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**PORTUGUESE CIVIL SOCIETY AND THE EUROPEAN UNION**

Professor Alexander H. Trechsel & Professor Richard Rose

In collaboration with:

Dr. Daniela Corona

Dr. Filipa Raimundo

Dr. José Santana-Pereira

Dr. Jorge Fernandes

**European Union Democracy Observatory (EUDO)**

**Robert Schuman Centre for Advanced Studies**

**European University Institute**

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## **Executive Summary**

This report explores the issue of interest representation in the European Union decision-making process. Specifically, it describes and examines the performance of Portuguese interest groups in Brussels, focusing in particular on how they make use of existing institutional opportunities at the EU level to extract policy benefits to their constituency. This is done, on the one hand, through an analysis of how civil society interests articulate their strategy with other political actors (national parties, MEPs, government representatives) in order to create a national strategy in Brussels and, on the other hand, through a comparative analysis of Portugal and other EU member states of similar size to assess how and why Portuguese interests coalesce with countries facing similar constraints.

The European Economic and Social Committee (EESC) and the Committee of the Regions (CoR) are advisory bodies whose role is to draft opinions on legislative initiatives in a number of policy fields. Their opinions constitute one among other inputs in the decision-making process.

The EESC and the CoR are the two main channels of interest group and regional representation in the EU architecture, but associations operating outside those two spheres may also develop lobbying activities in Brussels. Their profile is registered in the

Transparency Register database, which provides an overview of how they view the importance of being represented in Brussels.

The three represent good sources to examine the extent to which interest groups of a given country are able to influence the EU decision-making process.

To be able to influence the decision-making process, Portuguese interest groups need to: (a) possess the necessary financial and human resources to be represented in Brussels; (b) coordinate their interests at the national level in a timely and effective manner; and (c) forge the right alliances with representatives of other MSs.

Our data on the performance of Portuguese representatives in the EESC and CoR suggests that:

- The absence of a lobbying tradition, a decrease in trade union density, moderate levels of fragmentation of employers' associations, and a low level of articulation between the various national players all seem to make for a relatively poor ability of Portuguese interest groups to influence EU decision making;
- At the same time, institutional factors such as the relatively reduced role of the two bodies, the need to negotiate and achieve consensus among a growing number of MS, and the growing weight of the Council create further obstacles that do not depend on the performance of national representatives;
- Among Portuguese representatives, employers' associations have been better at coordinating their efforts than trade unions during the last fourteen years due to their decision to have a common permanent representative;
- Yet representatives' individual skills and their prior experience in EU institutions seem to be stronger explanations of rapporteur roles assumed by Portuguese committee members than a clearly defined strategy;
- The fact that Portugal has a highly centralized system of appointment of representatives may partly explain the apparent lack of a national coordination at the EESC level, given that actors such as the national Economic and Social Council or other civil society stakeholders are merely consulted on the list of candidates;
- In general, territorial organization may influence the ability of the regions to defend their interests, given their distinctive degree of autonomy, a stronger focus on capturing resources, and clearly defined interests. Portugal would therefore be in a disadvantageous position compared to less centralized states;

- Territorial organization is also what seems to explain a country's attitude towards the role of both the EESC and the CoR, with unitary countries such as Portugal showing a lower degree of consensus between regions and national government and higher levels of disagreement and opposition regarding the role of the two bodies when compared to federal or intermediate states;

Our data on the presence of Portuguese associations involved in lobbying activities in Brussels outside the EESC and the CoR suggests that:

- The lack of human resources prepared to engage in lobbying activities and the unawareness of how important it is to be present in Brussels may account for the major reasons why Portugal is not better represented;
- Portuguese associations are convinced that their presence in Brussels is more useful to give them access to relevant information to develop their activities than to influence the EU decision-making process;
- Agriculture and Fisheries is one of the few areas in which the number of Portuguese associations registered in Brussels is above the average, yet it is still among the least represented.

## **Introduction: Interest Representation in the European Union**

Representative democracy in advanced industrial democracies has seen its foundations challenged in the past twenty years. Ever-declining levels of trust in institutions, a decline in turnout levels, the growing distrust on politicians and, particularly, political parties are causing a hollowing of democratic foundations (Schmitter & Trechsel 2004; Cain et al. 2003; Pharr, Putnam & Dalton 2000, Dalton 2004). At the same time, contemporary democracies face the need to accommodate new democratic demands such as deliberate or direct forms of democracy. This is not different for EU member states, facing *grosso modo* the same challenges. However, and in addition to these challenges, EU member states face an additional one: the ever-growing Europeanization of legislation and public policies has driven demands for the EU “to acquire the core attributes of political control and political equality central to democratic governance” (Greenwood, 2007: 333). The political and financial management of the economic crisis has also contributed to the erosion of levels of support of the European project. A significant literature strand has suggested civil society’s input for the EU political system may be an important element in fixing some of the EU problems. In what follows, we start by exploring some of the EU woes and why its institutional architecture has a special role for interest representation. Subsequently, we move to a definition of interest representation in the EU and how it influences the policy-making process.

The European integration process has led to a *sui generis* institutional arrangement (for an overview see Hix and Hoyland, 2011). Although its political system has gained increased powers over the years, culminating with 18 members alienating currency-issuing power to the ECB, the EU does not follow the classic criteria for ‘party government’ (Katz, 1986). Under party government arrangement, political parties play a central role: they ‘transform complicated issues into distinguishable alternatives for decision along clearly defined conflict lines’ (Jachtenfuhs, 1997: 8). At the national level, voters have the opportunity to directly elect the parliament and either directly or indirectly the executive and to hold these actors accountable for their acts. At the EU level, however, and although since 1979 the European Parliamentary Elections are held directly, the EU lacks strong pan-european political parties, adversarial parties fighting for office, and – at least until 2014 - it is not possible to know who is going to head the Commission [the EU Executive] ahead of the EP elections, let alone to use the elections to punish the incumbent and/or change government. The term ‘second-order elections’ has appropriately been coined to refer to the EP elections (Reif & Schmitt 1980). In a nutshell, the EU does not have a wide public

space, which is best seen in the lack of an EU wide media or in the continuing perception by the citizenry that it is impossible to influence the EU decision-making process, due to its strongly elitist and power-based character.

Legitimacy and democratic problems have always been at the core of EU discussions (Schmitter, 2000). Scharpf (1999) makes an important distinction between input and output oriented legitimacy. The author defines the former as a system in which ‘political choices should be derived, directly or indirectly, from the authentic preferences of citizens’ (19) whilst the latter is defined by legitimacy driven by results. Put simply, according to Scharpf, the EU faces a watershed moment in its construction. One possibility is to derive its legitimacy from the creation of linkage channels between the citizenry and the EU institutions and creating an EU level party government. The other route consists in maintaining an elitist construction in which a political elite defines the policies and uses the good public policy outputs – for example, delivering continuous and sustainable economic growth perceived by the population as being a result of the EU action – as an *ex-post* way of legitimation.

The discussion on the democratization of EU institutions has been pervasive in the past decades. The debate revolving around the EU decision-making process has been significantly boosted by the current financial and economic crisis. On top of the declining levels of public support for the EU, there is an ever-growing awareness of ordinary citizens about the real impact the EU has in their everyday life<sup>1</sup>. For the first time in more than fifty years of European integration, it is not unusual these days for a EU summit to reach levels of wide public discussion, particularly in countries that have been bailed out and are subject to important EU decisions. Portugal, of course, is one of these countries. Citizens are now realising that their everyday lives are no longer decided only in Athens or Lisbon, but instead that a significant part of their economic and political fate is decided at the European level. The EU is thus confronted with a paradoxical situation: despite the significant Europeanization of policy making, the only way for citizens to have a direct say in EU affairs at the European level are the often dismissed European Parliamentary Elections. Political science literature suggests, however, that interest representation opens an alternative route for citizens on the ground to have their voices heard in Brussels leapfrogging the hierarchical representation via the nation state. In what follows we provide a theoretical framework on what interest representation is and the mechanisms through

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<sup>1</sup> For data on this please visit [http://ec.europa.eu/public\\_opinion/index\\_en.htm](http://ec.europa.eu/public_opinion/index_en.htm)



which it plays quite a fundamental role in the EU architecture. We make a general overview of the evolution of interest representation since the inception of the EU.

In national politics citizens have a wide array of channels to influence decision-makers. For analytical reasons, let us make a twofold distinction on these channels: on the one hand, there are political parties, on whose candidates citizens vote to elect their agents in parliament and in the executive. Parties are the channels for citizens to exert influence on the state. On the other hand, there are interest representation organizations, namely unions, business organisations, regions, and sectorial (such as agricultural, textile, shoe-making etc.). All these interests constitute what is commonly known as civil society. Following Wnuk-Lipinski and Bukowska (2011), we define civil society as “the attitudinal capability of [...] citizens to actively organize themselves to pursue certain (common) goals, within a framework of specific formal institutions”. Charles Taylor (1991) goes further by identifying civil society in *opposition* to the state. His conception of civil society aims at creating a dichotomy between state and society based on the idea that the latter needs to be economically and politically independent from the former. Distinctively, Habermas argues that civil society “is composed of a plurality of associations, organizations, and movements that transmit reactions from the ‘lifeworld’ component of society to the public sphere” (Habermas, 1996: 367). In sum, it is possible to distinguish Taylor’s view of civil society as counterpart of society from Habermas’ view of constituent element that complements other channels of influence.

Similarly to national politics, the EU political system has room for political parties and for civil society organizations to serve as channel of influence. The striking difference between national politics and the EU political system is that in the latter civil society organizations have a significantly more important role because, as we have seen above, political organization is significantly weaker at the European level. Their importance is a compensatory mechanism, allowing for the representation of grass roots society to fill in the democratic deficit. According to Greenwood (2007), national politics operate in a majority model – *i.e.* there is an executive and an institutionalized opposition. The EU has a tendency to operate in a consensual model, which leads to a ‘bargained politics’ model. The role of interest representation is to bring outside input to inform legislation drafting and to help EU officials and politicians know how receptive the various interests are to on-going legislation. Following Streeck and Schmitter (1991: 134-135), we argue that interest groups have been perceived as crucial for the European integration process because they are believed to be the best linkage between Brussels and the “situs and locus of decisions” in

member states. A strong spillover effect was expected from the inclusion of organized interests in the European decision-making process.

The inclusion of civil society in the EU decision-making process has consistently followed a top-down logic. Instead of the expected bottom-up strategy, similar to political parties, in which, traditionally, citizens with similar interests coalesce and create a platform to run for public office, EU level organizations emerged from the institutional structure of opportunities opened by the EU. In a nutshell, the emergence of organized interests operating at the EU level was stimulated by political elites operating in Brussels. This has led to the creation of European federations of the various interests represented in Brussels. To name but a few, labour unions have created the ETUC (European Trade Union Confederation), national business associations have aggregated their interests in BusinessEurope. Sectorial interests have also created such platforms. For example, the Health sector created FEMS (European Federation of Salaried Doctors, in French) whilst the Textile industry created Euratex, in which all national textile organizations coalesce to create a pan-European platform to represent the interests of this sector in Brussels. The creation of such European platforms as some sort of embryonic transnational polity clearly indicates that national interests are fully aware of the impact of the EU.

Historically, interest organization and European integration have gone hand-and-hand. Since the Rome Treaties, in 1957, a form of interest representation structure has emerged, most notably visible in the European Economic and Social Committee (EESC). In the first decades of European integration, until the first direct elections to the European Parliament, in 1979, interest representation was the only way for citizens to exert influence on European matters. With the growing powers of the European Parliament (EP), the role of organized interests changed slightly from being solely a legitimacy avenue to offering technical and advisory support to the decision-makers.

The willingness of the Commission in nurturing the existence of organized interests at the European level is best seen in the fact that the Commission itself strongly funds these groups. According to Greenwood (2007: 343), in the recent past, the Commission spent around 1 per cent of the EU budget, roughly 1 billion Euros/year, to support interest-group activities. While some argue that funding dependency hinders the same democratic input legitimacy that organised interest is supposed to be fighting (Bauer, 2002), others say that the Commission pays large sums to interest groups in the expectation that they will have “the role of unofficial opposition in a political decision-making system otherwise

marked by consensus” (Greenwood, 2007: 346). It should be noted that the quality of staff and the amount of money available to interest groups is an indispensable condition to deliver quality lobbying at the European level. We will return to this issue when we address the poor quality and lack of resources of Portuguese groups and how these two conditions undermine Portuguese influence in EU affairs.

In 2001, the Commission published a Governance White Paper in which it outlined the need for a more accountable decision-making process and the inclusion of the citizens, opening institutional opportunities for political parties. The White Paper was arguably a cornerstone in the development of civil society action in EU affairs, along with the corresponding increase in EU scholarship. We should, however, further distinguish three stages in the development of civil society participation at the European level.

Quittkat and Finke (2008) make the case for a temporal division that sees the 1960s and the 1970s as a moment in which European authorities perceived civil society as a mere ‘consultation’ body. At this stage, there was still no significantly institutionalized structure of influence for civil society in EU affairs as most of the interaction between society and European structures was carried out in an intense, informal, and *ad hoc* fashion. The 1980s and 1990s witnessed a shift towards a stage that the authors deem as of ‘partnership’, in which interest groups’ importance grew, with the creation of the Social Dialogue and the appearance of an important number of NGOs, mostly in the areas of environmental protection and human rights, making use of the funding structure offered by the European Commission.

The period during Jacques Delors’ Presidency of the European Commission (from 1985 to 1988 and then from 1992 to 1994) represents the key moment in the history of interest representation in Brussels. Delors used the civil society representation arena to boost the social dimension of the European integration, culminating in the draft of the Social Charter. His role and the benefits for Portugal are acknowledged by two of the most important Portuguese unions. João Proença, from UGT (General Union of Workers), says “During the Delors presidency there were many social directives”. Joaquim Dionísio, from CGTP (General Confederation of the Portuguese Workers), reiterates that Delors’ initiatives greatly benefited countries like Portugal, with more modern legislation in the areas of equality, maternal care, labour rights, and so forth. The Delors presidency has also been important regarding the representation of regional interests with the inclusion of the Committee of Regions (CoR) in the decision-making process, at least from a consultative

perspective. The idea of a 'Europe of the Regions', however, has failed to return strong, positive results mostly due to internal divisions regarding the allocation of structural funds. Another reason is the fact that not all countries have decentralized into administrative regions. For Portugal, as Silva Peneda argues, "we have a problem because we do not have regions. Therefore, the presiding criteria to choose representatives are politics and partisanship". In practice this means that, without national legitimacy, stemming from regional elections, Portuguese representatives do not have a great deal of institutional capacity (for an overview on the failing of 'Europe of Regions' see Greenwood, 2007: 230).

The late 1990s and 2000s, and particularly the aftermath of the publication of the White Paper on Governance, represented a new stage in the development of civil society organizations at the European level. In the latter stage, organized civil society is no longer perceived as an external element to the EU decision-making, to which the Commission or the EP recur for advice or technical support, but rather as a part of the decision-making process. As we have discussed previously, given the democratic legitimacy difficulties of the EU, civil society organizations are now seen to function as instruments to promote 'participatory democracy' at the European level.

At this point in the discussion an important remark needs to be made about how civil society organizations at the European level act as connecting belts with ordinary citizens. According to various accounts in the literature (Warleigh, 2001; Greenwood, 2007), there is a widely held perception that European level organizations are mere confederations of interests. Put bluntly, interests aggregate preferences and offer representation for ordinary citizens at the national level and then coalesce at the European level to form organizations that will then work to influence EU decision-making. This calls for a debate, stemming from Olson's (1965) work, about the asymmetries in the institutional capacities of political actors, in this case of identifying the existence of similar interests, and of cooperating in view of the formation of an institution. Business organizations played a significant role in this matter because they have more financial resources and staff. We can call this the 'specific' interests. On the other hand, ordinary citizens work in a more 'diffuse' fashion, as most of the times they do not have the necessary financial, informational, or even linguistic resources to acknowledge the existence of a shared interest and how coalescing with citizens with similar interests might produce a Pareto-efficient outcome. According to Heidbreder (2012), the introduction of online consultations, conjugated with the decentralization of the consultative process from Brussels to national capitals, are steps taken by the Commission in order to bridge the gap between corporate and individual

interests. The author, however, acknowledges that the results of this move are yet to be seen.

