

Interest groups and lobbying in the European Union

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This paper deals with the issue of interest groups and lobbying as an institutionalised democratic practice in the EU. Its main purpose is to draw the attention to the importance of understanding the structure and functioning of the European system of organised interests in Brussels, as well as to the importance of being familiar with the basic pre-conditions of effective lobbying in the policy making process in the EU. The first section gives an overview of the main characteristics of European interest groups, with a special regard to some new trends in their actions, as well as to the main indicators of their influence on the EU policy-making. After that, there is a short outline of principles of successful lobbying in Brussels, and an analysis of the key channels of influence on decision-making process, focusing on the European Commission, the Parliament and the Council of Ministers. The final chapter deals with the main challenges facing the interest groups in the light of the forthcoming EU enlargement, both from the EU and candidate countries perspective.

Keywords: interest groups, lobbying, EU policy-making process, EU enlargement

1. Introduction

The number of interest groups, functioning in an organised way on the level of the European Union¹, has been constantly increasing during the past decades. This growing trend² is directly related to the gradual extension of the EU's competence to a number of new areas, as well as to the general indisputable influence of the EU on the decisions of economic, political and other importance, made by the present and future members of the EU³, and beyond.

In the context of a quickened proliferation of interest, lobby groups in Brussels, it is frequently implied that the policies adopted on the EU level are in fact interest groups policies, especially policies concerning business interest. Without making evalu-

ations of such viewpoints, which would, after all, require certain empirical analysis, the purpose of this paper is to point to the importance of understanding the structure and activities of the European system of organised interests, as well as to the importance of being familiar with the basic preconditions of effective lobbying in the process of creating policies in the EU.

2. The main characteristics of the European interest groups system

The problem of defining the interest groups is the cause of a number of disputes in the academic and expert circles. This term is sometimes used as a synonym for pressure groups, lobbying groups, promotion groups and the like. Generally speaking, in-

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terest groups can be defined as organisations (not including political parties), that have a direct influence on the policy-making process.⁴ The issues regarding definition, scope and categorisation of interest groups surpass the problem of academic attention, due to their specific implications to the formalisation of the EU institutions policy towards these groups.

Interest groups can be categorised according to different criteria: according to their organisational level (umbrella organisations as opposed to membership organisations), structure (traditional associations as opposed to the spontaneous, unconventional initiatives and movements), legal status, activity objectives etc.

The common criterion of the interest group categorisation is a type of interest pursued by certain group, so in that sense one can distinguish between the groups lobbying for private or general/public interest⁵. According to this classification, the public interest groups are lobbying for measures beneficial to the entire society, for instance better consumer protection, better environment protection, or lower taxes, whereas private interest groups are striving to achieve, in the first place, their members' goals.

Furthermore, the Commission distinguishes between the non-profit⁶ (national, European, and international associations and federations) and profit interest groups (law firms, public relations agencies, consultant (service providers) companies and the like. Unlike the non-profit ones, the profit interest groups consult individuals paid to act on instructions and lobby for the interests of the third parties.

The sort of activities can be an additional criterion for distinguishing among interest groups in the EU.⁷ In this way, it is possible to discern between interest groups directed to:

- services, that is providing specific (often exclusive) services for their members (e.g. gathering information)
- lobbying activities – attempts to influence the decision-making process from the outside (e.g. by meetings with the Commission's officials, participation in public discussions, etc.)
- activities in the decision-making process – attempts to influence the decision-making process from within (e.g. by direct participation in the decision-making process of the expert committees in charge of the selection of research projects)
- implementation functions – participation in the implementation of policies (e.g. by taking over the management part in the programme of policies implementation).

The first two activities are of service, in the first place, to the members or clients of an organisation, while the other two contribute, in a certain way, to the process of formulating the public policies and the management of a specific sector. It should certainly be emphasised that most of the interest groups combine the mentioned methods in the course of their work.

Like in the case of definition and categorisation of interest groups, there is plenty of disagreement regarding their number. As early as 1992, the European Commission estimated, in its Communication on dialogue with special interest groups⁸, that there were some 3,000 (national and European) interest groups in Brussels, employing some 10,000 people. Although the Commission has admitted, in the meantime, that the figures from 1992 were somewhat exaggerated and based on rough assumptions, that Communication pointed at the objective problem of the "overcrowded" European lobbying arena.

The latest information shows that there are some 2,600 interest groups working in Brussels. Out of which, 32% are European trade associations, 20% are commercial consultants, 13% are companies, 11% European NGOs for the environment, health care, human rights etc., 10% are national employers' associations and trade unions, 6% are regional/local branches, 5% are international organisations, and 1% are think-thanks. This structure indicates exceptional fragmentation of the European interest groups system.

