

Maastricht (NL), 15-16 September 2003

Background
The competition policy of the European Union is in a state of flux. In order to improve the implementation of the policy, especially in view of the impending enlargement of the European Union, the Council has recently adopted Regulation 1/2003 on the implementation of Articles 81 and 82 (Community anti-trust provisions).

The new Regulation will confer greater responsibility for enforcement on national authorities and national courts. More specifically, national authorities and courts will for the first time be able to consider whether an agreement between undertakings could benefit from the exception provided for in Article 81(3).

This "decentralisation" of enforcement, together with the fact that the assessment of the applicability of Article 81(3) requires considerable economic as well as legal analysis, has led to expressions of concern about potentially uneven enforcement by national authorities and possible "forum shopping" by companies seeking to challenge their competitors' agreements in Member States that are perceived to be stricter than others. Questions have also been raised with regard to the capacity of national courts to perform the requisite economic analysis.

Purpose of the workshop
The workshop aims primarily to provide a thorough analysis of how Articles 81 and 82 are applied. In addition, it will consider the views of the Commission on the kind of cooperation procedures that will be needed in an enlarged European Union. Little is known yet as to the precise nature of a future Community system of cooperation that will be necessary to ensure effective enforcement of the new Regulation.

Speakers
The speakers are from different backgrounds so as to provide a variety of views and perspectives, and include Commission officials, practitioners and academics. Each speaker will prepare comprehensive documentation for distribution to the participants.

Participant profile
The workshop will benefit national officials in competition authorities and in ministries working on competition-related issues, judges dealing with competition cases, and company executives.

Organisers and venue
The workshop will take place at the conference facilities of EIPA in Maastricht, the Netherlands.

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Introductory and Practitioners' Seminar

European Public Procurement Rules, Policy and Practice

Maastricht (NL), 22, 23 and 24 September 2003

The European Institute of Public Administration is organising a 3-day Introductory and Practitioners' Seminar on "European Public Procurement Rules, Policy and Practice" which will take place at the European Institute of Public Administration in Maastricht (NL), on 22, 23 and 24 September 2003.

Objectives
The prime aim of this combined Introductory & Practitioners Seminar is to present and explain the EC directives on public procurement in a simple and accessible way and to enhance awareness of professional procurement practices so as to increase the efficiency of the procurement process in a manner consistent with EC rules and principles. The seminar will also update participants on the legislative reforms, and specific exercises and cases concerning actual procurement practice will be examined. Most importantly, the seminar will offer an excellent opportunity for participants to exchange experiences and concerns in dealing with public procurement, and will present ways to perfect their purchasing activities.

Target Group
The seminar is intended for public officials from national, subnational and local authorities and other public bodies of the EU Member States and associated countries who wish to familiarise themselves with European public procurement rules, policy and practice, as well as for other interested persons working in this field.

Contents
- European Public Procurement in the Context of the Internal Market and Enlargement
- EC Rules and Case Law
- Reforming the European Public Procurement System
- Working Groups: European Procurement Rules
- The Procurement Process
- Reforming Public Procurement Practice: A Case Study
- Practical Exercise on Bid Evaluation
- International Aspects of European Public Procurement
- The Procurement Process: Cases and Exercises
- Sources of Information and Discussion/Questions on European Rules, Policy, Practice.

The seminar will be conducted in English.

For background information on public procurement in Europe and EIPA activities related to public procurement, please consult:
http://www.eipa.nl/home/eipa_topics.htm

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Seminar / Séminaire / Seminar

Making the Internal Market Work

Procedures to deal with queries, applications and complaints, and the use of administrative cooperation between authorities to avoid liability

Assurer le fonctionnement du marché intérieur

Les procédures destinées à gérer les demandes et les plaintes, et le recours à la coopération administrative entre les autorités pour éviter la responsabilité

Den Binnenmarkt zum Funktionieren bringen

Verfahren zur Behandlung von Anfragen, Anträgen und Beschwerden und die Nutzung von Verwaltungskooperation zur Vermeidung von Schadensersatzansprüchen

Maastricht (NL), 29-30 September 2003 / les 29 et 30 septembre 2003 / 29./30. September 2003

This seminar will examine the various steps taken to facilitate the work of national officials when they have to take the EU into account and where administrative cooperation between corresponding authorities across national borders is desirable. After all, similar issues and problems have probably already arisen elsewhere and it is useful to avoid mistakes that others have already made. Also, if information from abroad can clarify matters, decisions can be taken with greater confidence. In this way, errors in the implementation of EU law can be avoided, which should be of great interest to any authority: following the ruling in the *Francovich* case, it should be clear to all authorities, be they national, regional or local, that the European Court of Justice requires them to pay for any damage they or their officials cause through errors in applying EU law – even if this occurs by accident or oversight. Practical measures to tackle all these aspects will be presented and examined from all sides, with representatives of the private sector (business and consumer organisations) presenting their needs and wishes regarding such cooperation procedures. It is thus the perfect occasion to seek clarifications and discuss ideas on improvements, as well as an opportunity for "troubleshooting".