In this report we aim to shed some light on Portuguese interest representation in Brussels, mapping the profile, strategy and activities of social, economic, regional, and other interests either represented in the Union's advisory bodies or merely engaged in lobbying activities. This report proceeds as follows. The next section will focus on the European Union's institutional structures – most notably the Committee of the Regions (CoR) and the European Economic and Social Committee (EESC) – that open up an institutional channel for organizations to represent their interests in Brussels. The current participation of Portuguese civil society representatives in these two structures is then described, with a special focus on the groups, committees and bodies they belong to, their roles and their performance within the CoR and the EESC. In this section we include a comparative dimension of Portuguese participation in these bodies. Subsequently, we make an appraisal of how and whether the decisions taken in these bodies influence EU decision-making. This is followed by an evaluation of how Portuguese civil society interacts with the EU, considering the resources at its disposal. In the following section, we then analyse the informal interaction of Portuguese organizations with the European institutions, through the analysis of the organizations that are part of the Transparency Register. Finally, we move beyond the quantitative analysis, devoting the final section of this report to the interviews carried out with some of the most important and influential representatives of Portuguese interest organizations.

## **The Union's advisory bodies**

In order to give interest representatives and local assemblies the possibility to be part of the complex EU decision-making process and, in so doing, promoting the development of a more participatory EU, the EU Treaties have provided the setting up of two consultative bodies, namely the European Economic and Social Committee (EESC) and the Committee of the Regions (CoR). As we will see in this section, even though the two bodies have been established at different times and their members are appointed following different levels of representation, both committees are similar in that they both have an advisory status. They are consulted by the European Commission and by the EU legislators and asked to adopt opinions on legislative initiatives in a number of policy fields. The opinions

given by the EESC and the CoR are not binding in nature. This aspect has *de facto* limited the EESC and the CoR's formal role in the adoption of the EU legislation even though, under certain conditions, they can exert influence on the position of the other institutions and on the content of the legislation.

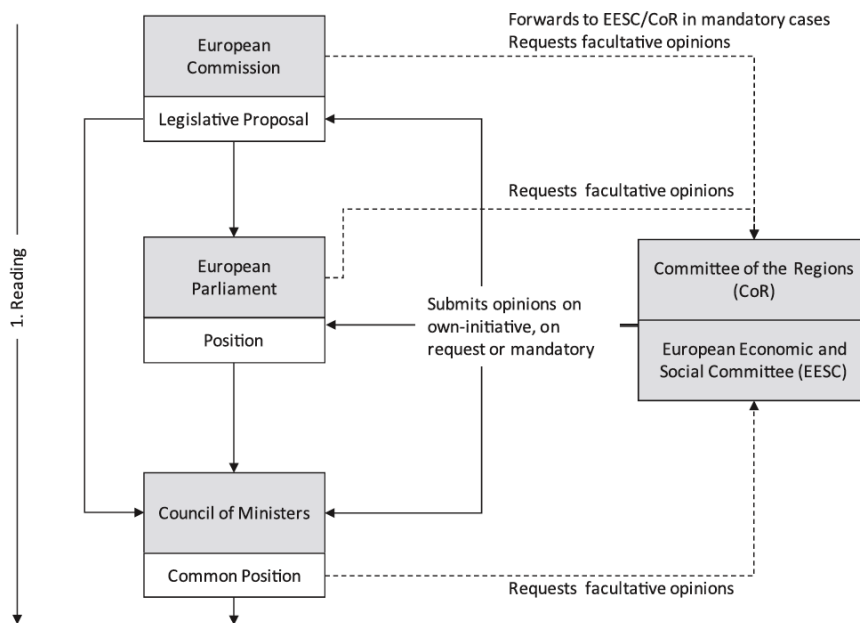
*Figure 1* shows the role of the two bodies within the EU decision-making process.<sup>2</sup> After having adopted its legislative proposal, the European Commission forwards it to both the EESC and the CoR for opinion where it is so provided by the Treaty. Articles 304 and 307 TFEU stated that the participation of the CoR and the EESC in the EU decision-making is provided on an article-by-article basis (see *infra*); these cases are related, for the most part, to the internal market and to related policies.

Once the two bodies have received the legislative proposal, they have a certain time limit to submit their opinions; upon expiry of the time limit, which cannot be less than one month according to art. 304 and art. 307 TFEU, the absence of an opinion shall not prevent further action of the EU institutions, namely the adoption of the legislative act. The EU legislator can also consult the CoR and the EESC during the negotiation process; and if, during that stage, a legislative proposal is significantly altered by other EU institutions, the two consultative bodies can adopt a revised opinion. Looking at the practice, however, the opinions of the two advisory bodies are always submitted early in the policy process; in so doing, indeed, they have more chance to see their views “taken on board” by the EP and the Council.

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<sup>2</sup> For further detail on how the EU legislative procedure works, see Reports 1-3.

**Figure 1. The EESC and the CoR in the EU Decision-Making**



Source: Honnige and Panke, 2013

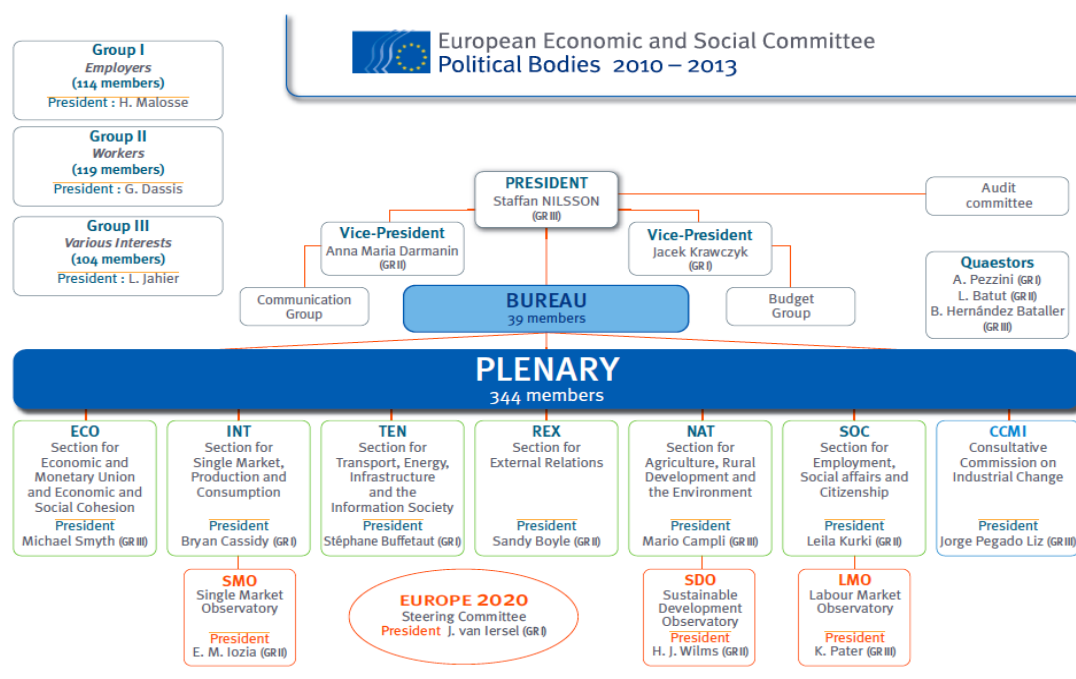
In the sections below we will see in more detail how the CoR and the EESC are organized and the internal procedure leading to the adoption of their opinions on EU legislative proposals. We also describe the current Portuguese participation in these two bodies.

## A) The European Economic and Social Committee (EESC)

The European Economic and Social Committee has been established by the Treaty of Rome in 1957 in order to give representatives of economic and social interest groups (employers, trade unions, farmers, consumers, and others) a formal platform to express their points of view on EU issues, in particular, at that time, on the achievement of the Single Market. From then onwards, the various rounds of Treaty changes have reinforced the role of the EESC through the extension of the range of issues which must be referred to the Committee, in particular the new policies.

The EESC is composed by: the **Presidency** and the **Bureau**, which are elected every two and half years together with two vice-presidents chosen from each of the three groups in rotation; **seven thematic sections** (which resembles those of the European Parliament); several **study groups** which draft the sections' opinion; several temporary **sub-committees** dealing with specific issues; and the **Plenary** session which meets nine times a year; the Secretariat General. Figure 2 illustrates the EESC internal organization for the years 2010-2013.

*Figure 2. EESC internal organization*



Source: EESC website ([www.eesc.europa.eu/](http://www.eesc.europa.eu/)), accessed in September 2013. The number of members was changed from 344 to 353 in July 2013, due to the accession of Croatia.



Geographically speaking, in recent years, the headquarters of the EESC has moved to the heart of the European quarter in Brussels, which shows its increasing importance in the European landscape, at least from the architectural point of view. Yet, analysing the influence of the EESC on EU decision-making is a difficult task due to its statute of advisory body. Once a legislative proposal finishes its cycle it is hard to understand which opinions and actors have been influential and which have not. Moreover, as we have discussed in previous reports, ‘soft power’ is often more important than ‘hard power’, which in this case is particularly relevant but simultaneously difficult to grasp given the fact that EESC members are not permanently based in Brussels. For all these reasons, there are very few empirical studies on the subject. Yet, the few existing studies tend to agree the EESC exercises some, albeit limited, influence (Nugent, 2006; Coen, 2009; Hönnige and Panke, 2013).

The Commission’s follow-up reports constitute one of the potential sources to evaluate how the EESC opinions were included in the final decision, but possible conclusions to be drawn from such analyses are very limited. As Nugent argues, “these [follow-up reports] rarely constitute unambiguous acceptance of EESC recommendations and include many evasive comments along the lines of ‘The Commission has taken note of the EESC opinion’ (2006: 316).

It is even more difficult to access the extent to which interest groups of a given country have the ability to influence the EU decision-making process through the EESC. In order to accomplish this it is necessary to take into account first the ability of the EESC to influence the decision-making process, and second the ability of the national interest groups to influence the final opinion to be voted in the EESC’s plenary sessions.

When analysing the EESC’s ability to influence the decision-making process various aspects need to be taken into account: its role in the decision-making process, the timing in which the Commission or the Council ask for its opinion, and the areas in which consultation is mandatory. Like in the case of the European Parliament (EP) (see Report 2), the EESC’s opinions are not mandatory in all areas, but the EESC has even less powers than the EP to overcome this limitation. The EESC can issue three types of opinions: mandatory, own-initiative and exploratory, which have recently changed as a result of the Lisbon Treaty. *Table 1* lists the cases in which the consultation of the EESC is mandatory according to the TFEU.

**Table 1. Mandatory consultation of the EESC**

<b>Policy fields</b>	<b>TFEU articles</b>
Agricultural policy	43
Free movement of persons and services	46 and 50
Transport policy	91
Harmonization of indirect taxation	113
Approximation of laws for the internal market	114 and 115
Employment policy	148 and 149
Social policy	151, 156 and 160
Education	165,4
Vocational training	166,4
Public health	168
Consumer protection	169
Trans-European networks	172
Industrial Policy	173
Economic and Social Cohesion	175, 177 and 178
Environment	175

Source: Elaborated by the authors with information from the TFEU

In order to analyse the potential role of the Portuguese interest groups it is important to first take into account the relative size of our national representation vis-à-vis other interest groups and how Portuguese interest groups are distributed within the existing clusters ('Employers', 'Workers' and 'Various').

The current 353 members of the EESC are drawn from economic and social interest groups in Europe. It should be noted that, differently from MEPs (see report 2), EESC members are *a*) nominated and not elected, and *b*) do not receive a EU salary. This is likely to influence their behaviour and their loyalties (Coen and Richardson, 2009).

According to art. 301 of TFEU the number of the EESC shall not exceed 350, but the accession of Croatia in July 2013 created the need to surpass this threshold. The EESC members belong to three groups:

- 1) the Employers' Group (Group I), which has 117 members, and is made up of entrepreneurs and representatives of entrepreneur associations working in industry, commerce, services and agriculture;

- 2) the Workers' Group (Group II), which has 121 members and comprises representatives from national trade unions, confederations and sectorial federations;
- 3) and the Various Interests' Group (Group III), which has 111 members and is made up of other representatives and stakeholders of civil society, particularly in the economic, civic, professional and cultural field.<sup>3</sup>

The members of the EESC are appointed for five years by the Council in accordance with the proposals made by each Member State. The number of members per country varies according to the population of each state; once appointed, the members are completely independent from their governments. *Table 2* presents the current distribution of EESC seats by Member State. As explained in the previous reports, Portugal is a medium-size country and therefore has half the number of EESC members of countries such as Germany or France but twice the number of EESC members of Luxembourg or Cyprus. This is likely to influence the ability of its members to make their voice heard, but it is certainly not the only indicator to be taken into account.

***Table 2. Number of EESC members from each Member State***

<b><i>Member States</i></b>	<b><i>N</i></b>
Germany, France, Italy and the United Kingdom	24 each
Spain and Poland	21 each
Romania	15
Belgium, Greece, the Netherlands, Portugal, Austria, Sweden, Czech Republic, Hungary and Bulgaria	12 each
Croatia, Denmark, Ireland, Finland Lithuania and Slovakia	9 each
Estonia, Latvia and Slovenia	7 each
Luxembourg and Cyprus	6 each
Malta	5

Source: EESC website ([www.eesc.europa.eu/](http://www.eesc.europa.eu/)), accessed in September 2013.

<sup>3</sup> There are EESC members described as not belonging to a group, namely Mr. de Lamaze (France), Mr. Cavallaro (Italy) and Mrs. Czer (Hungary).

Portugal, as several other EU members of similar size, has 12 representatives in the EESC. However, while this country, as well as Greece and Sweden, displays an even distribution of their representatives within the three groups (Employers, Workers and Various Interests) - that is to say, four representatives in each group - the same does not happen in the case of other comparable member states. For instance, the Netherlands and Bulgaria have a stronger representation in the group of the Employers than in the group representing Various Interests; moreover, Austria, Belgium, Czech Republic and the Netherlands seem to give more importance to their presence in the group of Workers (5 members each) than to the representation of other interests (2-3 members in the Various Interests group).

Following our first report, the question we should again ask ourselves is: does size matter? More importantly, is size the most important indicator when examining the country's ability to influence the decision-making process? If that were the case, based on the numbers shown above, it would mean that Portugal would have the same ability as the Netherlands or Sweden to influence the decision-making process or, in this case, to influence the content of the opinions issued by the EESC, something that is not confirmed by, for instance, the list of *rapporteurs* and the areas in which they produced their reports, as we shall see later on.

Apart from institutional powers, other aspects can condition the ability of individuals to influence any decision-making process, namely their experience and accumulated knowledge or their ability to lobby and form alliances. As such, it is equally important to identify the twelve Portuguese members of the EESC, which interestes they represent, and how they are distributed across the thematic sections that form the EESC.

The table below identifies the Portuguese members of the EESC and the groups to which they belong. We observe that the business associations from several sectors (commerce and services, industry, agriculture) are represented, as well as the two major trade union organizations of Portugal - UGT (via their representatives of bank, office, trade and new technology workers) and CGTP-IN (we will describe these in a subsequent section of the report). In terms of other interests, we find agricultural cooperatives, charitable associations, the consumer defence organization (DECO) and the professional bodies council (*Table 3*).