2.1. Major tendencies in the development of the European interest groups system

There have been several apparent tendencies in the development of interest groups in the EU during the past decade. In the first place, there has been an increase in the number of specialised, technical and expert interest groups⁹, as a response to an increasing demand for specialised type of information. Moreover, the quickened technological advancement contributes to the growing efficiency of interest groups, due to the possibility of swift consultation and exploiting their members' expertise. Furthermore, the emphasised regionalisation and decentralisation process of a number of the EU activities is the reason for ever-growing presence of the representatives of regions and regional interest groups in Brussels and Strasbourg. These various tendencies, as well as the appearance of hundreds of consultant agencies and law firms, specialised for the European Law,

numerous networks and organisations and hundreds of branches of various companies, serve to confirm the emergence of new European social structures. In this sense, we could already discuss a kind of European interest group system, a specific supranational European society, being built side by side with national, regional and local societies via communication networks, connecting people and their organisations.

Besides, there is a noticeable emergence of a specific fragmentation in representation of interest in the European policy-making process. Alternative methods of the representation of interests have gained more importance, in the first place due to the fact that they are quicker, more flexible, cheaper and more effective, because they bypass the existing European umbrella interest groups. Examples of these new methods of representation are national interest groups, that have begun to act directly on the European level, and a large number of national business organisations, that have opened their office branches in Brussels and are communicating directly to the supranational institutions, as well as a number of smaller informal clubs, forums, ad hoc coalitions and the like.

2.2. Factors of the interest groups' influence

The general influence of interest groups on the decision-making process in the EU is directly dependent on the power of the sector within which the group is functioning. For instance, it is indisputable that the importance and the potential influence of the car industry sector or the biotechnology sector cannot be compared to the one of the bicycle industry sector. On the other hand, in a more reduced sectoral framework, a comparative efficiency of the bicycle industry interest group, providing the group is homogenous and united, could be comparatively large¹⁰. In that way, there are many other indicators of influence: cohesion and interest group's organisation, its level of competence and representativeness, as well as human and material resources on its disposal. Material wealth is certainly an important factor of influence¹¹, but not the only one, particularly in the hi-tech world where knowledge and information are becoming ever more important form of power¹². Competence and personality of the heads of interest groups, access to ruling institutions, the use of own resources and pressure instruments, as well as the ability to form coalitions with other groups, are just some of the many factors essential for successful interest groups' action in Brussels.

It is necessary to point out that the mentioned indicators are enabling the assessment of the potential influence of the interest groups, while only an empirical analysis can provide enough elements to assess their actual influence. Considering the complexity of the lobbying process and difficulties regarding the identification of its actual influence, it is not surprising that there is a lack of thorough, empirical studies with the aim to measure the efficiency of a particular lobbying project. Therefore, when the potential lobbying influence is being discussed, perhaps one can justly compare lobbying to advertising or marketing, for which Henry Ford once said that, "50% of it works, but you never know which half"¹³. Of course, lobbyists are prone to exaggerate their influence, while the majority of the representatives of the European institutions will challenge those statements.

3. The principles of successful lobbying in Brussels

Although the term lobbying¹⁴ is still related to a number of negative connotations in many European countries, this term has been widely accepted, at least in the EU, as a label for a legitimate democratic activity, by which the interest groups try to influence the political decision-making process.

There is an exceptionally competitive lobbying environment in Brussels. The competitiveness does not only refer to competition among the traditional opponents (employers vs. unions), but also among the related groups even from the same sector that have different interests. In such competitive environment the key role, besides the inevitable good knowledge of the complex decision-making process, plays a degree of the advancement of lobbying skills, that is lobbying strategies.

Lobbying strategies can be divided into three categories¹⁵:

- negative strategies consisting of direct opposition to Commission's proposal or introduction of disputable contra-proposals¹⁶
- reaction strategies, characterised by tactful, careful approach rather than by action and initiatives. They manifest themselves in monitoring, meetings and smaller scope of public relations
- proactive strategies, consisting of constructive work with the Commission in the spirit of partnership and credibility.

Proactive strategies are relatively rare in the decision-making process in the EU, despite all ben-

efits that an employer in the EU could have from a proactive lobbyist – particularly with regard to authorised and competent technical opinion and credible proposals.

Experts and practitioners have eventually established a series of *golden rules* that should be taken into account by an interest group in order to become influential in the decision-making process¹⁷: (i.) develop an advanced service engaged in gathering information at the right time, (ii.) watch national agendas, (iii.) maintain good relations with the national administration, (iv.), maintain close contacts with the Commission's officials, (v) present rational/technical arguments, (vi.) be co-operative, positive, and confident, (vii.) develop European prospective and form coalitions on the European level, (viii.) remain in the "lobbying race" until the end, (ix.) do not ignore implementation process, (x.) start lobbying early enough.

Several factors of successful lobbying will be further considered in the continuation of the paper. The ones that are often singled out as the most important are: access to information, timing, personal contacts, forming of coalitions and participation in the Commission's working groups.

3.1. Access to information

The making of the information network within the EU institutions is commonly pointed out as the first step required in the establishment of the lobbying influence on the European level. The information transparency poses a problem in the EU and getting a specific piece of information at the right time can present a great challenge. Regardless of the large number of specialised media, electronic in particular, following political and legislative activities in the EU, it is essential to build one's own networking system within the institutional EU structure, as well as other organisations that can provide access to vital information at the right time.