The seminar is designed to address the needs of a wide spectrum of officials, professionals and other interested persons, although it is primarily aimed at officials involved in the establishment and management of the abovementioned procedures and cooperation. The seminar will also be useful for policy makers, advisers on EU issues and academics lecturing in EU law and policies.

The working languages of this seminar will be English and German (simultaneous interpretation will be provided). French will be added should there be sufficient demand.

Ce séminaire vise à examiner les différentes démarches adoptées pour faciliter le travail des fonctionnaires nationaux lorsqu'ils doivent intégrer la dimension européenne dans leurs activités et qu'une coopération s'avère très utile entre les autorités correspondantes au-delà des frontières nationales. Il est probable que des questions et problèmes de même nature aient déjà été traités ailleurs. D'où l'importance de coopérer pour ne pas commettre les erreurs que d'autres ont déjà commises. Grâce aux informations obtenues de l'étranger, on peut également clarifier certains points et prendre des décisions en toute connaissance de cause. Ainsi cette démarche permet d'éviter des erreurs dans l'application du droit communautaire. Ceci s'adresse tout particulièrement aux administrations : selon la jurisprudence de la Cour dans l'affaire Francovich, les autorités à tous les niveaux (national, régional ou local) ont l'obligation de verser un dédommagement pour les préjudices qu'elles ont elles-mêmes causés, ou leurs fonctionnaires, par des erreurs dans l'application du droit communautaire – que ce soit par inadvertance ou par négligence. Un certain nombre de mesures pratiques seront présentées et analysées sous différentes perspectives, notamment avec des représentants du secteur privé (entreprises et associations de consommateurs) qui feront part de leurs besoins et souhaits quant aux procédures de coopération. Ce sera par conséquent une excellente occasion d'obtenir des précisions, d'échanger des idées sur les possibilités d'amélioration et de trouver des solutions aux problèmes.

Ce séminaire est conçu de manière à répondre aux besoins d'un large éventail de participants. S'il s'adresse avant tout aux fonctionnaires impliqués dans la mise en place et la gestion des procédures de coopération dans ce domaine, il est également destiné aux fonctionnaires, professionnels et autres personnes intéressées. Par ailleurs, il sera aussi d'un grand intérêt pour les décideurs et les conseillers en affaires européennes, de même que pour les universitaires qui enseignent le droit et les politiques communautaires.

Le séminaire se déroulera en anglais et allemand (avec traduction simultanée). La traduction en français sera également assurée si la demande est suffisante.

Dieses Seminar untersucht die verschiedenen Schritte, die ergriffen wurden, um die Arbeit von nationalen öffentlich Bediensteten zu erleichtern, wenn diese die Europäische Union in ihrer Arbeit berücksichtigen müssen und wo eine enge Verwaltungskooperation zwischen sich entsprechenden Behörden über nationale Grenzen hinweg wünschenswert ist. Ähnliche Fragen und Probleme sind höchstwahrscheinlich schon anderenorts entstanden, und es ist daher nützlich, die Fehler, die andere gemacht haben, zu vermeiden. Die Informationen aus dem Ausland können daneben zu einem besseren Verständnis verhelfen, damit eine Entscheidung mit größerer Sicherheit getroffen werden kann. Hierdurch können Fehler in der Anwendung von EU Recht vermieden werden. Dies sollte von grossem Interesse für jede Behörde sein: Den Behörden – egal ob auf nationaler, regionaler oder lokaler Ebene – sollte dabei klar sein, dass sie – laut EuGH und seinem Urteil im Rechtsstreit *Francovich* – Schadensersatz leisten müssen, falls sie oder ihre Bediensteten EU-Recht fehlerhaft anwenden – auch wenn dies nur durch Unachtsamkeit oder aus Versehen geschieht. Es werden praktische Maßnahmen vorgestellt und aus unterschiedlicher Perspektive beleuchtet. Vertreter des Privatsektors (sowohl der Wirtschaft wie auch der Verbraucher) stellen die Anforderungen und Wünsche vor, die sie an solche Verfahren richten. Das Seminar ist daher eine ideale Gelegenheit, Klärungen zu suchen und Verbesserungsvorschläge zu erörtern sowie Probleme zu lösen.