**Table 3. Portuguese members of EESC**

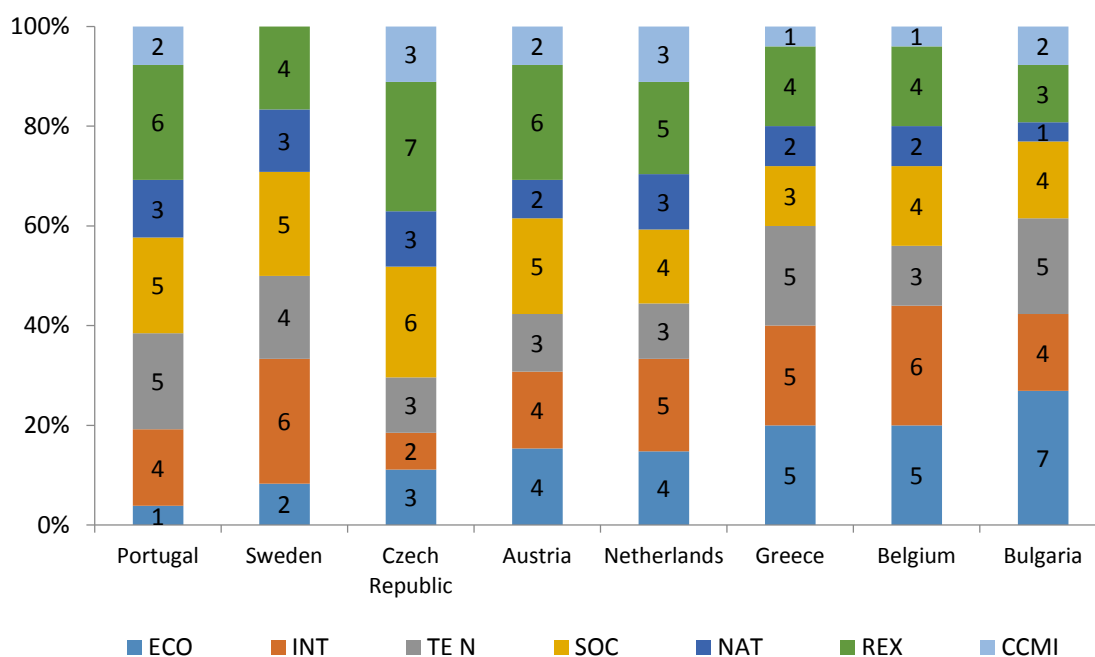
<b>Members</b>	<b>Background</b>	<b>Member Since</b>	<b>Group</b>
<b>Pedro Augusto Almeida Freire</b>	Vice-President, Confederation of Portuguese Commerce and Services (CCP)	2006	I
<b>Paulo Barros Vale</b>	Businessman, Director of the Portuguese Business Association (AEP)	1994	I
<b>Gonçalo Lobo Xavier</b>	Adviser to the board management of AIMMAP - Association of Portuguese Metallurgical, Mechanical Engineering and Similar Industrial Companies	2011	I
<b>Luís Mira</b>	Secretary-General, Portuguese Farmers' Confederation (CAP)	2006	I
<b>Alfredo Correia</b>	President, Congress of Northern Bank Workers - General Union of Workers (UGT)	2001	II
<b>Victor Hugo Sequeira</b>	Chairman of the Board, Union of Office, Trade and New Technology Workers (SITESE-UGT)	1990	II
<b>Mário Soares</b>	Professor, Member of the National Council of the General Confederation of Portuguese Workers - Inter-union (CGTP-IN)	2000	II
<b>Carlos Manuel Trindade</b>	Member of the Executive Committee, National Council of the Portuguese General Workers' Confederation (CGTP-IN)	2010	II
<b>Vítor Melícias</b>	Honorary chairman, Union of Charitable Associations (UMP)	1998	III
<b>Jorge Pegado Liz</b>	Lawyer, Consumer Protection Association (DECO)	2002	III
<b>Carlos Alberto Pereira Martins</b>	Chairman, Executive Board, National Council of Professional Bodies (CNOP)	2006	III
<b>Francisco Silva</b>	Secretary-General, Portuguese National Confederation of Agricultural Cooperatives (Confagri)	2002	III

Source: EESC website ([www.eesc.europa.eu/](http://www.eesc.europa.eu/)), accessed in September 2013.

The distribution of representatives in the seven thematic sections varies considerably within the eight medium-size MS under analysis (*Figure 3*). For instance, the Greek, Belgian and Bulgarian presence in the Section for Monetary and Economic Union and Economic and Social Cohesion (ECO) is much stronger than the Portuguese or Swedish presence in this sector. External Relations (REX) seems to attract more members from Portugal, Austria and Czech Republic than from Bulgaria. But there are some similarities between this set of countries: for instance, the sectors dealing with the Single Market, Production and Consumption (INT) or Employment, Social Affairs and Citizenship (SOC) are those where a higher number of members coming from these nations can be found (with two exceptions: Czech Republic and Greece). Moreover, the NAT and CCMI sections are

amongst the least desirable sections to these member states - in fact, Sweden is not even represented at the CCMI (*Figure 3*).

**Figure 3. Distribution of EESC members in the seven thematic sections (Portugal and similar Member States)**



Source: EESC website ([www.eesc.europa.eu/](http://www.eesc.europa.eu/)), accessed in September 2013. For the areas included in each thematic section please refer to *Figure 2*.

In the case of Portugal, it is surprising to see how weakly represented this country is in the section that deals with agriculture and environment, since this issue is fairly relevant for the country's economy. Yet this is similar to what happens in other MS, a fact that may have to do with the lack of human and financial resources in this sector. Conversely, the fact that several Portuguese representatives chose to work within the REX, TEN and SOC sections is not really surprising, if one takes into account the relevance of the African and Latin American Portuguese-speaking countries, the role of Portugal within the European transport systems (the ports) and the unemployment and social distress that the crisis brought to our country.

There are no considerable differences between the eight countries in terms of the number of sections that each member belongs to (about two), but Sweden is closer to this round

figure (12 members, 24 section seats) than the Netherlands or the Czech Republic (12 members, 27 section seats). The 12 Portuguese EESC members occupy 26 section seats (*Figure 3*). Aside from regular membership, the Portuguese representatives hold some important roles within these sections: for instance, Mr. Jorge Pegado Liz is a bureau member of the TEN section (with 129 members), while Mr. Victor Hugo Sequeira has the same role in the INT section (136 members).

As previously mentioned, the central role of the EESC is to provide its opinions on legislative proposals adopted by the EP and the Council (art. 300 TFEU)<sup>4</sup>. Besides the cases in which the consultation of the EESC is mandatory, the institutions can always ask it for an opinion and it can also issue opinions on its own initiative. On average the EESC delivers 170 advisory documents and opinions a year (of which about 15 percent are issued on its own-initiative).

The internal procedure relating to the adoption of the EESC's opinions mirrors the process that we have already seen in the EP: following the adoption of a legislative proposal by the European Commission, the text is forwarded to the competent section of the EESC which appoints a *rapporteur* and, where appropriate, a *co-rapporteur*. The sections may also set up, from among their members, a study group or drafting group. The role of the *rapporteur* is very important, as he/she is responsible for drafting the opinion that will be subsequently adopted in the Plenary by the majority of the votes cast. Furthermore, the *rapporteur* is also responsible for monitoring the related follow-up<sup>5</sup>. Some observers argue that, compared to the EP, EESC's *rapporteurs* have two advantages: time and expertise (Coen, 2009). While not everyone agrees with the former – as it is not always the case that the Commission or the Council give the EESC a lot of time to issue their opinion – the latter is more likely to be a real advantage given the fact that the EESC was created to issue opinions on social and economic affairs and its members are representatives of several different interest groups in those two areas. When the complexity and the importance of the subject matter so require, the section can set up observatories and invite experts to a hearing. Thanks to all these contributions, in fact, the EESC is usually able to submit high-quality opinions, which are taken into account by the other institutions.

How productive were the Portuguese members of the EESC in terms of *rapporteur* responsibilities? The current 12 members served as *rapporteurs* in 96 different occasions

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<sup>4</sup>See Reports 2 and 3.

<sup>5</sup>See the EESC Rules of procedure, rules 17,30,38,43 and 51.

during their careers at the EESC - some of which started in the early 1990s. Mr. Victor Hugo Sequeira is a senior, with 23 years serving in this European institution, while Gonçalo Lobo Xavier has been an EESC member for less than two years. Therefore, the number of opinions drafted by each of the current Portuguese representatives varies considerably. Mr. Jorge Pegado Liz is the most active member (40 times *rapporteur* in 11 years), whereas Mr. Carlos Trindade and Mr. Carlos Martins never fulfilled this role in their careers at the EESC. On average, a Portuguese member of this institution served as a *rapporteur* once every four years, but Mr. Liz has had that task once every three months; Mr. Mario Soares and Mr. Paulo Barros Vale's records also put them amongst the most productive Portuguese members, with an average of 1 to 1.5 opinions drafted each year.

In the current mandate, which started in October 2010, seven out of the 12 EESC Portuguese members had the chance to serve as *rappoteurs* in 18 different occasions. The majority of these occasions were given to members of the INT - Single Market, Production and Consumption section; the five other opinions drafted and signed by Portuguese representatives had to do with fishing, greenhouse gases, the PAC (within the NAT section), open Internet (TEN) and sports (SOC) (*Figure 4*).

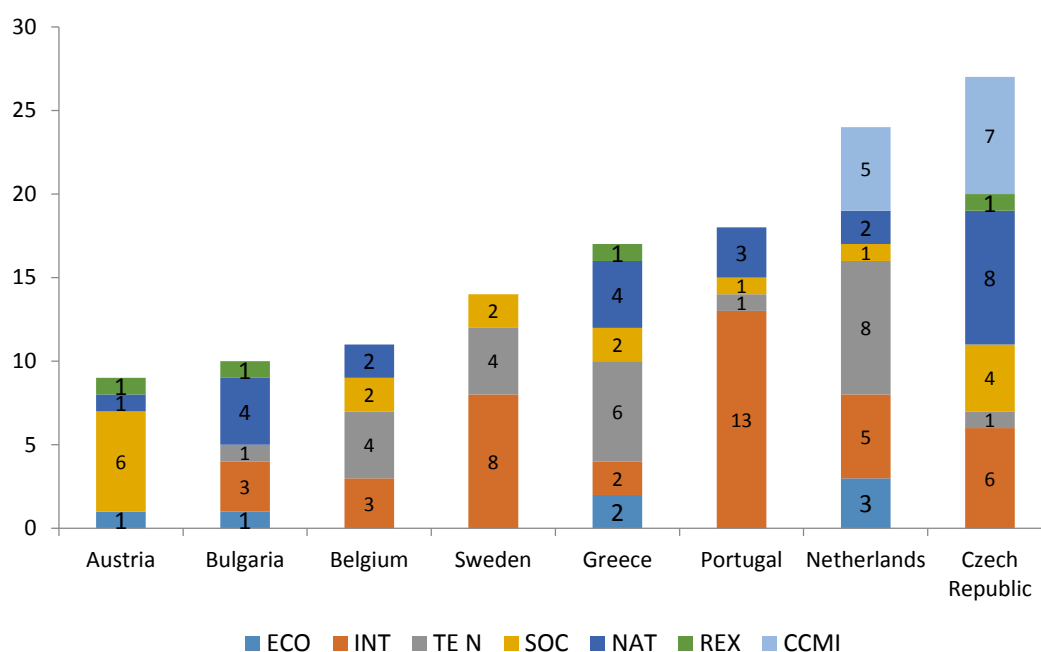
In order to understand whether size matters for interest group representation, let us now take a comparative perspective on this issue, by extending the analytical focus to seven other nations with similar sizes delegations at the EESC (Austria, Belgium, Bulgaria, Czech Republic, Greece, the Netherlands, and Sweden). There were 130 opinions drafted and concluded by some of these 96 representatives until September 2013 - most of which had to do with the Single Market, Production and Consumption (INT; 40 opinions), Transport, Energy, Infrastructure and the Information Society (TEN, 25 opinions) or Agriculture, Rural Development and the Environment (NAT; 24 opinions). As we will see in detail, the productivity of these eight groups (here defined as the ability of serving a *rapporteur* of opinions that will be presented to other EU institutions, after plenary vote) and their scope vary considerably (*Figure 4*).

The Netherlands and the Czech Republic have, by far, the most productive national delegations in the EESC - since the Fall of 2010, 24 and 27 opinions were drafted by Dutch and Czech *rappoteurs*, respectively. This means that, on average, each member of these two groups drafted an opinion twice in three years, or once every 18 months - a remarkable performance. Austria, Belgium, Bulgaria and Sweden are clearly below the average for this group (16 *rappoteurs*), whereas Portuguese and Greek EESC members were



*rapporteurs* 18 and 17 times, respectively (Figure 4). Therefore, the Portuguese record (the fact that, on average, each Portuguese member drafted 1.5 opinions in the last three years) is weak but satisfactory, at least within the group of nations with the same size and especially in comparison with richer and more developed nations such as Austria and Belgium.

**Figure 4. Distribution of the rapporteur activity by section in a selected set of countries, current mandate (2010-)**



Source: EESC website ([www.eesc.europa.eu/](http://www.eesc.europa.eu/)), accessed in September 2013

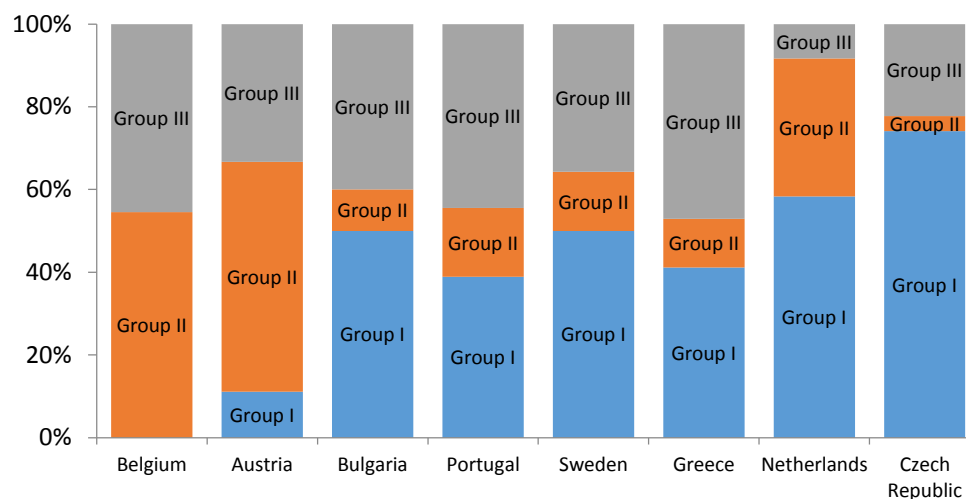
What about the issues of the opinions drafted by these *rapporteurs*? It seems that Portugal follows the general trend in this set of MS. In fact, the three most productive sections for this group were those where the Portuguese representatives had the chance to work as *rapporteurs*: INT (40 opinions), and, in a more modest scale, TEN (25 opinions) and NAT (24 opinions). The performance of the Portuguese group in the INT section is rather surprising (if one considers that the majority of national EESC members belong to other sections), and has much to do with the personal performance of the lawyer and consumer rights activist Jorge Pegado Liz, who drafted seven opinions in less than three years.

The Swedish and the Czech were also very successful within the INT section, whereas Greece, the Netherlands and Belgium were relatively more successful within the TEN section. The important role of Czech representatives within the sections dealing with agriculture (NAT) and industrial change (CCMI), as well as the success of Austria within the SOC section are also worth underlining.

Interestingly enough, Austria, Portugal, the Czech Republic and the Netherlands present no or very poor performances within the REX section, despite the fact the majority of their representatives are formally connected to this committee (*Figures 3 and 4*). However, the relationship between the number of members in each section and the amount of times that the national group is granted a role as *rapporteur* within a section is not clear. For instance, in countries such as Greece, Austria and especially Sweden, there is a strong positive relationship between these two figures (Pearson coefficients between .5 and .7) - that is, these countries were able to have a stronger say (i.e. *rapporteur* roles) within the sections where they had placed a higher number of representatives. This would mean that these delegations follow a planned and successful strategy by allocating a higher number of members in the sections that they find more important and getting *rapporteur* roles. However, in the Netherlands, the Czech Republic and Bulgaria, the correlation is weak and inverse (Pearson coefficients between -.3 and -.4), meaning there is a higher number of *rapporteur* occasions in the sections where these countries are, on average, poorly represented. Lastly, in the cases of Portugal and Belgium, the correlations are not significant. Therefore, it can be proposed that in this wider set of countries, either there is not an unified strategy of member allocation and getting a chance to serve as a *rapporteur* is due to motivation (when a member is the only national representative in a section, he/she will try harder to become *rapporteur*), personal prestige, knowledge and other factors, or the strategies exist but are not successful.

Lastly, it is interesting to notice that, in the current mandate, Groups I (Employers) and III (Various Interests) obtain *rapporteur* roles more often than Worker representatives (Group II) (*Figure 5*). This is the case for every country except Belgium and Austria, where this last group has been quite successful in terms of getting their members nominated *rapporateurs* of opinions. Belgium is also characterized by a very low productivity within Group I (employers). This is due to the fact that the data refers only to opinions that were completed and published. In fact, a few Belgian employer representatives are currently working on some opinions as *rapporateurs*, but none has finished such task so far.

*Figure 5. Distribution of the rapporteurs activity by group in a selected set of countries, current mandate (2010-)*



Source: EESC website ([www.eesc.europa.eu/](http://www.eesc.europa.eu/)), accessed in September 2013

*The representativeness of the members of the EESC: national appointments procedures*

As we have seen above, the EESC has been part of the EU institutional framework since 1957 and it has been set up with the aim of creating a more direct link between the representatives of the organized civil society and the EU decision-making process in the achievement of the Single Market. The Treaty also specifies that it has an *advisory* status and, most importantly, it leaves the MS free to decide *who* and *how* the appointment process works. This fact has been criticized already since 1980: what are the actual role and contribution in terms of democratic representativeness and legitimacy of the EESC? Where does the members' legitimacy lay, given that their appointment derives directly from the Government/Ministries and not from democratic, popular elections?<sup>6</sup> This discourse, indeed, is closely related to the different national nomination processes for the members of the EESC, which, as we will see, vary significantly from one MS to another.