In order to get the job done efficiently, it is important to keep track of the pace of decision-making process and their implementation in the EU. The necessary basic information is published by the Commission in its official journal and its supplements. Besides, there are regular reports on special areas (competitiveness, single market, public purchases, etc.) issued by the Commission, as well as reports issued by the European Parliament, Committee of Regions, Economic and Social Committee, and other useful information sources. Additional useful information sources include: the green papers, the white papers, and the Commission's annual legislative pro-

gramme, that can be a useful device for monitoring the EU working agenda.

Another very important source of information since 2003, is the Web portal *Your voice in Europe*¹⁸, offering on the EU Internet pages the unique approach to consultation and discussions related to the new legislative initiatives on all areas of activity of the EU.

3.2. Timing

Regardless of the lobbying methods that are being applied, the most important aspect of making effective lobbying efforts is undoubtedly timing ("how to give the right information to the right person at the right time"). When the lobbying starts early enough, it implies that the drawing up of the working agenda and the inclusion of a specific topic will be influenced by it. Furthermore, it is essential to understand the legislative process and key points that enable the lobbying organisation to express its views on a certain issue at the right time. In relation to that, it is important to make a contact at the right time with the relevant officials. On a more personal level, one should assess the value of the contact person's time and accordingly provide only concise and specific information, bearing in mind the conclusion one is aiming at.

3.3. Personal contacts

The importance of the development of personal contacts in Brussels, like in one's native country, cannot be emphasised enough when analysing the principles of successful lobbying. As a rule, better networking system and more numerous contacts ensure more chances of success in achieving lobbying objectives. In relation to that, sometimes it is pointed out that it is not important "what you know, but who you know." It is usually recommended not to contact relevant officials without a thorough preparation for the consideration of issues that are being decided upon. It is vital to understand the programme, interests and intentions of particular Management committees and to adjust one's message accordingly. As a contribution to the establishment of mutual trust, which is the basis of maintaining personal contacts, it is highly recommended to acknowledge the power of the other side, as well as the weaknesses of one's own organisation regarding the opposing argument.

3.4. Forming of coalitions

Lobbying strategies require cohesive political strategy. The forming of coalitions should be con-

sidered as a regular occurrence, even the collaboration between interest groups that hold opposing viewpoints and goals. Rarely can just one interest group gain a powerful influence. Still, the advantage of coalitions¹⁹ is not gained just by a greater influence of more numerous interest groups representatives, but also by their staff, experience and ability to obtain the timely information about the future development of certain policies, which in the end enables an early start of lobbying activities. It is recommended to become familiar with the areas where other lobbyist and interest groups are representing opposing solutions, and if possible, seek solutions that could be satisfactory for every side, or at least to determine the areas of conflict and the areas of common interest.

3.5. Participation in the work of the Commission's working groups

Participation in the work of the Commission's working groups is an efficient way to display publicly one's standpoint regarding the policy making process in the EU. There are thousands of working groups within the Commission, working on different issues. Whenever possible and appropriate, interest groups are trying to become involved in the work of these working groups, either individually or as a part of a broader coalition, or association. Invitations for participation in working groups are sent by the Commission to permanent representatives of the EU member countries, who pass them on to ministries in their countries. If the relations between interest groups and the government are not particularly satisfactory and if there are difficulties regarding the appointments of experts from the interest groups into national delegations within Commission's working groups, usually the possibility of sending the experts into the European umbrella organisation delegation is envisaged.

4. The key channels of interest groups' influence on the decision-making process in the EU

The European Union is offering to interest groups numerous access points/channels and to a great extent makes the representativeness of the most various interests easier. The strategies of the organisations involved into EU political game are, in the first place, directed at using this range of possibilities, which induces them to develop ever more advanced relations with the European institutions.

Recently, one of the most significant issues which interest groups have to face is a change in the balance of power among the European institutions, for instance by the enlargement of the voting by the qualified majority in the Council, and accordingly the limitation of the veto right of the member states, and, on the other hand, by a more important role of European Parliament by a broader application of the co-decision procedure.

The more the EU competence spreads and enhances the more abundant and more powerful the number of interest groups and lobbyists around EU institutions gets. This confirms the relation between the EU competence and structure and functioning of the interest groups. In that sense, from the aspect of political sciences, the studying of interest groups and lobbyists provides sound indicators of the actual influence of the EU authority and the centres of powers in the EU.