Das Seminar richtet sich an ein breites Spektrum von öffentlich Bediensteten, Fachleuten und interessierten Personen, primär jedoch an Bedienstete, die an der Einrichtung und Verwaltung solcher Verfahren und einer Zusammenarbeit beteiligt sind. Darüber hinaus ist das Seminar auch für Entscheidungsträger und Berater in EU-Angelegenheiten nützlich sowie für Akademiker, die Recht und Politik der EU lehren.

Die Arbeitssprachen dieses Seminars sind Englisch und Deutsch (mit Simultanübersetzung). Französisch wird bei genügend hoher Nachfrage ergänzt.

For more information and registration forms, please contact / *Renseignements et inscriptions auprès de /*
Zum Erhalt weiterer Informationen und von Anmeldeformularen wenden Sie sich bitte an:
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Seminar / Séminaire / Seminar

Administrative Cooperation to Facilitate the Enforcement of Professional Standards and Rules of Conduct

The cross-border enforcement of professional ethics, standards and rules of conduct; ensuring the continuous protection of consumers

La coopération administrative: un moyen de faciliter l'application de la déontologie, des normes professionnelles et des règles de conduite

L'application transfrontalière de la déontologie, des normes professionnelles et des règles de conduite, et l'assurance d'une protection constante des consommateurs

Verwaltungszusammenarbeit zur verbesserten Durchsetzung von Berufsstandards und Verhaltensregeln

Grenzüberschreitende Durchsetzung von Berufsethik, Standards und Verhaltensregeln und die Schaffung eines nahtlosen Schutzes für die Nutzer von Dienstleistungen

Maastricht (NL), 10-12 November 2003 / du 10 au 12 novembre 2003 / 10.-12. November 2003

This seminar will examine various steps taken to facilitate the work of national officials where it concerns enforcing professional standards and rules of conduct among "migrants". Particular care has to be taken to ensure that consumers are effectively protected without there being a breach of the rules governing the internal market. This balance can only be struck if the authorities in all countries concerned cooperate effectively so that neither a vacuum nor obstacles to free movement arise. At the seminar, practical measures will be presented and examined from all sides, with representatives of the private sector (business and consumer organisations) presenting their needs and wishes regarding such cooperation-procedures. These measures are to be taken either at European level, at national level or by professional bodies in several countries (being precursors to the professional platforms referred to in the proposal for a new EU Directive on the recognition of foreign diplomas and qualifications). The seminar is thus the perfect occasion to seek clarifications and discuss ideas on improvements, as well as an opportunity for "troubleshooting".

The seminar is designed to address the needs of a wide spectrum of officials, professionals and other interested persons, although it is primarily aimed at officials involved in the establishment and management of the abovementioned procedures and cooperation. The seminar will also be useful to policy makers and advisers on EU issues and academics lecturing in EU law and policies.

The working languages of this seminar will be English and German (simultaneous interpretation will be provided). French will be added should there be sufficient demand.

Ce séminaire vise à examiner les différentes démarches adoptées pour faciliter le travail des fonctionnaires nationaux lorsqu'ils doivent veiller au respect de la déontologie, des normes professionnelles et des règles de conduite par les "migrants". Ils doivent en particulier s'assurer que les consommateurs bénéficient d'une protection efficace, sans enfreindre les règles du marché intérieur. Le seul moyen de concilier ces deux objectifs est de mettre en place une coopération efficace entre les autorités dans tous les pays concernés afin d'éviter un vide ou des obstacles à la libre circulation. Durant le séminaire, un certain nombre de mesures pratiques seront présentées et analysées sous différentes perspectives, notamment avec des représentants du secteur privé (entreprises et organisations de consommateurs) qui feront part de leurs besoins et souhaits quant aux procédures de coopération. Ces mesures seront mises en œuvre tant au niveau européen qu'au niveau national ou par des organismes professionnels dans divers pays ayant un rôle précurseur dans le domaine des plates-formes professionnelles (telles qu'envisagées par la proposition de nouvelle directive européenne sur la reconnaissance des diplômes et qualifications professionnelles obtenus à l'étranger). Ce sera par conséquent une excellente occasion d'obtenir des précisions, d'échanger des idées sur les possibilités d'amélioration et de trouver des solutions aux problèmes.