Quite interestingly, however, such a debate was not so “inflamed” as the broader debate on the democratic deficit of the European Union legislative system (namely, the lack of power

<sup>6</sup> CONV 739/03 - *Four good reasons to abolish the Economic and Social Committee*, Contribution to the Convention by Helle Thorning-Schmidt, MEP, May 15, 2003;;

of the EP, the accountability of the European Commission, the actual role of the European Council, the lack of transparency etc.). With the EESC having been granted a mere advisory status, the issue of its representativeness has not been perceived central. This is also the reason why, for example, the role of the EESC and, in particular, the different national appointment procedures have not been the topic of in-depth studies or more general debate (Rideau, 1997).

Nevertheless, a closer look at the different national appointment procedures can offer an important perspective for the comprehension of how a MS can maximize its impact in the EU-28. In particular, we can assume that, in a comparative perspective, the more the national appointment system is centralized (and thus: the more the respective government decides which organizations are represented in Brussels), the less the civil society organizations are *de facto* able to freely discuss and exchange ideas on the EU legislation towards a more integrated Europe. Vice-versa, in a more centralized system the government is more likely to primarily appoint those organizations with which it shares political preferences and interests.

According to a study financed by the EESC<sup>7</sup>, the different national appointment procedures can be divided in five groups, taking into consideration the Institutions involved and the responsibilities ascribed, the description of the appointment process and the selection criteria. These groups are:

- Type 1: centralized decision-making in the Prime-Minister or government as a whole (i.e., the Council of Ministers)
- Type 2: the responsibility and decision-making lays in one or more ministries, what means an effective delegation of powers in the ministries
- Type 3: the selection is carried out by several ministries but the Prime Minister or the Government as a whole have the final word, i.e., there is a delegation of powers on the selection, but centralized decision-making
- Type 4: the selection was delegated in the national economic and social councils
- Type 5: This type is similar to type 4, the difference being that the organizations who sent representatives to the EESC are pre-established and do not change through the years

*Table 4* shows into which groups each EU member state falls.

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<sup>7</sup> The authors thank the author of the study for the important contribution on this specific topic. From this report we have drawn the most important parts of our contribution.

*Table 4. Selection and Nomination of EESC members*

MS	Government's role	Individual Ministries role	National Economic and Social Council / or NGOs council role	Type
Austria	Formal nomination		Selection	5
Belgium		Minister of Labour; Minister of Economy: nomination	Selection	2
Bulgaria	Formal nomination		Selection	4
Cyprus		Ministry of Labour and Social Insurance: formal nomination	Selection	5
Czech Republic	Formal nomination	Several ministries: selection (group III)	Selection (groups I and II)	2+4
Denmark		Ministry of Foreign Affairs full responsibility		2
Estonia	Consultation and formal nomination	Ministry of Social Affairs: selection		2
Finland	Selection and nomination			1
France	Nomination	Ministry of Employment: coordination of selection		1
Germany	Nomination	Five ministries: selection		3
Greece		Minister of Economy and Finance: nomination		2
Hungary		Selection (group III)	Selection (groups I and II)	Lack info
Ireland	Coordination, selection and nomination	Ministries of Finance and Foreign Affairs: consultation		3
Italy	Nomination	Minister of Economy; Minister of Labour and Social Affairs: selection		3
Latvia	Nomination	Ministry of Foreign Affairs: coordination; three ministries: selection		3
Lithuania	Nomination	Ministry of Economy: coordination and selection; three ministries: consultation	Consultation	3
Luxembourg	Nomination	Ministry of Foreign Affairs: coordination		3
Malta	Nomination		Selection	4
Netherlands	Formal nomination		Selection	4
Poland	Nomination	Ministry of Labour and Social Policy: coordination	Selection	1+4
Portugal	<b>Nomination</b>	<b>Ministry of Foreign Affairs: coordination; several ministries: consultation</b>	<b>Consultation</b>	<b>1</b>
Romania	Selection and nomination			1
Slovakia	Formal nomination	Ministry of Social Affairs: coordination	Selection	4
Slovenia	Formal nomination		Selection	4
Spain	Formal nomination	Ministry of Labour and Social Affairs: selection and coordination		2
Sweden	Formal nomination	Ministry for Enterprise: selection and coordination; several ministries: consultation		2

UK	Formal nomination	Foreign Secretary: selection and nomination; Foreign and Commonwealth Office and Department for Trade and Industry: selection		2
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Source: Cecilia Fonseca, *The EESC appointment procedures in the EU 27 Member States*, François Staedelin Bursary Programme, February 2007

Types 2 and 4 are the most common; it means that in most of the MS the nomination of the EESC's members is de facto delegated from the government to the institutions (Ministries/National and Economic Social Councils) that are considered better qualified to decide who must be the national representatives in the advisory body. This is the case in Belgium, Denmark, Estonia, Greece, Sweden, Spain, and UK, Czech Republic, Malta, Netherlands, Slovakia and Slovenia. It is worth noting that these two categories include both "old" and "new" MS. In Types 2 and 4, moreover, the role of the national ESC seems to be very important; sometimes they have the responsibility to conduct the entire selection of the representatives, while in other they have a consultative role (Chabanet and Trechsel, 2008). Also, Type 3 is composed by old and new MS: Germany, Ireland, Italy, Latvia, Lithuania, and Luxembourg.

The appointment procedure of the **Portuguese members of the EESC**, by contrast, falls within Type 1 (together with Finland, France and Poland): it is characterized by the main responsibility of the Prime Minister for both the selection and the official nomination. The Ministry of Labour and Social Affairs, the national Economic and Social Council and other civil society stakeholders are just consulted on the list of candidates, while the EU Department of the Ministry of Foreign Affairs coordinates the information flux between the EU Sub-Secretary of Foreign Affairs of that Ministry and the EU Department of the Prime Minister's Office. This approach indeed mirrors a centralized government system as a whole.

## **B) The Committee of the Regions (CoR)**

The Committee of the Regions has been set up only in 1994 by the Maastricht Treaty in order to involve regional and local authorities in the European decision-making process (indeed about 70 percent of EU legislation has a direct regional and local impact) and thus to encourage greater participation from the citizens in the process of European integration. The creation of the CoR can be seen as having contributed to a multi-level system of governance at the EU level, where regions have the opportunity to lobby directly without being mediated by national governments. It also means better access to EU programmes

and funding for these regions. Analysing to what extent this is true is again not an easy task, although there is good reason to believe regional interests can gain from being represented in Brussels. One indicator of this is the number of offices of regional representations in Brussels, which has gone from a handful in 1984 to over 250 in 2010 (Moore, 2011: 7).

One additional difficulty when conducting such type of analysis has to do with the fact that EU MS present different forms of territorial organization. In some MS, such as Germany, UK, Belgium or Spain, regions have legislative autonomy. In other MS, as in the case of Portugal, regions are only administrative entities. In addition, it can also be argued that the EU15 had a more stable form of territorial organization compared to those countries that entered the EU in 2004 (Moore, 2011). All this is likely to have an impact in each region's ability to exert influence and extract benefits.

In addition, the same type of difficulties arises as in the case of the EESC when the goal is to examine the ability of this Committee to influence the decision-making process given that the CoR is strictly, like the EESC, a consultation body. The CoR, as the EESC, must be consulted by the EU institutions when they negotiate legislative texts (directives, regulations, etc.) on areas affecting local and regional authorities (art. 307 TFEU). In other cases, the consultation of the CoR by the EP and the Council or the Commission is optional. It can also issue an opinion on its own initiative in cases in which it considers such action appropriate.

The various rounds of Treaty changes have also broadened the CoR's role. Since the entry into force of the Lisbon Treaty, the CoR has to be consulted throughout the legislative process involving the EP and the Council of the European Union in the eight areas presented in Table 5.

**Table 5. Mandatory consultation of the CoR**

<b><i>Policy fields</i></b>	<b><i>Treaty articles</i></b>
Transport	91
Employment	148 and 149
Education, vocational training and youth	166,4
Culture <sup>8</sup>	167
Public health	168
Trans-European networks	170
Environment	192
Economic and social cohesion	175, 177 and 178

Source: Elaborated by the authors with information from the TFEU

Like the EESC, the CoR is now composed of 353 members, following Croatia's accession to the EU in July 2013. These members have to hold either a regional or local authority electoral mandate or be politically accountable to an elected assembly (according to the Nice Treaty). Member States' national governments propose representatives to the Council of Ministers, which officially appoints them for a renewable five-year mandate (art. 305 TFEU). The number of members per EU state varies according to the population of each state, and has the same composition already seen for the EESC. This means that Portugal has 12 members at the CoR, as well as 12 alternates (*Table 6*).

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<sup>8</sup>Art. 167 TFEU is the only provision in which it is required the CoR's opinion only.



*Table 6. Portuguese members (and alternates) of CoR in September 2013*

	<i>Background</i>	<i>Member Since</i>	<i>Group</i>
<i>Members</i>			
<b>Vasco Ilídio Alves Cordeiro</b>	President of the Autonomous Regional Government of the Azores	2013	PES
<b>António Costa</b>	Mayor of Lisbon	2010	PES
<b>Francisco Mesquita Machado</b>	Mayor of Braga	1996	PES
<b>Joaquim Raposo</b>	Mayor of Amadora	2006	PES
<b>José Luís Carneiro</b>	Mayor of Baião	2006	PES
<b>Alberto João Jardim</b>	President of the Regional Government of Madeira	1994	EPP
<b>Rui Rio</b>	Mayor of Oporto	2003	EPP
<b>José Macário Correia</b>	Mayor of Faro <sup>9</sup>	1998	EPP
<b>Fernando Ruas</b>	Mayor of Viseu	1998	EPP
<b>Carlos Pinto</b>	Mayor of Covilhã	2008	EPP
<b>Manuel Frexes</b>	Mayor of Fundão	2010	EPP
<b>Carlos Pinto de Sá</b>	Mayor of Montemor-o-Novo	1998	NI
<i>Alternates</i>			
<b>João Cunha e Silva</b>	Vice-President of the Regional Government of Madeira	2001	EPP
<b>António Jorge Nunes</b>	Mayor of Bragança	2010	EPP
<b>Carlos Marta</b>	Mayor of Tondela	2010	EPP
<b>Isaura Morais</b>	Mayor of Rio Maior	2010	EPP
<b>Alvaro Amaro</b>	Mayor of Gouveia	2010	EPP
<b>Jaime Soares</b>	Mayor of Vila Nova de Poiares	2006	EPP
<b>Joaquim Dias Valente</b>	Mayor of Guarda	2006	PES
<b>António Borges</b>	Mayor of Resende	2006	PES
<b>Aníbal Reis Costa</b>	Mayor of Ferreira do Alentejo	2006	PES
<b>Américo Pereira</b>	Mayor of Vinhais	2006	PES
<b>Rodrigo Vasconcelos de Oliveira</b>	Regional Undersecretary of the Presidency for External Relations of the Azores	2013	PES
<b>Vítor Proença</b>	Mayor of Santiago do Cacém	1994	NI

Source: CoR website ([www.cor.europa.eu/](http://www.cor.europa.eu/)), accessed in September 2013.

<sup>9</sup> Between 1998 and 2009, Mr. Correia served as Mayor of Tavira.

The group of 12 members is composed of the presidents of the two autonomous regions in Portugal (Azores and Madeira), the mayor of the nation's capital, and mayors of important/populous cities in the North (e.g. Oporto, Braga), Center (Amadora) and South (Faro) of the Portuguese territory. Similarly, the alternates comprise secondary figures at the regional governments and mayors of medium to small Northern and Southern towns. These groups would therefore represent the interests of the Portuguese citizens who live in small or large towns at different points of the continental territory, as well as the interests of those who live in the archipelagos of Azores and Madeira, so that no particular interest or viewpoint could be damaged or neglected by its distance from Lisbon.

Unlike the EESC members, the CoR members are politicians elected at local level; thus they have formed groups, which reflect their political affiliations. Currently there are **five political groups** in the CoR: the European People's Party (EPP), the European Conservatives and Reformists (ECR), the Party of European Socialists (PES), the Alliance of Liberals and Democrats for Europe (ALDE) and the European Alliance (EA). There is a relative balance between EPP and PES members at the CoR (about 125 full participants each), whereas ALDE is the third most represented political group (*Table 7*).

***Table 7. Political Groups at CoR***

<i>Political Group</i>	<i>N° of members</i>	<i>Member States</i>
<b>EPP</b>	127	26
<b>PES</b>	128	27
<b>ALDE</b>	50	19
<b>EA</b>	17	9
<b>ECR</b>	11	4

Source: CoR website ([www.cor.europa.eu/](http://www.cor.europa.eu/)), accessed in September 2013.

In the case of Portugal, there is also a clear balance between left-wing and right-wing representatives: both groups are composed by six members belonging to the EPP group (i.e. with connections with the Portuguese centre-right party PSD and, in some cases, the support of the right-wing party CDS-PP), five members belonging to PES (i.e. coming

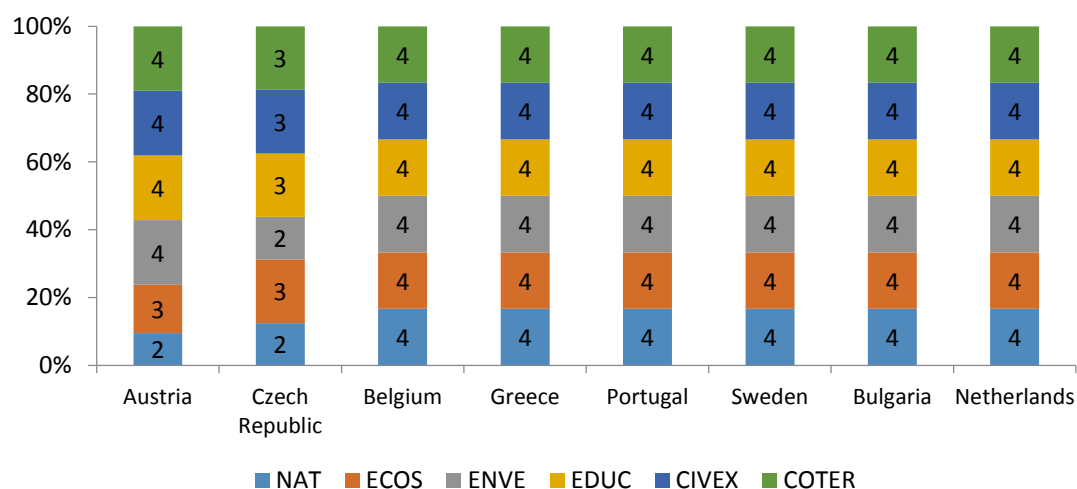
from the Portuguese PS), and one unaligned (NI) mayor supported by the Portuguese Communist Party (*Table 6*).

The CoR formally comprises **national delegations**, which reflect the overall political, geographical, and local/regional balance of each Member State. The delegations meet before each Committee of the Regions plenary session to discuss the positions of their regions on political issues that will be addressed at the session.

As for the internal organization of the CoR, it is composed by the **President** and the **Bureau**, which are elected for a two-and-a-half-year term together with the first Vice-President and 27 vice-presidents (one per Member State); **six** specialized **committees** which are responsible to support the preparation of opinions based on the proposals of the European Commission (territorial cohesion policy - COTER; economic and social policy - ECOS; environment, climate change and energy - ENVE; natural resources and agriculture - NAT; culture, education, youth and research - EDUC; citizenship, governance, institutional and external affairs - CIVEX); the Committee for Administrative and Financial Affairs (**CAFA**), which advises the Bureau on administrative and financial questions; the **Plenary** assembly which meets six times a year; and a **Secretariat General**.

Portugal follows what seems to be the rule in other nations with 12 CoR seats in terms of distribution of representatives in the six commissions: on average, each member belongs to two commissions, and each commission is composed of four Portuguese representatives (*Figure 6*). The same pattern is observed in Belgium, Greece, Sweden, Bulgaria and the Netherlands, but not in the Austrian and Czech delegations. In fact, Austria has a weaker presence in the commissions dealing with nature and agriculture (NAT) and economic and social policy (ECOS) than in the other four commissions, whereas the Czech Republic places, on average, about three representatives in each commission. This means that this nation is the least successful in terms of commission participation, with a substantial proportion of its representatives belonging to one commission only.