4.1. European Commission

4.1.1. The development of the interest groups policy

In the early days of the EU, the Commission would give the advantage in the consultation process to the interest groups' European federations. The enhancement of authority and the expansion of the EU legislation encouraged the Commission to widen the circle of socio-economic organisations, encompassed by consultations on specific policies. During the eighties, particularly after the adoption of the Single European Act, there was a real explosion of the number of lobbyists, legal and financial consultants²⁰. After publishing the Commission's Communication on opened and structured dialogue with the interest groups in December 1992, the Commission initiated the process of formalisation of the relations with these groups. However, in practice the emphasis was placed on ad hoc and open consultation channels, stressing the self-regulation of interest groups²¹, without imposing the filters of selection and accreditation. Still, a more obvious tendency for codification of the consultation process can be perceived after the European Council summit in Cardiff in 1998, when better transparency from the European institutions was demanded. An additional stimulus for the reform followed after the Commission's resignation in March 1999. Informal and open consultation with interest groups, but without the levelled standards for different general Commission's committees and different sectors was then soon to be replaced with a structured consultation process, elaborated in the

Code of good practice in the area of consultation with the interest groups. It sets the minimum standards to which both sides should conform in the consultation process. The formulation of this Code was announced by the White book on the European governance from 2001, and after comprehensive public discussions the Code was adopted and published in the Commission's Communication²² in December 2002, and was implemented starting with 1st January, 2003.

4.1.2. *Functionalist logic of the relation between the Commission and interest groups*

It is often pointed out that the European Commission is naturally directed at interest groups, at the first place because this institution is overloaded and it requires partners for the policy making process, which will provide information, ideas and support, while popularising the European integration in the member states²³. In this sense, it is important to mention that most of interest groups organised on the EU level are initiated by the Commission itself. Organisations of public interest, as well as the trade unions, are active mainly because of the help given to them by the Commission. For instance, the Commission annually allocates about 1 million euros for financing the NGOs.

The relationship between the Commission and the NGOs is to a great extent based on the functionalist logic. Namely, where there are no interest groups, and the Commission requires a collective interlocutor, it is a common procedure that the Commission encourages the creation of a forum within its structures. In some cases the relations between an interest group and a Commission's directorate general could become very intertwined, for instance in the case of DG for employment and social issues and European women's lobby and the European trade union confederation. However, even when such improperly close relations are established between an interest group and the Commission, one can hardly expect that the partnership can be continued in the Parliament and in the Council of Ministers.

4.1.3. *The European Commission from the lobbying perspective*

From the lobbying perspective, the Commission is considered to be the primary and the most important institution where the lobbying process starts. The role of the Commission in initiating and preparing the EU legislation makes it an excellent place, where lobbying in the early stages of preparation can make an impact. For the lobbyists follow-

ing the course of a legislative proposal, detecting the relevant Commission's officials in charge of the drafting the proposal, is of key importance. Usually, those are several officials from different committees²⁴, out of which one is responsible for the actual outline of the proposal (the rapporteur), while others have a mere consultation function. The rapporteur, responsible for the outline of the first legislative draft, is described as "a very lonely person, sitting in front of a blank sheet, wondering what to write on it"²⁵. Timely contacts with the rapporteur could grant an influence on shaping the definition of issues and concepts, lying behind the approach to specific policies. Namely, although the Commission's proposals and initiatives are the result of an extensive process that has included consultation with the leading representatives of the interest groups, national experts and state officials, in most cases, it turns out that the final proposal enacted by the Council consists, as a rule, of 80% of the rapporteur's first draft.²⁶

Lobbying in the European Commission can be divided into three main categories²⁷:

- promoting/supporting a proposal for legislation
- influencing or blocking a proposal for legislation
- influencing the Commission exercise of its discretionary powers.

The first two categories speak for themselves. The third is the most usual and can be concerned with very legal issues like the law on market competition, state aid, merger and acquisition, anti-dumping, preferential trade arrangements, rules of origin, custom classification, all the way to issues regarding high politics, like distribution of funds among regions and projects within the regions, or the allocation of financial funds earmarked for research and development. A lot of decisions such as these are increasingly becoming a mixture of legal and political aspect.

4.2. European Parliament

After the entering into force of the Single European Act on July 1st, 1987, and the reinforcement of the Parliament's authority by presenting the new legislative procedures of co-operation and joint decision making, the interest groups have begun to recognise the Parliament as one of the important channels of influence on the policy making process in the EU. The role of the European Parliament, as the most democratic body in the decision making proc-

ess, is becoming ever more important. The possibility of introducing amendments on Commission's legislative proposals, often used by the Parliament, implicates a greater degree of unpredictability in the work of this institution. It is not uncommon that an initiative accepted by the Commission encounters an opposite opinion in the Parliament. The degree of the Parliament's authority in the decision making process in the EU, depends, by all means, on a kind of measure and applicable decision making process, as well as on the internal political dynamics of specific sectors. It is important to mention that the European Parliament authorities also cover the passing of the EU budget, an increasingly important means of influence of the EU policies²⁸.

According to the research carried out by Wessels²⁹, it is estimated that 70,000 contacts are made annually between the members of the European Parliament and interest groups. The key members of Parliament at which the interest groups' endeavours are directed and those that have an important role in shaping the Parliament's viewpoints are the Rapporteur and the Chairman of the Parliament committee in authority. The Rapporteur is a member of the Parliament committee, having a primary responsibility to examine a new measure and file a report on it. The selection of rapporteurs can be a very significant decision, and in case of the measures that concern the internal market, the Rapporteur is appointed even before the formal adoption of the Commission's proposal. He makes a draft of the report with the amendments and submits it to the relevant Committee, after which the Committee members discuss the amendments, propose others and draw up a final report enacted by the Committee. At the plenary session the report is rarely rejected or revised, considering that members of different political groups have set their viewpoints earlier.