Ce séminaire est conçu de manière à répondre aux besoins d'un large éventail de participants. S'il s'adresse avant tout aux fonctionnaires impliqués dans la mise en place et la gestion des procédures de coopération dans ce domaine, il est également destiné aux fonctionnaires, professionnels et autres personnes intéressées. Par ailleurs, il sera aussi d'un grand intérêt pour les décideurs et les conseillers en affaires européennes, de même que pour les universitaires qui enseignent le droit et les politiques communautaires.

Le séminaire se déroulera en anglais et allemand (avec traduction simultanée). La traduction en français sera également assurée si la demande est suffisante.

Dieses Seminar untersucht daher verschiedene Schritte, die ergriffen wurden, um die Arbeit von nationalen öffentlich Bediensteten zu vereinfachen wenn es um die Einhaltung von Berufsstandards und Verhaltensregeln durch „Migranten" geht.Besondere Sorgfalt muss aufgebracht werden, damit die Verbraucher – ohne eine Verletzung der Regeln des Binnenmarkts – wirksam geschützt werden. Eine solche Abwägung kann nur korrekt erfolgen, wenn es eine wirksame Zusammenarbeit zwischen den Behörden aller betroffenen Ländern gibt, damit weder ein Vakuum noch Hindernisse für die Freizügigkeit entstehen. Bei diesem Seminar werden praktische Maßnahmen vorgestellt und aus verschiedener Perspektive beleuchtet. Vertreter des Privatsektors (sowohl der Wirtschaft wie auch der Verbraucher) stellen die Anforderungen und Wünsche vor, die sie an solche Verfahren richten. Die Maßnahmen würden entweder auf europäischer oder auf nationaler Ebene getroffen oder auch durch Berufsorganisationen verschiedener Mitgliedstaaten (die somit Vorgänger der Berufsplattformen bilden würden, die im Vorschlag für eine neue EU-Richtlinie über die Anerkennung ausländischer Diplome und Berufsabschlüsse erwähnt werden). Dieses Seminar ist daher die ideale Gelegenheit, Klärungen zu suchen, Verbesserungsvorschläge zu erörtern sowie Probleme im Allgemeinen zu lösen.

Das Seminar richtet sich an ein breites Spektrum von öffentlich Bediensteten, Fachleuten und anderen interessierten Personen, primär jedoch an Bedienstete, die an der Einrichtung und Verwaltung solcher Verfahren und einer Zusammenarbeit beteiligt sind. Darüber hinaus ist das Seminar auch für Entscheidungsträger und Berater in EU-Angelegenheiten nützlich sowie für Akademiker, die Recht und Politik der EU lehren.

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Institutional News

* Board of Governors

At its meeting of 2–3 December 2002, EIPA's Board of Governors approved the following appointments:

Co-opted Member of EIPA's Board of Governors in a personal capacity
Secretary-General of the Board
- Mr Loek M.I.H.A. HERMANS (NL), former Dutch Minister of Education, Culture and Science, appointed as co-opted member of the board, and as of 1 January 2003, Secretary-General.

Norwegian full member of EIPA's Board of Governors
- Mr Jon BLAALID, Director-General of the Directorate for Communication and Public Management at *Statskonsult*.

Substitute members
- Mr Klaus HARTMANN (A), Head of the Unit "Supervision of the Federal Academy of Public Administration" and staff member of the Public Services Directorate of the Ministry for Public Service and Sports;
- Mrs Lilia TODOROVA (BG), State Expert, Directorate for State Administration within the Council of Ministers;
- Mrs Laura PENA (E), Adviser to the Director-General of the Civil Service;
- Mr Jim DUFFY (IRL), Assistant Secretary, Organisation, Management and Training Division, within the Department of Finance;
- Ms Sandra SEKETIN LESTAN (SL), Assistant Minister of the Interior.

EIPA Staff News

* Newcomers

Maastricht
- Morten NIELSEN (DK), joined EIPA in January 2003 as a Reseacher.

Milan
- Dr Angelo CARENZI (I), joined EIPA in January 2003 as Director of the European Training Centre for Social Affairs and Public Health Care (CEFASS), Milan Antenna of EIPA.