*Figure 6. Distribution of CoR members in the six commissions (Portugal and similar Member States)*



Source: CoR website ([www.cor.europa.eu/](http://www.cor.europa.eu/)), accessed in September 2013.

The distribution of the 12 Portuguese representatives in the six commissions is also quite balanced from a political viewpoint: usually, the four seats in each commission are taken up by two representatives from the EPP group and two representatives from the PES group. The two exceptions are the NAT and ECOS commissions, where the presence of a non-aligned left-wing member (the communist mayor Carlos Pinto de Sá) reduces the amount of seats given to the PES Portuguese members (*Table 8*).

*Table 8. Distribution of Portuguese Members in the six commissions*

Name	Group	NAT	ECOS	ENVE	EDUC	CIVEX	COTER
Vasco I. Alves Cordeiro	PES	X		X			
António Costa	PES					X	X
F. Mesquita Machado	PES		X	X			
Joaquim Raposo	PES				X	X	
José Luís Carneiro	PES				X		X
Alberto João Jardim	EPP	X				X	
Rui Rio	EPP		X			X	
José Macário Correia	EPP			X			X
Fernando Ruas	EPP		X		X		
Carlos Pinto	EPP	X					X
Manuel Frexes	EPP			X	X		
Carlos Pinto de Sá	NI	X	X				
<b>Total PES</b>		<b>1</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>
<b>Total EPP</b>		<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>

<b>Total NI</b>		1	1	0	0	0	0
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Source: CoR website ([www.cor.europa.eu/](http://www.cor.europa.eu/)), accessed in September 2013.

The Lisbon Treaty has brought an important change in the role of the CoR, namely, the right to bring actions on grounds of infringement of the **principle of subsidiarity** by a legislative act before the European Court of Justice of the EU (see art. 263 TFEU and Protocol (No 2) on the application of the principles of subsidiarity and proportionality). According to this new power, the role of the CoR in monitoring the implementation of the EU legislation has been definitely strengthened.

The internal process relating to the adoption of the CoR's opinions is very similar to that already seen in the EESC: after having received the legislative proposal, the sectorial committee concerned appoints a *rapporteur* which is responsible for drafting the opinion, which is first discussed within the committee and then adopted by the Plenary through majority. He/she is also responsible for monitoring the course of the procedure underlying the Committee's consultation. The CoR's Rules of procedure also provides the possibility for the adoption of a *rapporteur general* where the committee responsible cannot draw up a draft opinion or report by the deadline set by the Council, Commission or the European Parliament; in such cases, the *rapporteur general* submits her/his draft text straight to the Plenary session without the prior involvement of the sectorial committee (art. 41). On average, the CoR adopts more than 50 opinions and 40 stakeholders' consultation per year.

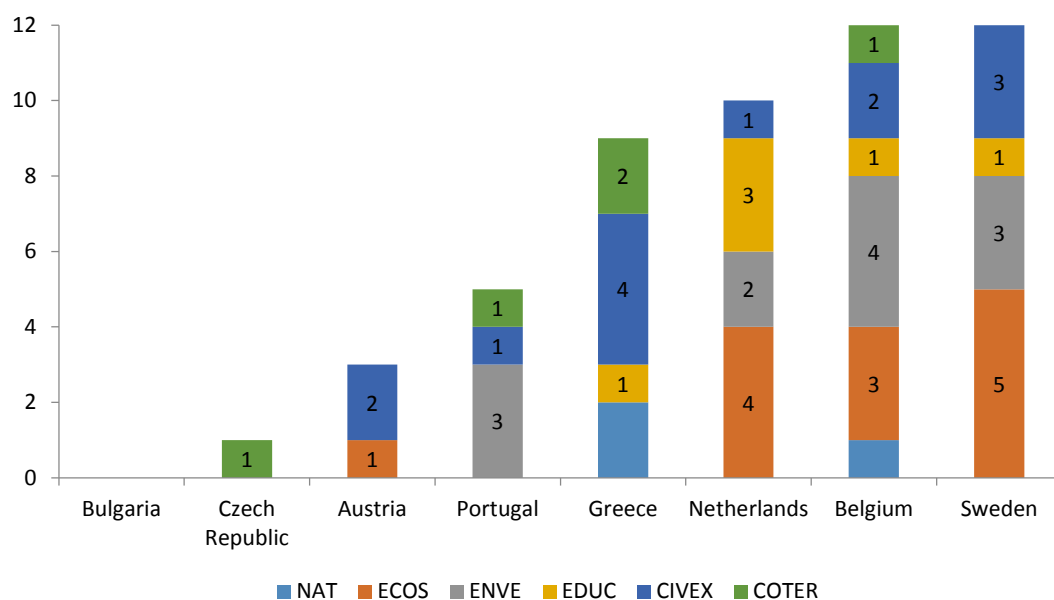
Within the Portuguese delegation, only three representatives assumed the role of *rapporteur* during their participation at the CoR - Mr. António Costa, Mr. Alberto João Jardim and Mr. José Macário Correia. The latter is the most active member, having served as *rapporteur* six times in 15 years (once every 2.5 years, on average) and drafting opinions on issues such as pollution, environmental noise or freight transport. Mr. Jardim, the most senior Portuguese member of CoR, drafted two opinions in the 1990s, on issues such as economic cohesion, growth and competition. Lastly, Mr. Costa assumed the role of *rapporteur* as many times as Mr. Jardim (twice), even if his membership at the CoR is fairly recent. The Mayor of Lisbon is also the Chairman of the CIVEX commission.

Let us now focus on the period from January 2010 onwards (the current mandate), and take a comparative perspective. The commissions CIVEX, ENVE and ECOS are those where the representatives from this set of countries have been able to assume the role of *rapporteurs*. Except for the last one, these are also the commissions where the Portuguese

representatives António Costa and Macário Correia have been active in the current mandate. The Portuguese delegation is far from being amongst the most productive in terms of opinions drafted, but is still far away from the poor performances of the Bulgarian, Austrian and Czech delegations. If Austria and Greece are excluded, there seems to be a divide between old and new democracies in terms of the ability to get *rapporteur* roles, with the older western democracies presenting, on average, much better outcomes than Southern and Eastern countries with the same number of CoR members. In fact, the Swedish and Belgian delegations display the most favourable performance figures in this set of countries, with an average of 1 opinion drafted per member (the group average is of about 0,5).

In terms of issues, Sweden, the Netherlands and Belgium display a similar pattern, with economic and social issues (ECOS) and environment (ENVE) being the areas where their representatives took the role of *rapporteurs* more often; the latter is also the commission where the majority of the opinions drafted by Portuguese can be found, whereas the Greek delegation was particularly focused on the matters discussed at CIVEX.

**Figure 7. Distribution of the rapporteur activity by commission in a selected set of countries, current mandate (2010-)**



Source: CoR website ([www.cor.europa.eu/](http://www.cor.europa.eu/)), accessed in September 2013.

### **C) How, whether and to what extent do the EESC and the CoR impact the European legislation?**

As previously mentioned, it is very difficult to understand to what extent the opinions adopted by the EESC and the CoR do have an impact on the EU laws finally adopted by the EP and the Council through codecision. This is due to a multitude of factors.

First of all it must be considered that the legislative process rapidly evolves and the EP and the Council, as EU co-legislators, often try to reach an agreement even before the end of the official terms provided by the Treaties and their Rules of Procedure. This implies that, even though the two advisory bodies follow the established road map and are able to forward to the EP, the Council and the Commission their opinions, it might be the case that they are not “in good time” to effectively influence the negotiations as an agreement might already have been reached.

Second, in practice the decision-making process between the EU Institutions takes place behind closed doors, through the so-called triilogue system, where few representatives of the EC, the EP and the Council meet and negotiate a compromise text that will be then officially adopted in the Plenary and in the thematic Council session. The CoR and the EESC do not attend these meetings and are thus completely absent from the real negotiation forum. As a consequence, the CoR and the EESC encounter serious difficulties in being updated about the content of the legislative texts under negotiation.

Third, we have already seen that the two bodies should be consulted again if the original EC proposal on the basis of which they have adopted their opinions has been profoundly changed. Indeed the practice shows that, once the EP and the Council found a clear path towards an agreement, they do not really take into consideration the opinion of the advisory bodies. This fact, of course, constitutes the main reason why it is so difficult to understand to what extent the CoR and EESC’s activity really influence the EU laws, namely the absence of any mandatory characteristic of their opinions.

Nevertheless, the opinions and the activities of the two bodies should not be ignored despite this being done by many commentators, national interest groups, and also national governments. Actually, the role of the EESC and the CoR, even though superficially judged minimal, is sometimes of great importance as source of inspiration and expertise especially for the EC and the EP. But how does it happen? And is it possible to ‘measure’ the influence of the two advisory bodies in practice?

Indeed, throughout the years both the EESC and the CoR have developed other ways and channels to try to influence the process of approval of EU laws, beyond the formal advisory power granted to them by the EU Treaties.

EU policy developments require a constant flow of information from the bottom up. Yet the changing priorities of people, technological developments, the economic problems of small and medium enterprises, or the particularities of local realities constitute some examples of levels of information which are difficult to be correctly perceived from the observatories established in Brussels. The EC, *in primis*, as the initiator of the EU legislative process and the guardian of the status of the EU integration project needs information to correctly shape its legislative proposals, which is then forwarded to the co-legislators. This is why, over the years, a growing number of associations, enterprises and, generally speaking, “lobbies” have been established in Brussels and the EC itself set up a register of expert groups to which it can rely on to ask and obtain information. This is even more important if we consider that, at the end of the day, it is up to local authorities to apply and implement the EU laws and for the enterprises to act according to such regulations (McCarthy, 1997).

In this perspective, the two advisory bodies have been granted the power to adopt (non mandatory) opinions exactly with the purpose to provide the **EC** the expertise and the necessary data regarding very important fields. To this aim, moreover, in February 2012, the EC and the EESC adopted a new cooperation **protocol** (which replaces a seven-year-old cooperation agreement) which marks a new step forward in the cooperation between the Commission and the Committee by strengthening the EESC's role of enabling civil society participation in the policy-shaping and decision-making processes of the EU in light of the Lisbon Treaty provisions on participatory democracy and civil dialogue and by providing for a stronger input of the EESC into the definition of the EU's political priorities, the European Commission's annual work programme and the Europe 2020 Strategy<sup>10</sup>. By the same token, since 2001 the CoR and the EC have adopted a cooperation agreement, which specifies the conditions whereby the CoR can usefully play its part in advising the Commission and, more specifically, it provides regular contacts with the

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<sup>10</sup> The Text of the Protocol is available on line on the EESC web site: <http://www.eesc.europa.eu/?i=portal.en.eu-cooperation.22469>



Commission, at both administrative and political level and meetings with the Commission DG coordinators<sup>11</sup>.

The results of these agreements are not negligible as testified by the regular **follow-up** of the EC on the EESC and CoR's opinions<sup>12</sup>.

This privileged relationship between the EESC, the CoR and the EC is repeated, to a lesser extent, with regard to the relationship between the two advisory bodies and the **EP**. Also the EP, in fact, and especially the *rapporteur* in charge of negotiating the legislative proposals with the Council representatives, needs information and inputs to 'compete' with its counterpart as this latter, thanks to the 28 national administrations preparing the Council meetings has at its disposal much more information. Consequently it is quite common that the *rapporteur* of the competent EESC and CoR's thematic section and the EP *rapporteur* regularly meet before the official parliamentary position is adopted in the Plenary and even before the official vote in the competent EP committee takes place. For example, during the difficult negotiation process of the Multiannual Financial Framework (MFF), after having met the secretary-general of the EC, Catherine Day, and the Commissioner for Finance, Programme and the Budget, Janusz Lewandowski, the CoR's *rapporteur* presented its final opinion at the EP's REGI committee in the presence of the REGI's chair, *rapporteur* and shadow *rapporteurs*, and to the EP's BUDG committee. By being adopted first, the CoR's opinion led to strong impact on REGI and BUDG opinions as regards thematic concentration, multilevel governance, partnership contracts, flexibility, simplification, macro-economic conditionality, ex ante, performance reserve etc. This influence of the CoR's opinion has been testified also by a letter of the vice-chair of the EP's BUDG committee to the CoR *rapporteur* noting that many CoR positions have been "broadly shared" by the EP. The same fruitful contacts with the EP can be demonstrated also as for the adoption of other important EU laws, like, for example, in the field of the Cohesion Policy (regarding, in particular, the share and the role of the ESF and the architecture and types of regions) and the Common Agricultural Policy (regarding, in particular, the reform of the CAP and the rural development policy and the local food system).

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<sup>11</sup> Also the text of the Protocol signed between the CoR and the EC is available on line on the CoR web site: <http://cor.europa.eu/it/about/interinstitutional/Pages/european-commission.aspx>.

<sup>12</sup> See for example the quarterly reviews presented by the European Commission about the actions taken on opinions adopted by the EESC, available on the EESC website from here: <http://www.eesc.europa.eu/?i=portal.en.follow-up-opinions>. See also the CoR Annual Reports available in the committee's website.

It is quite difficult however, as acknowledged by Mr. Jorge Pegado Liz, the most active Portuguese EESC member (see also below) to clearly identify the “origin” of a provision contained in the EU laws. Quite manifestly, the EC and above all the EP *rapporteur* are reluctant to admit that this or that amendment has been actually drafted or “inspired” by one of the two advisory bodies!<sup>13</sup>

As for the relationship between the EESC and the CoR and the Council, it varies a lot from one MS to another. If in some MSs the national negotiation position is not even disclosed to the national EESC and CoR’s members (like in the case of **Portugal**, see the table below), other MS (like in the case of Spain and Italy) clearly try to maximize their tools to influence the policy process also through the intervention of the national members of the two advisory bodies. The role played by the National Permanent Representations (cfr. Report n°3) is crucial in this regard. They are of pivotal importance in the transmission of the national positions on EU policies to the institutional actors. A regular contact also with the EESC and CoR’s national members could be of great help to foster the strongest possible national action at EU level.

Beyond the regular contact with EC and the EP, how can the EESC and CoR give an authoritative character to their advisory opinions? Looking at the practice, the answer is rather clear: by giving an accurate and in-depth opinion and by adopting it by consensus as to granting it the necessary power to influence the policy process.

It is necessary to make a preliminary remark on that point: the two advisory bodies normally vote by show of hands. This practice does render very difficult to trace back the voting behaviors of national members of the EESC and CoR as in neither of the two committees the votes in the Plenary are electronically recorded by roll call votes, so that to know “who has voted what”. The related Rules of Procedure actually provide that it can be done only upon request of a group of members. At the same time, however, we have access to the results of the votes of the final resolutions on the opinions of both committees. Analyzing those votes, we see the trend in the EESC and in the CoR to vote by unanimity or, if there is any contrary votes or abstentions, they are not so many.

As an example, we have analyzed the voting results of the resolutions voted at the CoR Plenary session on 31 January and 1 February 2013 and at EESC Plenary session on 16 and

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<sup>13</sup> Some rare exceptions indeed exist: in the context of the presentation of the EC proposal on the EU contract law, Viviane Reding openly mentioned the contribution of the EESC own-initiative opinion " The 28th regime – an alternative allowing less lawmaking at Community level" (INT/499) adopted on 27 May 2010.

17 January 2013. *Tables 9 and 10* below clearly show that both committees try to reach a common position.

***Table 9. Results of the votes on the Resolutions adopted by the EESC at the first plenary session of 2013***

1.	Single Market Act II – Together for new growth	162 votes for, 24 against, 18 abstentions
2.	Security industrial policy	128 votes for, 2 against, 5 abstentions
3.	Drug precursors	130 votes for, 1 against, 7 abstentions.
4.	Partnership for Excellence and Growth in the ERA	120 votes for, 2 abstentions
5.	International cooperation in research and innovation	133 votes for, 1 against, 2 abstentions
6.	Better access to scientific information – public investment	151 votes for, 5 abstentions
7.	Towards an EU Cloud Computing Strategy	158 votes for, 2 against, 7 abstentions

Source: Elaborated by the authors from the EESC's register of documents

It is worth noting that, contrary to what one might think the EESC's members tend to adopt their opinions unanimously even though they belong to different areas of interest – sometimes competing against each other.