The political groups, together with the Parliament's committee and the Rapporteur, present an important objective of parliamentary lobbying, particularly because of the fact that the voting on certain issue usually depends on previous arrangement of the political groups. In addition to that, political groups play an essential role in the functioning of the Parliament, considering that the structure of all the committees, bodies, as well as the Chairman of the Parliament himself, depend on their strength/number. However, the research conducted by De Fouloy³⁰ shows that the parliamentary lobbying is directed significantly more at the staff close to the Rapporteur and the Committee's secretary than the secretary board of the political group, which con-

firms the above stated viewpoint about the importance of the mentioned functions.

The attempts to introduce the regulatory framework for lobbying within the European Parliament lasted for seven years without success. The final agreement was made on 1996, when the Lobbyist code of conduct was enacted, and was formally added to the Parliament's Rules of procedures³¹. The issues concerning financial issues were regulated by the new amendments on the Rules of Procedure. Thereby, the obligation of Parliament members to submit a comprehensive statement on their professional activities was introduced. In addition to that obligation, their assistants were asked to submit the statements on all other paid activities. The reasons for such long lasting search for the consensus on the regulation of lobbying are normally found in permanent national differences regarding political culture, as well as divergent cultural and judicial viewpoints towards lobbying in general.

4.3. Council of Ministers

Lobbying activities within the Council of Ministers are more complex, compared to any other EU institution, and require greater financial resources. The Council of Ministers is usually considered the least directly accessible institution, as far as lobbyists are concerned. The lobbyists try to achieve influence on the decision making process in the Council indirectly in three ways: through national channels in governments/ministries, national representatives in Council's working groups, and through COREPER (Comite des representants permanents) – The Committee of permanent representatives of the member states.

The Committee of permanent representatives, COREPER, plays a central role in the Council's activities, and the representatives of the member states (usually ambassadors and their deputies), who are a part of this body, have a great influence on shaping the final measures³². The preparation of the work to be carried out by COREPER and various assemblies of the Council of ministers, is done by the Council's working groups, some 200 of them. Representatives of the national governments participate in their work. An access to a reliable source of information about the changes that the Council is planning to introduce into the proposed legislative draft, is of crucial importance for the lobbyists, considering that the Council's working groups hold their meeting behind the closed doors. In that sense, the main task for a lobbyist is to contact the government representatives,

who are the members of the working groups, thus ensuring a constant monitoring of the group's meetings. Such contacts can be made easier by permanent representations of the member states at the EU, very valuable for lobbyists because of their influence on the decisions, on the programme and Council's priorities. Contacts and chances to influence the country that is currently presiding over the EU Council are of a special importance for the lobbyists.

The influence on the decision-making process in the Council, is additionally burdened by constant compromises among the member states. For the lobbyists, it is often very difficult to judge which standpoints will the member states hold on to till the end because they have a vital national interest, and regarding which they are prepared to make compromises, or concessions (perhaps in exchange for benefit on some other areas). Certainly, it should be mentioned that lobbying the Council can potentially be very expensive and often accessible only to larger corporations, especially due to the fact that national experts involved in the process do not reside in Brussels, and the necessity of the effective co-ordination of activities on the international level, as well as the development of a good networking of contacts in each of the member state and in Brussels.

5. Interest groups and lobbying in the light of the EU enlargement

5.1. Interest groups from the candidate states – the new actors in Brussels

As the process of the enlargement of the EU on the candidate states of Central and Eastern Europe was becoming more imminent, the number of the representation offices of the interest groups from those countries in Brussels was increasing. According to the research conducted by Perez-Solorzano Borrigan³³, in January 2001, there were 30 representation offices of the interest groups from those countries in Brussels, twice as many than in 1996. The main objectives of those representation offices are similar to those of the member states, and include: (i) informing the members on the national level about EU legislation, funding opportunities and relevant developments in the member states, (ii) representing their members in large European associations, (iii) providing special services to the members at their request, (iv) advancing their members' profile on the European level, and (v) preparing educational seminars for their members with the purpose to improve their knowledge of the EU enlargement process.

There are many incentives for the increasing presence of the Central and Eastern European interest groups in Brussels. Probably the most obvious incentive is related to the prospect of active participation in the EU enlargement process, by presenting own standpoints in the central point of the policy-making process in the EU. Furthermore, networking on the European level gives the interest groups from the candidate states, a source of legitimacy within national and supranational framework. A close collaboration with the European interest groups is represented in the domestic circles as the proof of maturity, respectability and the "Europeaness" of those groups.³⁴ Besides, considering that the interest groups from the candidate countries in most cases do not have the framework that would be favourable enough for advancement of lobbying activities and skills, the associated membership in some European associations is the unique opportunity to acquire experience and to learn from the partner groups from the countries of the Western Europe.