Luxembourg
- José CASTILLO (E), joined EIPA in February as a Researcher at the European Centre for Judges and Lawyers, Luxembourg Antenna of EIPA.

Visitors to EIPA

Prof. Gérard Druesne, Director-General of EIPA, and Mr Loek Hermans, Secretary-General of EIPA's Board of Governors, on the occasion of a visit to EIPA on 27 January 2003.

Prof. Gérard Druesne, welcomes the Dutch Minister of Education, Culture and Science, Mrs Maria van der Hoeven, at EIPA on 26 February 2003.

Photograph taken on the occasion of the visit that Mr Dimitar Kalchev, the Bulgarian Minister of State Administration (left), paid to EIPA on 27 February 2003 for the official signing of the renewal of the cooperation agreement between Bulgaria and EIPA, with Prof. Gérard Druesne,(right).

EIPA Publications

* **FORTHCOMING PUBLICATION** *

Quality Management Tools in CEE Candidate Countries: Current Practice, Needs and Expectations
(Current European Issues Series)
Christian Engel
EIPA 2003, approx. 115 pages: € 21.00 - Only available in English

* **NEW PUBLICATIONS** *

Guide to European Union Information – 4th Edition
Veerle Deckmyn
EIPA 2003, 75 pages: € 20.00 - French and German versions forthcoming

Civil Services in the Accession States: New Trends and the Impact of the Integration Process
Danielle Bossaert and Christoph Demmke
EIPA 2003, 107 pages: € 21.00 - Also available in German

Improving Policy Implementation in an Enlarged European Union: The Case of National Regulatory Authorities
(Current European Issues)
Phedon Nicolaides with Arjan Geveke and Anne-Mieke den Teuling
EIPA 2003, 117 pages: € 21.00 - Only available in English

* **RECENT** *

Regionale Verwaltungen auf dem Weg nach Europa: Eine Studie zu den Instrumenten und Praktiken des Managements von "Europa" in ausgesuchten Regionen
Christian Engel und Alexander Heichlinger
EIPA 2002, 239 pages: € 27.20 - Nur auf Deutsch erhältlich

From Luxembourg to Lisbon and Beyond: Making the Employment Strategy Work
(Conference Proceedings)
Edward Best and Danielle Bossaert (eds)
EIPA 2002, 127 pages: € 27.20 - Only available in English

Increasing Transparency in the European Union?
(Conference Proceedings)
Veerle Deckmyn (ed.)
EIPA 2002, 287 pages: € 31.75 - Only available in English

The Common Agricultural Policy and the Environmental Challenge: Instruments, Problems and Opportunities from Different Perspectives
(Conference Proceedings)
Pavlos D. Pezaros and Martin Unfried (eds.)
EIPA 2002, 251 pages: € 31.75 - Only available in English

Managing Migration Flows and Preventing Illegal Immigration: Schengen – Justice and Home Affairs Colloquium *
(Conference Proceedings)
Cláudia Faria (ed.)
EIPA 2002, 97 pages: € 21.00 - Mixed texts in English and French

From Graphite to Diamond: The Importance of Institutional Structure in Establishing Capacity for Effective and Credible Application of EU Rules
(Current European Issue)
Phedon Nicolaides
EIPA 2002, 45 pages: € 15.90 - Only available in English

Organised Crime: A Catalyst in the Europeanisation of National Police and Prosecution Agencies?
Monica den Boer (ed.)
EIPA 2002, 559 pages: € 38.55 - Only available in English

The EU and Crisis Management: Development and Prospects
Simon Duke
EIPA 2002, 230 pages: € 27.20 - Only available in English

The Dublin Convention on Asylum: Between Reality and Aspirations
Cláudia Faria (ed.)
EIPA 2001, 384 pages: € 11.35 - Mixed texts in English and French

Pouvoir politique et haute administration: Une comparaison européenne
Jean-Michel Eymeri
IEAP 2001, 157 pages: € 27.20 - Disponible en français uniquement

Civil Services in the Europe of Fifteen: Trends and New Developments
Danielle Bossaert, Christoph Demmke, Koen Nomden, Robert Polet
EIPA 2001, 342 pages: € 36.30 - Also available in French and German

Asylum, Immigration and Schengen Post-Amsterdam: A First Assessment *
(Conference Proceedings)
Clotilde Marinho (ed.)
EIPA 2001, 130 pages: € 27.20 - Mixed texts in English and French