By the same token, the same trend seems to occur also in the CoR. Even though CoR members have formed *groups*, which reflect their *political affiliations*, such status seems not to have dramatic consequences on the final vote of the CoR's opinions. Several commentators have already observed, indeed, that there is a greater degree of consensus among local and regional authorities sitting in the CoR than between them and their national governments. Furthermore, many MS have showed an unenthusiastic position about the role of the CoR in the legislative process from the outset: France and Britain both opposed strengthening the consultative function of the CoR by extending it to the EP; again Britain, together with Denmark, also opposed the extension of the advisory responsibilities of the CoR to additional areas, such as environment, vocational training, social policy and transport; Portugal and the Netherlands opposed stipulating an electoral mandate for all CoR's members. Among EU Member States, only Austria always supported the CoR's positions, while Belgium supported the institutional status for the CoR (Carroll, 2011).

***Table 10. Results of the votes on the Resolutions adopted by the CoR at the first plenary sessions of 2013***

1.	A sustainable future for the European Economic and Monetary Union	Unanimity minus one abstention
2.	Youth Guarantee	Unanimity minus two abstentions
3.	Blue growth: opportunities for marine and maritime sustainable growth	Unanimity
4.	European Research area	Unanimity
5.	Strengthening EU citizenship: promotion of EU citizens' electoral rights	Majority
6.	The statute and funding of European political parties and European political foundations	Unanimity
7.	Creating greater synergies between EU, national and subnational budgets	Majority
8.	Better Governance for the Single Market	Unanimity
9.	The outermost regions of the EU in the light of the Europe 2020 strategy	Unanimity
10.	Legislative package on Cohesion Policy post 2013	Unanimity minus one abstention
11.	Renewable Energy: A major player in the European energy market	Majority

Source: Elaborated by the authors from the CoR's register of documents

*How, whether and to what extent the Portuguese members of the EESC and the CoR are able to impact the European legislation?*

We have already said that in both the EESC and the CoR the Plenary votes by show of hands so that it is impossible to know “who has voted what”. In order to understand whether and to what extent the Portuguese members of the two advisory bodies are able to influence the opinion of their related committees, we have thus to refer to other sources.

Looking at its general attitude towards the committee's role, it is quite clear that Portugal belongs to the group of states in which, as anticipated above, there is not a great degree of consensus between the local authorities and the national government. The different attitude of the MS towards the CoR's role in the EU is shown in *Table 11* below: unitary systems (like the one in Portugal) tend to disagree with the CoR's positions, while federal states are more in line with its action.

**Table 11. Consensus and disagreement and national support for CoR position by type of system**

Type of system	Consensus	Divided	National support	National oppose
Federal	Austria	Spain	Austria	Spain
	Belgium		Germany	
	Germany			
Intermediate		Italy		Italy
		UK		
Unitary	Sweden	Denmark		Denmark
		Greece		Finland
		Netherlands		France
				Greece
				Luxembourg
				Netherlands
				<b>Portugal</b>
			Sweden	

Source: (Carroll, 2011)

This general mistrustful attitude of the Portuguese government towards the CoR's role also concerns the activities of the EESC. As clearly stated by Mr. Jorge Pegado Liz, it is impossible for the EESC to have regular contact with the Portuguese National Permanent Representation in Brussels; “*it has happened, he added, just during the six months period in which Portugal held the Presidency of the EU*”.

According to him, moreover, it is even more difficult to know in advance the national position that the representatives of the government would be asked to defend in the Council. During the last years, it happened few times like in the case of the review of *Directive 2006/114/EC concerning misleading and comparative advertising* (CESE 1233/2013 - INT/675, Plenary Session: 490 - 22 May 2013 - 23 May 2013) and in the case of the EESC own-initiative report on the *Jurisdiction in civil and commercial matters* (INT/722).

More generally, and contrary to other MSs, Portuguese associations of interest representations do not sufficiently and efficiently “lobby” the institutional actors in Brussels; not only, thus, the advisory committees but also the EP, the Commission and the Council. This is mainly due to the fact that the lobbying activity continues to have a negative connotation in Portugal. If it is the case for powerful EU Institutions like the EP and the Council, it is quite clear why national lobbying is even less active with regard to the EESC and the CoR, which have a mere advisory power. With few exceptions, indeed, as Portuguese members of the AGRI section in the EESC, which are addressed by national

interest representatives, national associations do not devote enough attention to EESC work. Nevertheless, Mr. Jorge Pegado Liz provided a list of some positive examples of active and positive lobbying activity carried by Portuguese associations: namely in the cases of the adoption of the Tobacco Directive; the Directive on toy safety (Directive 2009/487EU); in the context of the debate for the approval of the EESC own-initiative opinion on "A framework for advertising aimed at young people and children" (INI 2012/C35/02); in the context of the adoption of the resolution on the electronic games and that of gambling. *“Regrettably, he added, apart from those cases, the national interests representations are completely absent from the EU level of decision-taking as they do not see the EESC as a way to channel their interests”*.

## **Structural Features of the Portuguese Civil Society and their Impact in European interest representation**

Previous sections have illustrated the Portuguese presence in institutionalized civil society channels at the EU level. We have also sustained that the capacity of any given country's organized civil society to have its voice heard in Brussels is strongly contingent on (1) the resources at its disposal, (2) the quality of the staff, (3) the existence of a coherent strategy, coordinating national and supranational goals. In what follows we make an appraisal of Portuguese civil society, examine its resources and if and how they have a cogent coherent strategy to intervene at the supranational level. We will focus on labour unions and employers association, which are both present at the EESC and constitute the majority of the associations engaged in informal lobbying activities, as we will see below.

Magone and Martins (2009) provide one of the few accounts of the evolution of Portuguese civil society and its influence on the policy-making processes. The authors point to three crucial factors concurring for what they classify as a 'weak civil society': low degrees of education in the population, weak economic structure, and weak resources (staff and membership rates). Low degrees of educational attainment are a structural problem confronting the Portuguese society. In 2012, only 21 percent of the working age population has a high-school degree.<sup>14</sup> Portugal has also an endemic problem of weak economic structure. Many of the economic groups were nationalized in the turmoil of the democratic transition. Today's Portuguese economy is mostly made of medium and small size

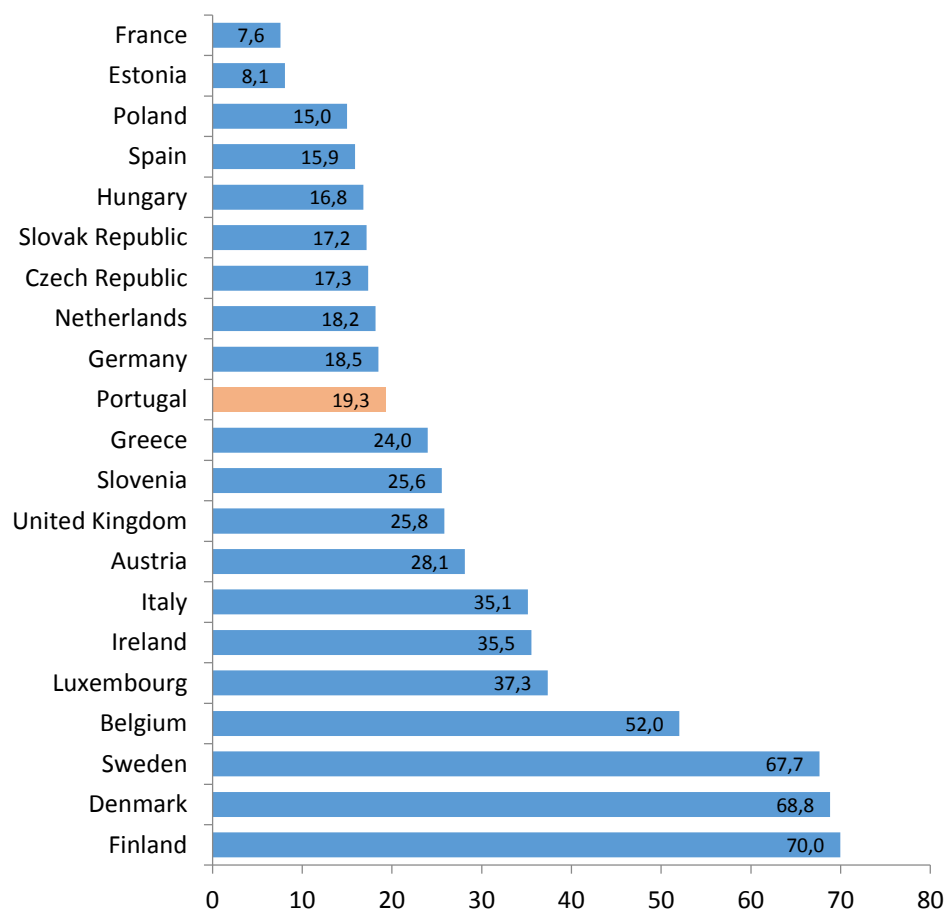
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<sup>14</sup> See Pordata ([www.pordata.pt](http://www.pordata.pt)).

companies. The lack of a larger dimension makes it difficult to have a cogent strategy to influence policy-making. Finally, it is also possible to observe that civil society associations have poor resources. Let us first look at labour unions.

Labour unions are one of the most important channels of civil society representation in advanced industrial democracies. A traditional measure to evaluate the thickness of any given labour system is to compare Trade Union Density, which gives us a percentage of workers that are unionized of the total population of workers. As we learn from *Figure 8*, the proportion of unionized employees in Europe varies considerably within the EU, with Belgium and the Scandinavian countries being those where trade unions are stronger. At the other side of the spectrum, it is possible to find France and Estonia, where workers who belong to a trade union are clearly a minority. The other EU/OECD countries can be then subdivided in two groups: those where less than a fifth of the employees are unionized (Southern and Eastern countries, but also Germany and the Netherlands) and those where about a third of the workers belong to trade unions (Western countries, but also Slovenia and Italy).

**Figure 8. Trade Union density (% of unionized employees) in the EU/OECD countries**



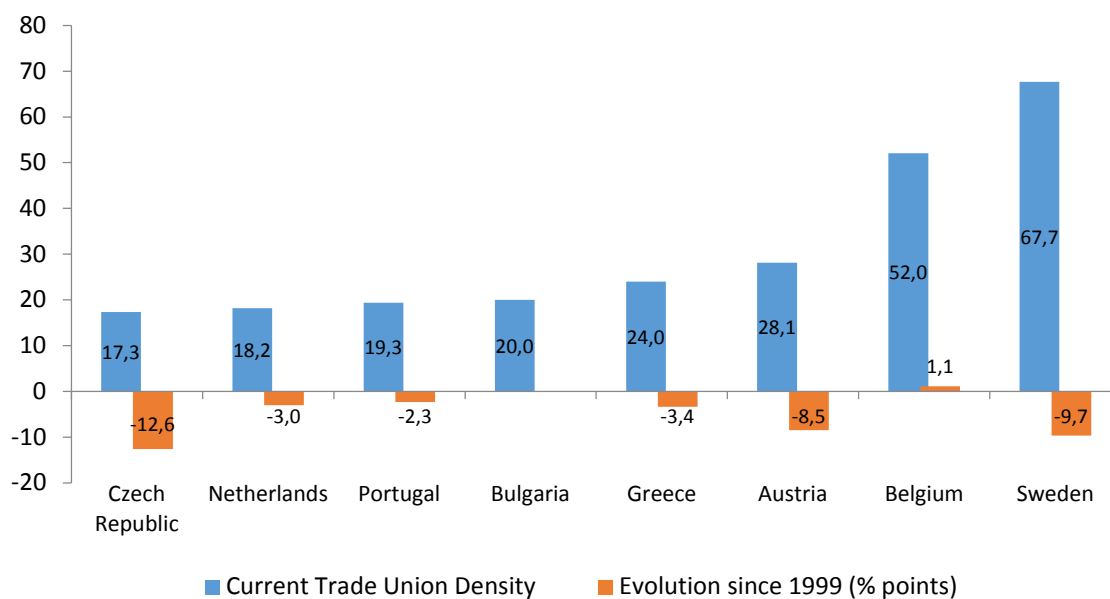
Source: OECD data.

Let us now focus on Portugal and other MSs of similar size. There are essentially two clusters within this set of nations - the first, composed of Sweden and Belgium, can be characterized by a strong influence of trade unions within these countries, due to a majority of employees being unionized; the second cluster encompasses those countries where the proportion of workers who belong to a trade union is much lower, varying between less than a fifth and less than a third of all employees in the country - Austria, Greece, Bulgaria, Portugal, the Netherlands and Czech Republic.

In terms of evolution, the trend is downwards in all countries except for Belgium; however, while in the Netherlands, Portugal and Greece the decrease was mild, in Sweden, the Czech Republic and Austria the unions have lost around 10 percent points of the total amount of employees compared to 1999 (*Figure 9*).



**Figure 9. Trade Union density (% of unionized employees) in selected countries**



Source: OECD data. For Bulgaria: Worker Participation (<http://www.worker-participation.eu/National-Industrial-Relations/Countries/Bulgaria>). Last year available for the current trade union density index: 2008 for Greece, 2009 for Belgium and Czech Republic, 2010 for Austria and Portugal, 2011 for the Netherlands and Sweden.

As we have seen, Portugal has a relatively low Trade Union Density. This hurts the prospects for labour unions to influence policy-making as they rely solely on member fees and, conversely to political parties, are not entitled to any public funding.

Let us now focus on the employers' side. The main constraint facing employers is moderate fragmentation (Magone and Martins, 2009). Put simply, the high number of associations makes it that employers have difficulties in coordinating their positions and, therefore, having a coherent policy position. There are two main associations: AIP-CE and CIP. There is also a wide array of sectorial associations, such as CAP, CCP, and so forth.

From the evidence gathered thus far, employers seem to have a stronger European strategy than employees. The former have joined the EESC in 1986 and are members of pan-European employers associations, such as Business Europe. In 1989, AIP founded the Euro Info Centre to foster the representation of its members at the European level and, above all, to provide assistance in obtaining European funds, an important economic instrument in Portuguese development in first decades as EU member.

In 2001 an important step was taken to help coordinate national interests and thus support Portuguese influence in Brussels. AIP and CIP signed a partnership in order to create and maintain a permanent representative in Brussels. For the past several years, Fernando de Almeida has represented Portuguese employers in Brussels. To have a permanent representative in Brussels is deemed crucial for a proper representation in Brussels. Similarly to what happens with MEPs, and as we have argued in our second report in this series, experience, knowledge of policy-making process and personal access to key actors, enhances one's capacity of exerting influence.

Labour unions have different positions towards Europe. UGT has had since its inception a more pro-European stand whilst CGTP had a more sceptical view of European integration but evolved to a more favourable view of Europe. Both main labour unions are members of ETUC (European Trade Union Confederation)<sup>15</sup>. Labour unions have widely perceived participation in European structures as a way to influence the allocation of European funds and to strengthen the workers' positions in labour relations in Portugal. The influence of Portuguese labour unions in ETUC is best seen in the election of Maria Helena André as deputy secretary general, in 2003, and João Proença for a similar position in 2007. Despite their acknowledgment of the importance of supranational level for workers, neither UGT nor CGTP has a permanent representation in Brussels. They keep a structure in Lisbon specifically dedicated to EU level affairs, with specialized personnel going to Brussels on a regular basis. Nevertheless, as we have argued previously regarding the permanent representation of employers in Brussels, this significantly hinders their prospects into having effective influence in the conduction of policy-making at EU level.

### **Beyond Institutional Representation: Portuguese Associations in the Transparency Register**

The presence of interest groups in the EU decision-making process goes beyond the two formal committees where regions (CoR) and economic and social interest groups (EESC) can have their voice heard. Organizations of different kinds, operating outside those two spheres, can also try to influence the EU decision-making process via informal or in less structured ways. In order to make this a transparent process, the EU created an online database called "Transparency Register" (TR) in which individual organizations that try to

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<sup>15</sup> UGT since 1983 and CGTP since 1994.

impact the EU institutions are formally registered and may present their profile to organizations lobbying in similar areas and to European citizens who are considered to be entitled to basic information about the activities of the organizations who claim to represent their interests. Quoting the 'TR website's homepage:

"Citizens have a right to expect this process to be transparent and to take place in compliance with the law as well as in due respect of ethical principles, avoiding undue pressure, illegitimate or privileged access to information or to decision makers. That is why the Transparency register has been set up. It provides citizens with a direct and single access to information about who is engaged in activities aiming at influencing the EU decision making process, which interests are being pursued and what level of resources are invested in these activities."