Challenges facing the activities of the interest groups from the candidate countries in Brussels, are mainly related to the requirement to quickly and efficiently learn and adjust to the complex EU system, and to the necessity to protect own interests, while representing common interests of the broader organisation. The experiences of the interest groups' representations from the candidate countries in Brussels so far have shown that they are, as a rule, lacking in human and financial resources. Their approach to the European institutions is limited by constant dependence on sectoral Eurogroups, and the area for their actions is rather narrowed down because of the need of the Euro-interest groups to put their EU identity before their sectoral identity.

Regardless of the lack of resource and certain inexperience with lobbying activities, the representatives of the interest of Central and Eastern European countries are trying to find their spot in the European lobbying arena in Brussels. In the year 2000, the Network of Interest Representation Offices from Candidate Countries – NIROC was founded, in order to encourage better connection among the interest groups representations of the candidate states and to enforce their influence. The NIROC activities have been so far mostly directed at the exchange of knowledge and experience among the members of that network, as well as at acquainting the members from the candidate countries with the results of the exchange.

Lately, the responsibility and active relationship towards the membership in the parent country

have been increasingly emphasised, particularly in the midst of growing objections on the account of the elitism in the actions of the heads of certain groups³⁵. The interest groups' representatives from the candidate countries in Brussels are, in this sense, expected to take on, besides their lobbying and consultation role, gradually the function of a catalyst of the transformation process and strengthening of the participatory democratic culture in their countries.

5.2. European system of interest groups facing the challenge of Union's enlargement

As already mentioned, numerous interest groups from the candidate countries have already become associate members of experienced Eurogroups, like the BEUC (European association for consumer protection), the ETUC (European trade union confederation), the UNICE (The union of European employers and industries' confederations), Eurochambers (European economic chambers) and the like. This kind of sectoral co-operation offers a possibility to the lobbyists newcomers from the candidate countries to take the advantage not only of the years of experience of the Eurogroups, but also of their communication networking and contacts, as well as their knowledge of the policy-making process in the EU. Besides all indisputable advantages, the building and functioning of such partnership includes confronting many difficulties.

From the European umbrella sector groups' perspective, the mere process of finding a reliable partner in the candidate countries can be a laborious task. This problem can be very obvious since there is no co-ordination and communication among the interest groups functioning in the same sector in the candidate states. This results either in having no umbrella interest groups in certain sectors, or having several umbrella groups, each is considering itself a legitimate representative of the sector.

Considering within the framework of the upcoming, greatest EU enlargement so far, the acceptance of new, highly heterogeneous groups into permanent membership of the EU umbrella interest groups is connected to the important organisational difficulties and strategic doubts. The Eurogroups have to adjust their operational structures to the new members from Central and Eastern Europe, whose claims and interests could sometimes be contrary to the interests of current members (for instance regarding agriculture), and in such circumstances to preserve the inner cohesion of the group and maintain the credibility within the EU institutions. In other

words, the Eurogroups are faced with the issue of the enlargement of the club, similar to those of the member states regarding the new EU enlargement. The new members should be granted access to all advantages provided by the rightful membership in the "club" (influence, networking and contacts, human resources, offices), but at the same time their ability to actually contribute to the work of the club is questionable³⁶.

Generally speaking, when numerous differences regarding the political culture of present and future EU member countries are considered, together with the changes in the mechanisms of decision-making prepared by the European convention, and the upcoming inter-governmental conference, the lobbyist will have to act, after the EU enlargement, in the environment that will have become far more complex than the existing one. Regardless of the anticipated difficulties, it will be of vital importance that the EU lobbying arena remains open to new players, in order to prevent the European interest groups' system from turning into a hermetic, elite system.

5.3. Possibilities of Europeanization of interests in the enlarged EU

In the light of the upcoming EU enlargement, interest groups are ever more frequently stated as the possible driving force that will deepen the European integration, or even create the European community of interests. This neo-functionalistic approach is based on, in the first place, cross-border, supranational scope of work of the interest groups, ordering them to define their interest in a much larger sense than national governments, and, accordingly, enable them to generate, via their membership in different countries, a supranational solidarity regarding specific issues. In the European Union that is facing the necessity of inventing the way for better governing the diversity, among, soon to be, twenty-five member states, such potential of the interest groups could be used as an agent for stronger, informal connection among the citizens of the Union and possible catalyst of the Europeanizing civil society³⁷, and represents one of the reasons for the growing attention given to the organised interest issue in academic and expert EU circles.

The proponents of the mentioned neo-functionalistic approach often encounter disapproval and criticism that in principle come down to two issues. The first relates to the fact that the neo-functionalistic approach does not take into consideration that interest groups in their everyday activi-

ties are constantly faced with the dilemma of compromise inclination to European solution or promotion of the interest of their members, by which the European enthusiasm falls behind. The other issue is the lack of internal democracy, or growing elitism among the heads of the interest groups. In quite a lot of cases, the interest groups are functioning as self-appointed elite, with very few connections with the domestic population in the member countries.