Meeting of the Representatives of the Public Administrations of the Euro-Mediterranean Partners in the Framework of the Euro-Mediterranean Partnership
Proceedings of the Meeting; Barcelona, 7-8 February 2000
Eduard Sánchez Monjo (ed.)
EIPA 2001, 313 pages : € 36.30 - Also available in French

Finland's Journey to the European Union
Antti Kuosmanen (with a contribution by Frank Bollen and Phedon Nicolaides)
EIPA 2001, 319 pages: € 31.75 - Only available in English

Capacity Building for Integration

* **European Environmental Policy: The Administrative Challenge for the Member States**
Christoph Demmke and Martin Unfried
EIPA 2001, 309 pages: € 36.30
(Only available in English)

* **Managing EU Structural Funds: Effective Capacity for Implementation as a Prerequisite**
Frank Bollen
EIPA 2000, 44 pages: € 11.35
(Only available in English)

* **Organisational Analysis of the Europeanisation Activities of the Ministry of Economic Affairs: A Dutch Experience**
Adriaan Schout
EIPA 2000, 55 pages: € 15.90
(Only available in English)

* **Effective Implementation of the Common Agricultural Policy: The Case of the Milk Quota Regime and the Greek Experience in Applying It**
Pavlos D. Pezaros
EIPA 2001, 72 pages: € 15.90
(Only available in English)

* **Enlargement of the European Union and Effective Implementation of its Rules (with a Case Study on Telecommunications)**
Phedon Nicolaides
EIPA 2000, 86 pages: € 18.15
(Only available in English)

* Details of all previous Schengen publications can be found on EIPA's web site http://www.eipa.nl

All prices are subject to change without notice.
A complete list of EIPA's publications and working papers is available on http://www.eipa.nl

About EIPASCOPE

EIPASCOPE is the Bulletin of the European Institute of Public Administration and is published three times a year. The articles in EIPASCOPE are written by EIPA faculty members and associate members and are directly related to the Institute's fields of work. Through its Bulletin, the Institute aims to increase public awareness of current European issues and to provide information about the work carried out at the Institute. Most of the contributions are of a general character and are intended to make issues of common interest accessible to the general public. Their objective is to present, discuss and analyze policy and institutional developments, legal issues and administrative questions that shape the process of European integration.

In addition to articles, EIPASCOPE keeps its audience informed about the activities EIPA organizes and in particular about its open seminars and conferences, for which any interested person can register. Information about EIPA's activities carried out under contract (usually with EU institutions or the public administrations of the Member States) is also provided in order to give an overview of the subject areas in which EIPA is working and indicate the possibilities on offer for tailor-made programmes.

Institutional information is given on members of the Board of Governors as well as on changes, including those relating to staff members, at EIPA Maastricht, Luxembourg, Barcelona and Milan.

The full text of current and back issues of EIPASCOPE is also available on line. It can be found at: http://www.eipa.nl

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EIPASCOPE dans les grandes lignes

EIPASCOPE est le Bulletin de l'Institut européen d'administration publique et est publié trois fois par an. Les articles publiés dans EIPASCOPE sont rédigés par les membres de la faculté de l'IEAP ou des membres associés et portent directement sur les domaines de travail de l'IEAP. A travers son Bulletin, l'Institut entend sensibiliser le public aux questions européennes d'actualité et lui fournir des informations sur les activités réalisées à l'Institut. La plupart des articles sont de nature générale et visent à rendre des questions d'intérêt commun accessibles pour le grand public. Leur objectif est de présenter, discuter et analyser des développements politiques et institutionnels, ainsi que des questions juridiques et administratives qui façonnent le processus d'intégration européenne.

En dehors des articles, EIPASCOPE contient également des informations sur les activités organisées par l'IEAP et, plus particulièrement, ses séminaires et conférences ouverts qui sont accessibles à toute personne intéressée. Notre bulletin fournit aussi des renseignements sur les activités de l'IEAP qui sont réalisées dans le cadre d'un contrat (généralement avec les institutions de l'UE ou les administrations publiques des Etats membres) afin de donner un aperçu des domaines d'activité de l'IEAP et des possibilités qu'il offre pour la réalisation de programmes sur mesure adaptés aux besoins spécifiques de la partie contractuelle.

Il fournit également des informations institutionnelles sur les membres du Conseil d'administration ainsi que sur les mouvements de personnel à l'IEAP Maastricht, Luxembourg, Barcelone et Milan.

EIPASCOPE est aussi accessible en ligne et en texte intégral sur le site suivant: http://www.eipa.nl

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