The TR therefore serves the goal of dealing with the infamous democratic deficit in the decision-making process by shedding some light on the interest groups that informally try to influence the decisions taken by the European Institutions. Unfortunately, the TR offers limited information about the actions of these associations, focusing more on their main characteristics (type, main interests, location, networks, and so on). Nevertheless, the information provided does allow us to identify and characterize an array of organizations whose lobbying activities at the European level are fairly unknown.

In the following, we will analyze the information made available by the TR, as well as the results of our own survey to the Portuguese associations registered at the TR<sup>16</sup>. Our goal is to map the lobbying activities of Portuguese interest groups who try to influence the EU decision-making process. The general TR patterns and the profile of organizations based in similar sized countries will constitute useful points of comparison and assessment of the Portuguese performance.

In September 2013, the TR had 5,848 entries, the majority of which (5,402) have their headquarters in one of the 28 EU MS. These associations are of six major types: In-house lobbyists and trade/professional associations; Non-governmental organisations; Professional consultancies, Law firms, and Self-employed consultants; Think tanks, Research and Academic institutions; Local, Regional and Municipal authorities, Other public or Mixed entities; and Organisations representing churches and religious

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<sup>16</sup> The Portuguese associations registered at the TR were invited to participate in an online survey designed in order to get complementary information on these associations' motivations, procedures and assessments in terms of their lobbying activities in the EU institutions. The data collection was carried out in November and December 2013. From a total of 62 associations, 35 (57 per cent) accepted the invitation and 33 (53 per cent) provided an answer to the ten questions presented in the online platform. These response and completion rates are above the average in online surveys. Moreover, the sub-sample of 33 associations resembles the universe (see figure 10), being also composed by a majority of trade and professional associations, followed by about 20 per cent of NGOs and a weaker representation of professional consultancies, think tanks/academic organizations, and local/regional organizations.

communities. *Figure 10* presents the distribution of the registered organizations in these six groups in September 2013, showing that half of them were mainly Trade/professional associations and In-house lobbyists. NGOs are the second most represented type of organization, while Religious associations are clearly a minority.

Within the EU28 borders, a considerable share of the associations (about 27 per cent) is based in Belgium, most certainly due to the advantages of being geographically closer to the European institutions. The remaining 73 percent are scattered around the EU28, with the presence of German, French, English, Italian and Spanish associations much stronger (around 10 per cent each) than those of their Estonian, Lithuanian, Maltese and Slovenian counterparts (around 2 per cent).

There is, of course, a relationship between number of registered organizations and country size, which leads us to focus the analysis of the Portuguese case within a group of similar-sized member-States already under analysis in previous sections of this report.<sup>17</sup> Within this group, it is possible to identify a divide between richer and poorer countries, i.e. with the Netherlands, Austria, and Sweden being much better represented in the TR (average number of organizations: 165) than Portugal, Greece, Bulgaria or Czech Republic (average number of organizations: 48).

Financial resources may not be the main factor explaining the strength of civil society presence in the EU lobbying channels. In our survey carried out in the Fall of 2013, the Portuguese associations were asked to name the factors that may contribute to a feeble presence of the Portuguese interest groups in lobbying activities at the EU institutions. The lack of financial resources was the least often mentioned reason (40 per cent). More frequently we found the lack of human resources prepared to engage in lobbying activities (54.3 per cent) and the unawareness of how important it is to be present in Brussels (48.6 per cent). The fact that the Portuguese interest groups do not see the EU institutions as a way of channelling their interests was also stressed by Mr. Pegado Liz in an interview (see above). Moreover, when asked about what can be done in order to improve the relationship between the Portuguese organized civil society and the EU institutions, only 43 per cent replied that more funding - in order to grant equal access to richer and poorer organizations - is needed. In fact, the majority of the Portuguese associations believe that

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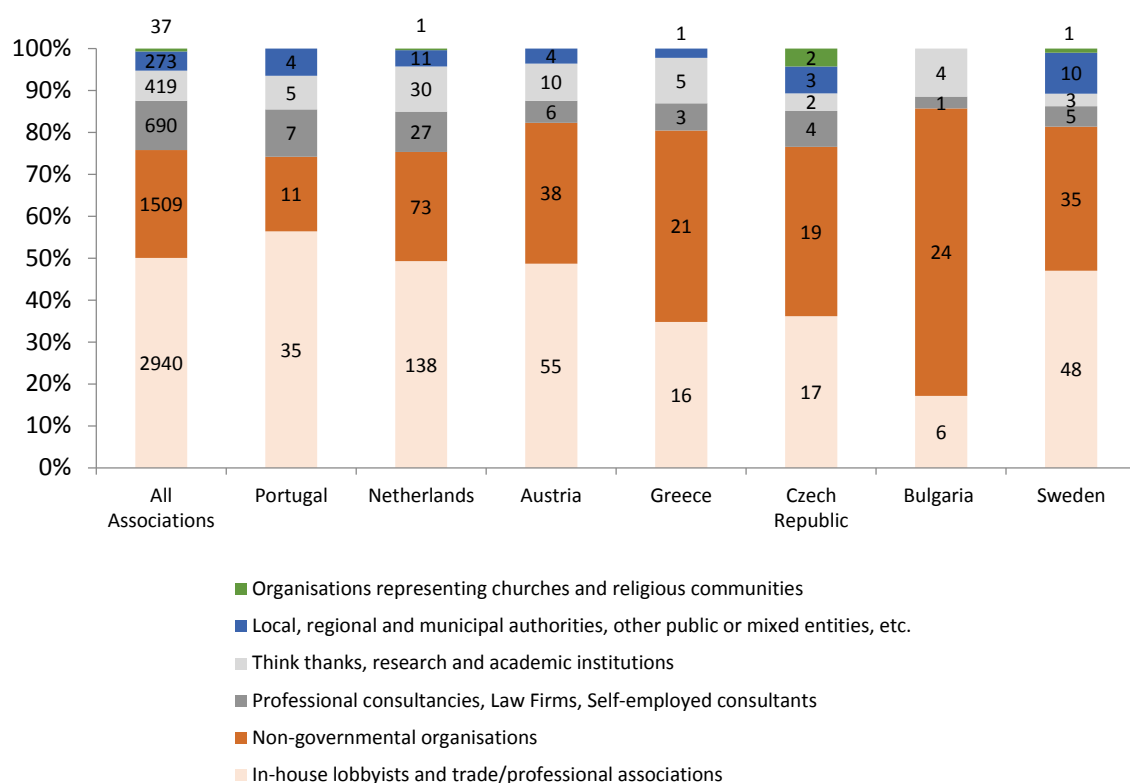
<sup>17</sup> Belgium is excluded from the analysis because, in our view, most Brussels-based organizations are not strictly connected to the interests of this nation, but are based in Belgium due to strategic and convenience reasons (namely proximity to the EU institutions headquarters).

the correct strategy is to provide more information about how civil society can have a role in the EU decision-making process.

In September 2013, the TR included 62 organizations with headquarters in Portugal. This number is just below the average in the group of MS whose size is similar to Portugal's (Belgium excluded): 98 registrations. About two-thirds of these organizations are placed in the Lisbon region, while none is based in Alentejo or Azores (the least developed regions in Portugal). Amongst these organizations, it is possible to find big companies such as Sonae or EDP, public or mixed entities such as DGEG or ADENE (both in the energy sector), academic institutions such as the Faculty of Medicine of the University of Coimbra, trade, business and professional associations such as CAP (agriculture) and APB (banks), NGOs such as Quercus (environment) and consultants such as ACCELPER or EUPPORTUNITY.

Except for the absence of religious organizations and for the comparatively weaker presence of NGOs, the case of Portugal resembles quite perfectly the general pattern in the TR: a considerable share of trade and professional associations and a weaker presence of other types of organizations. Within these similar sized countries, the cases of Greece, Czech Republic and, to a greater extent, Bulgaria, are the only where the NGOs outnumber trade and business associations in the TR (*Figure 10*).

**Figure 10. Types of Organizations registered at the TR in September 2013**



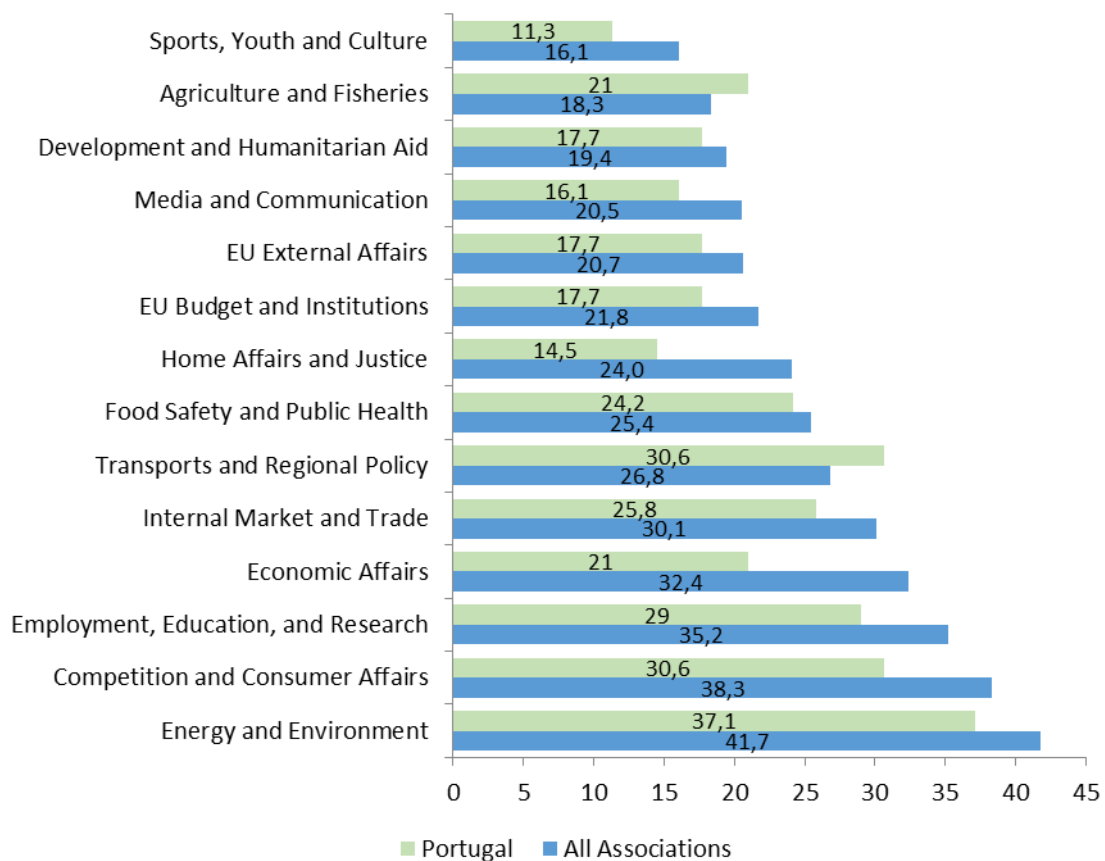
Source: TR website (<http://ec.europa.eu/transparencyregister>)

These organizations display a strong degree of diversity in terms of their main interests. The register allows for each association to choose up to 36 specific interest areas, which were categorized in 14 main areas for the purpose of this report. *Figure 11* presents the average proportion of organizations indicating issues within each general area. Averages are used because organizations could pick more than one area, which means that for some categories with more than three sub-issues, the proportions would be clearly above 100 per cent. Clearly, Energy and Environmental issues are the most popular areas, while more than two-thirds of the registered organizations have indicated Competition and Consumer Affairs or Employment, and Education and Research Affairs as their fields of interest. The least mentioned areas are Sports, Youth and Culture, Agriculture and Fisheries, and Development and Humanitarian aid.

In Portugal, issues that have to do with Energy and the Environment are also amongst the most popular, while Sports, Youth and Culture are also placed in the last position of this ranking. However, there are some differences between the Portuguese preferences and the

general patterns that are worth underlining. On the one hand, there are slightly more Portuguese associations with an interest in Agriculture and Fisheries and Transports and Regional Policy than in the full set of TR associations - a pattern that stresses the relevance granted to these areas by the Portuguese interest groups. On the other hand, the proportion of organizations interested in Economic, Justice and Home Affairs is considerably lower in Portugal (see *Figure 11*).

**Figure 11. Main interests of organizations registered at the TR in September 2013 (average proportions)**



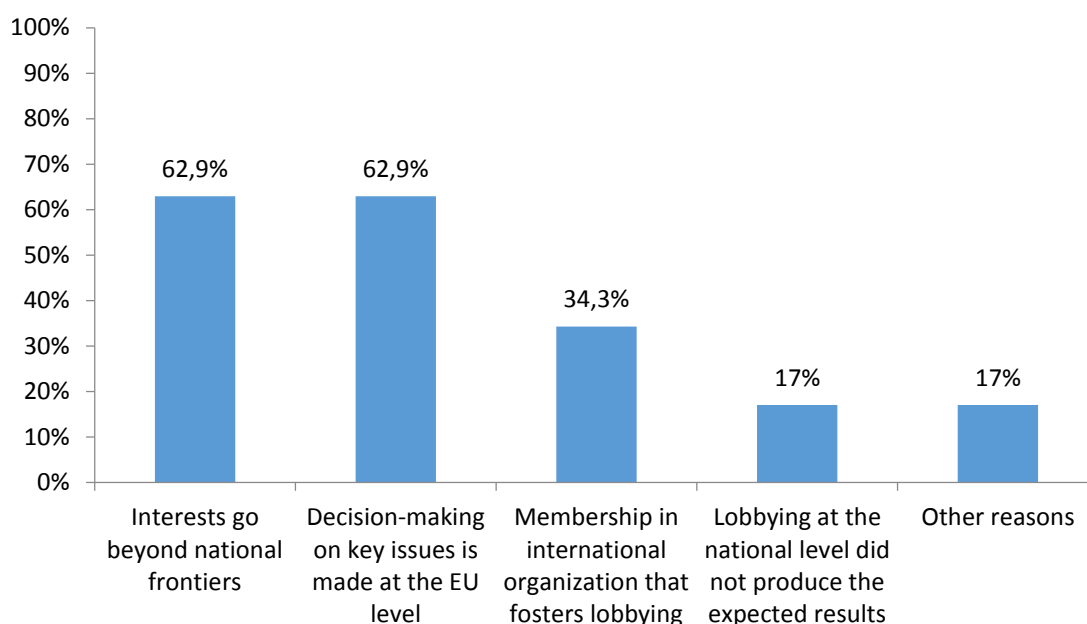
Source: TR website (<http://ec.europa.eu/transparencyregister>).

But what reasons drove these organizations to engage in lobbying at the European level? An educated guess would raise four main motives: dissatisfaction with lobbying at the national level, pressures from organizations or federations in which the Portuguese association is a member, the fact that the major interests of the associations go beyond the

national borders and the fact that the decision making on those issues is made at the EU level. In our survey, the two most frequently mentioned reasons was on the one hand the fact that the main interests of these associations go beyond the national frontiers, and on the other hand their belief that decision-making on these subjects is made at the EU level (Figure 12). This makes particular sense if one takes into account that, in the TR files, only about 32 per cent of the Portuguese associations mentioned that their main interests are placed at the national or sub-national levels.

Only a third referred that being a member of an international organization that fosters lobby led their organization to engage in this type of activity, even if more than half of the Portuguese associations are, according to the TR files, filiated in supranational (European, international or global) organizations. Interesting enough, being a member of an international network has consequences in the way the lobbying agenda is prepared. In fact about 25 per cent of the associations that participated in our survey tend to adopt the agenda that is proposed by the international networks, and about 10 per cent of these organizations use the insights provided by such networks in concomittance with other strategies of agenda building (bottom-up within the organization, elite-driven, etc.).

**Figure 12. Reasons to engage in lobbying at the European Level mentioned by Portuguese associations registered at the TR in September 2013 (multiple answers)**



Source: Our survey.