This trend was one of the motives for establishing the database of civil society organisations within the Commission, called CONECCS³⁸, containing the information on system and work methods of consultation forums and other bodies by which the Commission is carrying out formal and structured consultations with interest groups and civil society organisations in general, as well as the directory of those organisations active on the EU level. In order to be listed in that database, interest groups have to satisfy certain criteria, mostly concerning e.g. extent and distribution of member organisations, non-profit character of the activities, organisation expertise, etc. For those that hold a position in the Consultation Committees of the Commission, there are additional transparency requests, like the list of funding sources, etc. This and other similar initiatives (like the White Book on European governance, Citizens first, etc.) represent a start for reinforcement of the representativeness criteria of interest groups. At the same time, they should help the interest groups to reclaim their traditional role of bridges between the most distanced and complex EU institutions and ordinary citizens.

6. Conclusions

Owing to progressive trend of increasing openness in European institutions' work, but also due to ever more powerful influence of the EU on almost all areas of political, social and economic activities, in the past decade there was an accelerated expansion of lobbying activities of interest groups in Brussels. Generally speaking, the complex institutional frame and fragmented process of policy-making in the EU offers a wide range of potential channels of influence, or accesses to lobbying European institutions to the interest groups that are functioning in the organised way on the Union's level. Although the term lobbying and interest groups bear negative connotations, especially in some transition post-communist countries, this paper is attempting to show that lobbying carried out within transparent democratic frame should be inherent to every open society.

A brief analysis of some of the key channels of lobbying influence in the EU, carried out in this paper, has pointed out to the process of institutionalising the lobbying as a legitimate democratic procedure in the EU. The need to regulate lobbying and introduce minimum standards into the process of consultation with interest groups, is somewhat initiated by neo-functionalistic logic of European institutions, that increasingly regard the interest groups as potential agents of Europeanization and enforcement of supranational solidarity among the Union's member states. This is particularly true for the representatives of the interest groups from transition countries of Central and Eastern Europe that should serve as catalysts for reforms and strengthening the culture of dialogue and participatory democracy in their countries.

NOTES

1 In order to simplify the terminology, in the rest of the document the notion "European Union" (EU) will be used in its broader generic sense, encompassing the European economic communities from the period before 1992, as well.

2 From the number of 300 in the late fifties, the number of interest groups organized on the EU level had been rising progressively to 400 in the late seventies, 800 in 1991, 1,700 in 1994, and to 2,600 in 2001. According to Grey, O. (1998), *The Structure of Interest Group Representation in the EU: Some Observations of a Practitioner*, in Claeys, at al., *Lobbying, pluralism and European Integration*, European Interuniversity Press, Brussels, 1998; and according to Van Schendelen (2002), *Machiavelli in Brussels*, Amsterdam, Amsterdam University Press

3 It is estimated that 80% of the total national legislation in the present member states is enacted on the initiative from the EU. Please refer to Gueguen, D., *Governance and the Role of Associations in Economic Management: A Response from an EU Public Affairs Practitioner*, in Greenwood, J., (ed.), *The Effectiveness of EU Business Associations*, Palgrave, Basingstoke, 2002, p. 47.

4 According to Oliver Gray (1998), *op.cit.*

5 Some authors challenge the dichotomy between public and private interest and object to the general assumption according to which the public interest groups always represent what is objectively best for the society, whereas private interests are strictly selfish. For more information about the topic refer to Young, A. and Wallace, H., *Regulatory Politics in the Enlarging Union: Weighing Civic and Producer Interest*, Manchester University Press, Manchester, 2000.

6 In November 2002, the Main Secretary Committee of the Commission announced the list of non-profit organizations that included about 700 organizations, divided into 27 categories according to the areas of the EU policies.

7 For more information refer to Lehmann, Wilhelm and Bosche, Lars (2003), *Working Paper: Lobbying in the European Union: Current Rules and Practices*, European Parliament, DG for Re-

search, Constitutional Affairs Series, AFCE 104 EN

8 Commission of the European Communities, *An Open and Structured Dialogue Between the Commission and Special Interest Groups*, SEC (92) 2292 final, published officially in OJ C 63; 5th March, 1993.

9 See e.g. Weisbein J., (2001) *Le militant et l'expert: Les Associations civiques face au système politique européen*, Politique européenne, numero 4, "Mobilisations et clivages socio-politiques en Europe", l'Harmattan, Paris.

10 For more examples and information about the factors of interest groups' influence see: Sidjanski, D., (1995), *Nouvelles tendances des groupes de pression dans l'Union européenne*, in Meny, Y., Muller, P., et Quermonne, J.L. (ed.), *Politiques publiques en Europe*, Paris, l'Harmattan

11 On the connection between the material, financial power of interest groups and frequency of their contacts with the EU institutions refer to Kohler-Koch, B., Quittkat, C. (1999), *Intermediation of Interests in the European Union*, Arbeitspapiere, Mannheimer Zentrum für Europäische Sozialforschung, Nr.9, www.mzes.uni-mannheim.de

12 A good example of the use of expertise and knowledge as a factor of influence in the decision-making process is given by the environment protection groups that, in the lack of funds, often mobilize eminent scientists who help them promote public interests.

13 Quotation taken from Lehmann, W. and Bosche, L., 2003.

14 The word lobbying has its origin in the British parliamentary tradition. A lobby is a vestibule of a room for discussion in the House of Commons, where the members of the House of Commons meet with the representatives of different social groups who try to convince them to support or oppose particular viewpoint or decision.

15 According to Gueguen, D., note quoted, p. 47

16 The lobbyists from agriculture interest groups are a classic example for such opposition strategies

17 See Mazey, S. and Richardson, J., (1993), *Pressure groups and Lobbying in the EC*, in Lodge, J. (ed.), *The European Community and the Challenge of the Future*, St. Martin's Press, New York, p. 44

18 The mentioned Web portal was created within the framework of Interactive Policy Making Initiative – IAPM. As a part of the minimum standards of the European Commission for consultation with interest groups (see footnote 21), the aim of the initiative is to contribute to the improvement of the European governance and to implement a better regulatory framework. For more information see http://europa.eu.int/yourvoice/index_en.htm

19 More on the topic of the coalition of interest groups on the European level see e.g. Warleigh, A. (2000), *The hustle: citizenship practice, NGOs and "policy coalitions" in the European Union*, *Journal of European Public Policy*, 7:2, p. 229-243, or in Pijnenburg, Bert (1998), *EU lobbying by and ad hoc coalitions: and exploratory case study*, *Journal of European Public Policy* 5, 2, p. 303-321.

20 Sidjanski, D. (1995), op.cit.

21 The notion of self-regulation was related to Commission's proposal that interest groups draw up the codes of behaviour towards the Commission themselves, based on the minimum requests stipulated in the Annex II of the mentioned Communication, OJ C 63, 5th March, 1993, p. 7

22 European Commission, *Towards a reinforced culture of consultation and dialogue – General principles and minimum standards for consultation of interested parties by the Commission*, COM (2002) 704 final; 11th December 2002.

23 See for instance Greenwood, J. (2003), *Interest representation in the EU: Demos rules OK?*, paper presented at ARENA Research seminar on April 8th 2003, <http://www.arena.uio.no/events/papers/greenwoodpaper.pdf>

24 In many cases, a rather small number of officials are in charge of dealing with particular issue. One official can be responsible for the entire industry or initiative of a certain policy. The Commission is divided into 24 directorates general out of which some have specific sectoral responsibilities, like agriculture or transportation, while others, like competitiveness or foreign relations have horizontal responsibilities. Therefore, whereas on the one hand there can be only one contact person in the directorate general, there are other officials whose opinions and responsibilities are decisive for a particular problem.

25 Hull, R. (1993), *Lobbying Brussels: A View from Within*, in Mazey, S. and Richardson, J., (ed.) *Lobbying in the European Community*, Oxford University Press, Oxford

26 *ibid.* p. 83

27 See O'Connor, B. (1997), *Some Basic Ideas on Decision Making and Lobbying in the European Union*, *Lius Papers* no. 47, *Serie Imresa e Istituzioni*, 13, novembre 1997, p. 18. <http://www.biblio.liuc.it/biblio/liucpap/pdf/47.pdf>

28 The budget related discussions are usually considered a good opportunity to put on the agenda more detailed discussions of specific EU policies financed from a common budget as well. More on that in O'Connor (1997), op.cit

29 Wessels, Bernhard (1999), *European Parliament and Interest Groups*, in Katz, Richard and Bernhard Wessels (ed.), *The European Parliament, the National Parliaments and European Integration*, Oxford, Oxford University Press, p. 105-128.

30 De Fouloy, C.D. (2001), *The professional lobbyist's desk reference*, Gateway, Brussels, 2001, quoted in Lehmann, W. and Bosche, L. (2003), op.cit.

31 For the content of the Code see Annex 9 of Parliament's Rules of Procedure, <http://www.europarl.eu.int>

32 It is estimated that roughly 80% of all legislative proposals are adopted on the COREPER level. See the research conducted by Mazey, S. and Richardson, J. (2001), p. 229.

33 Perez-Solorzano Borrigan (2002), *The Impact of the EU Membership on Interest Politics in Central and Eastern Europe*, *Civic 1*, University of Exeter, p. 20

34 See Fink-Hafner, D. (1997), *The Role of Interest Organisation in the Europeanisation of Slovenian Policy-Making*, *Journal of International Affairs*, Vol. 4, 1-4, p. 135

35 More on this topic see in Korkut, Umut, (2002) *The Position of Interest Groups in Eastern European Democracies: Maturing Servicemen or Trojan Horses*, www.essex.ac.uk/ECPR/events/jointsessions/paperarchive/turin/ws7/7_korkut.pdf

36 Perez Solorzano Borrigan, (2002), p. 24

37 See Warleigh, A. (2001), *Europeanizing Civil Society: NGOs as Agents of Political Socialization*, *Journal of Common Market Studies*, November, 39, 4, p. 619-639.

38 The CONECCS database (Consultation, European Commission and Civil Society) is available on the Internet page: http://europa.eu.int/comm/civil_society/coneccs/index_en.htm

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