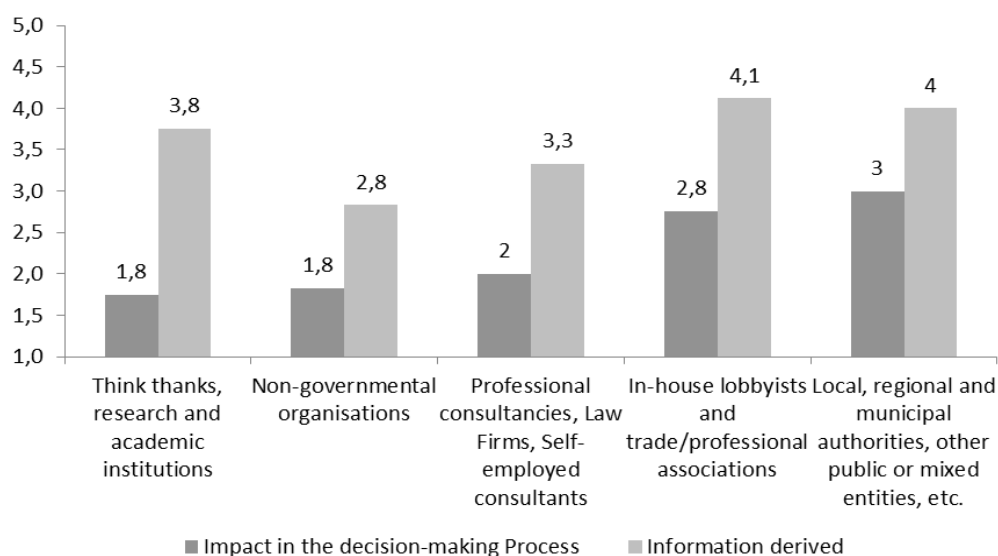


There are, however, some differences between the motivations expressed by different kinds of associations. For instance, NGOs were much more prone to stressing that lobbying at the national level was ineffective (67 per cent) than other kinds of organizations,<sup>18</sup> while trade and professional associations mentioned their membership in an international organization that fosters lobby to a greater extent (57 per cent) than the others.<sup>19</sup>

On average, Portuguese associations are more satisfied with the amount of information and learning derived from their lobbying activities (3.7, in a 5-point scale) than with the impact they are able to have in the European decision-making process (2.4, in the same scale). Nevertheless, there are differences between different kinds of organizations. For instance, NGOs tend to assess their impact in the European decision-making as fairly low and their lobbying activities as not particularly informative, while local and regional authorities/public or mixed entities are those with more positive assessments of their interaction with the European institutions (*Figure 13*).

Interestingly enough, while NGOs and think tanks/academic institutions share the same negative assessment of the impact that they have in the EU decision-making process, the latter are much more rewarded with information and learning outcomes than the former (*Figure 13*).

**Figure 13. Assessment of the lobbying activities: impact and information derived**



Source: Our survey.

<sup>18</sup> Chi-square: 13,68, p= 0.08.

<sup>19</sup> Chi-square: 8,62, p= .072.

## **A qualitative analysis of Portuguese civil society in the EU**

Previous sections of this report have sketched out how Portuguese interest groups participate in EU affairs. We have built a comprehensive analysis based on comparative data to produce an appraisal of how well Portugal is performing in having its interests represented at the EU level. In what follows we take the analysis to a qualitative dimension. Informed by the significant amount of empirical data collated to previous sections, we have conducted ten in-depth interviews with some of the most significant actors representing Portuguese interest groups in Brussels. Our sample includes unions (CGTP and UGT) but also important sectorial interests (Agriculture, Consumers, Textiles) as well as some former MEPs who have civil society articulation functions in Lisbon. These interviews have been conducted in Lisbon in the Fall of 2013 and help us grasp a more nuanced view of how Portuguese interest groups operate at the EU level.

The various actors perceive civil society representation structures at the EU level, most notably the EESC, as having some influence. This influence, however, is contingent upon a significant number of factors that constrain the real political influence of the actions of the EESC. First and foremost, all interviewees acknowledge that the cacophony of interests represented in the EESC constitutes at the same time its great power and weakness. Its power derives from the legitimacy, as this is a privileged channel for the EU to auscultate the European polity. At the same time, it constitutes a weakness because to move from the status quo and produce an impacting report requires the acquiescence of a great deal of members. As João Machado, President of CAP (Agricultural Confederation of Portugal), puts it “the diversity of actors has a significant capacity of mutual dismissal [...] as there are so many actors, with so many positions on the same issue”. The diversity of interests ends up thwarting the capacity of the committee to produce politically relevant reports. Still according to Mr. Machado, “documents tend to be kept minimalist”. Pedro Freire, representative of CCP (Commerce and Service Confederation of Portugal) in Brussels for the past nine years, further reinforces this point. Mr. Freire says that there is a significant difference between technical and political reports. According to him, technical reports are very well received, and have a significant impact because “no one in the Commission nor the Parliament is particularly interested” on those subjects. They constitute a way for the Commission and/or the European Parliament to have a low-cost input during the law-making process.

The various actors perceive Portuguese influence in the EESC differently. All acknowledge that Portugal is a small country, with few resources and institutional capacity to act at the

EU level. Some actors, for example Mr. Machado representing Agricultural interests, consider that “[Portugal] has had an intervention that could be classified as above its weight, considering the size of our country”. Joaquim Dionísio, from CGTP, the main Portuguese union, has a somewhat more sceptical view of how effective is Portuguese action in Brussels. According to Mr. Dionísio Portugal has “from a formal perspective, all the conditions to influence [...] there are no restrictions to effective participation”. There are, however, some de facto powers that shadow the effectiveness of Portuguese, or small states for that matter, in EESC. Mr. Dionísio argues, “We feel that the reports do not have any effect. This is due to the relative weighting of institutions in the real decision-making process of the EU”. He further adds, “The EU has a significant number of bodies that do not decide, as we know. Germany decides”. João Proença, former leader of UGT, the other main union in Portugal, has a more nuanced perspective on this subject. Mr. Proença says, “The EESC has never been a body with much power. It has always been a minor body, and there have been attempts in the past to make it even minor and even to close it. Still, I consider that it has some power”.

It is also important to consider a longitudinal analysis when one looks at the civil society representation bodies in the EU. There is a unanimous consent among our interviewees that there has been a significant change from the time when Portugal accessed the EU, in 1986, and the current status quo in Brussels. First, the decrease of Portuguese civil society capacity to influence at the EU level stems from the accession of a growing number of members. It is widely acknowledged that it was easier to arrive at a consensus to coalesce 12 positions (in 1986, when Portugal accessed the EU) than it is now when 28 opinions need to be heard before a decision is reached. To illustrate this, let us take Silva Peneda’s experience as a minister and as an MEP. Mr. Peneda rightly claims that in the first decade of Portugal in Europe it was possible to lobby the EU to let us change the rules of money allocation to allow for union money to be used to build Secondary schools, an important problem in Portugal at the time but which was insignificant for advanced European countries that had tackled their education woes decades before. Mr. Peneda says, “that the process was difficult when we were 12. Now that we are 28 it is much harder. Decision-making had fewer roadblocks and we could be more active. Today things are different”. Second, another point widely recognized by the interviewees is that there has been a tectonic change in the internal balance of power of the EU regarding the relations between the Commission, the Council, and the Parliament, which has a direct impact in the capacity of small states represented in the EESC to have their voices heard. All the evidence

gathered for this work points in the same direction: the strength of the Commission has significantly declined over the past twenty years at the expense of the Council. This pattern has been particularly visible during the Barroso commission. Mr. Dionísio, from CGTP, argues, “The Commission used to have a significantly different strength than it currently has”. He suggests that “there has been a progressive decrease in power of EU formal institutions”. Luís Silveira, representative of DECO (the Consumers institution), shares a similar vision. Mr. Silveira says that for a significant period “our work with the Commission used to be of a partnership. There was a great deal of caring for consumers matters and, clearly, for every new [legislative] proposal our point of view had already been integrated”. Mr. Silveira concludes by saying “in the last few years, dialogue with the Commission has been frankly hard, basically since the inception of the Barroso commission”.

We have hitherto dealt with a general overview of how Portuguese civil society manages to influence decision-making in Brussels. Let us now focus on some more specific details, specifically by looking at how civil society organizations articulate their positions with the representatives of political society. One of the most important capacities for states to have influence at the EU level, particularly small states, comes from the capacity to articulate a national strategy. Put bluntly, to have all institutional resources available in Brussels articulating their positions under a national strategy umbrella. There are three important institutions with which organized interests have to articulate: MEPs, the Portuguese Permanent Representation, and the government in Lisbon. Our interviews convey a straightforward message: Portuguese civil society representatives do not have an institutionalized strategy articulated with other institutional channels. Most of the articulation is made on an ad-hoc, personal basis, which has a significant negative impact for the Portuguese strategy in Brussels.

On the interaction with MEPs, Mr. Freire, from CCP, provides a thoughtful account. He says that the articulation between civil society interests and other Portuguese actors in Brussels is “personal, not institutional”. This means that representatives interact and articulate with other actors if they happen to know them previously. There is not, however, a strategy, differently from what happens with other countries, in which the articulation is duly institutionalized. According to Mr. Freire, this clearly damages Portuguese capacity in Brussels. Paulo Vaz, from ATP (the Textile Association), shares a similar view. Mr. Vaz says, “not all MEPs behave similarly. It has to do with personal characteristics”.

MEPs have also a significantly important role for civil society organized interests. They are the gatekeepers of the EP and, according to our interviewees, one of their jobs should be to act as facilitators of contacts between Portuguese civil society and non-Portuguese MEPs. This is particularly important for situations in which a non-Portuguese MEP is dealing with a topic in the EP that matters for Portuguese interests. For example, Mr. Machado, from the Agriculture interests, underlines the role of MEP Capoulas Santos in helping extract information from the EP. Mr. Vaz, from the Textile industry, underlines the role of Nuno Melo and Vital Moreira in helping his organization to tackle problems deriving from international trade agreements. The representative from CGTP, Mr. Dionísio, sustains a sceptical position about the potential role of MEPs as helpers for his organization in Brussels. He dismisses it, “we do not articulate because the EP has a reduced importance. When there is an European problem to discuss, we discuss it with the Portuguese government, [...] and we try to push the government in a certain way”.

Different actors have different views on the articulation with the Portuguese Permanent Representation (REPER). The Agricultural sector is privileged because it has a former employee working as a member of the REPER. Mr. Machado claims that this is part of a strategy developed by his organization to help former employees in key positions in Brussels institutions and then take advantage of it. In his words, “the current director [Mr. Gonçalo Simões de Almeida, in charge of Agricultural policy] was our representative in Brussels for six years. We have a policy of helping our former representatives to get high-ranked jobs in Brussels”. Mr. Peneda states that “REPER works very well, they are excellent professionals” while Mr. Vaz, from the textiles, acknowledge REPER’s help in helping his institution to lobby in favour of Portuguese textile industry. There are, however, negative views on the functioning of REPER. Mr. Freire, from CCP, claims that the Portuguese ambassador in Brussels has never received him over the nine-year period he has spent there, despite several attempts. He has been, however, received numerous times by the Spanish ambassador, which proved quite helpful. In his words, “we are completely left abandoned in doing our work”.

Finally, civil society interests have to articulate their strategy with the Portuguese government. As an active player since the 1980s, Mr. Peneda makes a negative appraisal of the evolution of this coordination. He states, “in the beginning [first decade of integration] there used to be a great deal of articulation. [...] today there is not much”. Mr. Peneda sustains that “clear articulation ended”, since the late 1990s. He compares Portuguese and Spanish strategy toward the EU and says that, during his term as MEP, he “felt that

Spaniards are very good at information and articulation”. He gives another example: “recently the Spanish Prime-Minister went to Brussels on the same plane as the opposition leader and each one of them tackled their political family. This shows national coordination. Do you see the Portuguese Prime Minister joining the Socialist leader?”. The lack of national strategy is one of the greatest flaws of the Portuguese civil society participation in Brussels. Mr. Machado sums it up wittily, “Portuguese upon their arrival to Brussels lose their country, they are Europeans. A Spanish when he arrives to Brussels is always Spanish first, an Italian is always an Italian first, and Englishman is always English”.

One of the most important dimensions of smart power at the European level is the capacity to build strategic alliances. Building bridges and cooperating with countries with similar problems and goals is the way for Portugal to leverage its position. In our interviews we questioned representatives of Portuguese civil society about the existence of active alliance building strategies. A common position emerged: there is a *clear division within civil society representation structures in Brussels between Southern European countries and Northern European countries*. Both blocs have diverging interests and agendas. It is also clear that there are different patterns of organization. Some areas, for example Agriculture, have solid strategies. As Mr. Machado puts it “we forge clear alliances with countries with similar agricultural problems. We have a significant alliance with Spain, with a formally established information exchange protocol. Information is the single most important asset in Brussels and this is a written protocol”. The representative of CAP also underlines the existence of a significant cooperation between olive oil producing countries. He emphasizes, “on the matter of olive oil there is a Southern lobby with Portugal, Spain, Italy, Greece and the South of France”.

The clear strategy developed by Agricultural interests is only partially replicated by other sectors. Mr. Proença, who has been a privileged observer of EESC since the Portuguese accession to the EU, claims, “there has never been an alliance of poorer or smaller countries. Alliances are forged on ideological and personal basis”. He gives anecdotal evidence saying that the Spanish UGT has its stronger international link with the German-brother union. If anything, Mr. Proença acknowledges the existence of a structured institutionalized Northern European alliance. He contrasts this with the so-called Latin Group established in the early 1990s, an informal alliance in which Portugal, Spain, France, Italy, Greece, and Belgium take part. The fact is not institutionalized, however, significantly curbs its influence and capacity to articulate common positions and make its members to punch above their weight.

Portuguese textile industry has long established alliances with other European countries within the Euratex, the European Textile Confederation. According to Mr. Vaz “Portugal is part bloc representing Southern countries, which are really similar, as well as countries with similar productive structure [in which textile industry is still a relevant part of national GDP]”. Mr. Vaz further reinforces the conviction that Northern European countries have a different agenda. His argument is that, except for Germany, all Northern European countries have dismantled their textile industries. Accordingly, “they have to protect major distribution companies, as they perceive them as bringing the added value to Europe. Industry is an empty word for them”.

Mr. Peneda, an experienced politician in Lisbon and Brussels, sum up the evolution of alliances and cooperation among member states. He says, “there is a member state dominating Europe [Germany]. The weight of the Commission has been fading. I understand that variable geometry is tricky, however there are matters in which Southern European countries should have some sort of understanding. There is room for Portugal, Spain, Greece, and Italy to coalesce”.

## Conclusions

Portugal has a weakly developed civil society at the national level. Consequently, the country punches below its weight in influencing policy-making at European level. There are several indicators in this report that allow us to draw such general inference. Let us therefore spell out some tentative conclusions.

It is widely recognized in the literature on civil society that to influence Brussels, any given civil society needs to have vast resources at its disposal. Portugal has arguably a poor civil society in terms of resources. Labour unions are weak, with no funding from the state and few members to rely on to pay fees. Additionally, labour unions do not keep any permanent representative in Brussels, a condition deemed important to foster influence to the extent that permanent contact allows for establishing long-standing connections, to know the bureaucracy, and identify the key actors in the policy-making process. The employers' side is also considerably weak, although it should be considered to be better placed to have its voice heard in Europe. Since the mid-1980s, employers have come to realize the ever-growing Europeanization of legislation and the centrality of Brussels in matters that are of interest for their businesses. Thus, they have established a permanent representation in Brussels allowing them to build a more substantive European policy. Nevertheless, employers' interests in Portugal are mostly fragmented, consisting of a vast number of small sectorial organizations, which weakens the capacity to coalesce and speak with a 'single voice'.

Our analysis has also concluded that Portuguese civil society interests do not have a strategic vision of the country's policy priorities. To illustrate this let us take the example of the representation in thematic sections in the EESC. Portuguese agriculture interests have only one representative in the Agriculture and Fisheries section. On the other hand, Portugal keeps six representatives in the Foreign Relations section. We can thus conclude that some policy areas, which are arguably central for Portugal, are left mostly underrepresented whilst others are overrepresented.

Another important conclusion relates to appointment procedures to European structures. Portugal has one of the most centralized appointment structures in the EU. In practice, this means that the Portuguese executive controls which civil society interests are represented in Brussels. This leaves significant leeway for the government to act at its political discretion and, at the same time, undermines true representation of civil society interests. Other countries have appointment structures that delegate the choice of who gets a seat in Europe as civil society representative to the national economic and social councils.



The latter significantly enhances the capacity of the civil society to have its voice heard in Europe, as the government does not intervene in the selection process.

Finally, an important aspect relates to a comparison between civil society and political parties and the answer to which one of these political actors has taken the most out of Europe. Preliminary conclusions suggest that parties have a more coherent and 'aggressive' strategy toward Europe. European elections and the ever-growing powers of the European Parliament have contributed for parties to come to realize the importance of Europe. Civil society, particularly weak in the Portuguese case, still has a long and winding road to travel before it reaches its full potential in making use of EU structures.

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