



Institut für Europäische Politik
Bundesallee 22
D-10717 Berlin



Jean-Monnet-Lehrstuhl für
Politikwissenschaft
Universität zu Köln
Gottfried-Keller-Straße 6
D-50931 Köln

Research Project

"Europeanisation of public administrations in Central and Eastern Europe in the process of transformation and integration"

funded by the Volkswagen Foundation

Programme of the workshop

Pressures of Europeanisation: from post-communist state administrations towards normal players

3 April 2003

Fondation Universitaire
11, Rue D'Egmont
1000 Brussels

9.30 - 9.45

Welcome and Chair

Introduction to the project. Europeanisation and transformation of public administration in EU candidate countries.

Wolfgang Wessels, *Jean-Monnet-Chair for Political Science, University of Cologne*

Mathias Jopp, *Institut für Europäische Politik, Berlin*

9.45 – 11.15

Stages and critical junctures of EU-Europeanisation in the candidate countries: historical overview and developments over the last ten years.

Chair: Wolfgang Wessels, *Jean-Monnet-Chair for Political Science, University of Cologne*

Introduction: Barbara Lippert, *Institut für Europäische Politik, Berlin*

Panel statements (followed by a questions and answers session)

Marjeta JARGER, *Mission of Slovenia to the EU, Deputy Head of Mission*

Maciej POPOWSKI, *Mission of Poland to the EU, Deputy Head of Mission*

Matthias RUETE, *European Commission, DG Enlargement Director, Direction D*

11.15 – 11.30 Coffee break

11.30 – 13.15

EU-Europeanisation and national differentiation

Chair: Mathias Jopp, *Institut für Europäische Politik, Berlin*

Introduction: Gaby Umbach, *Jean-Monnet-Chair for Political Science, University of Cologne*

Panel statements (followed by a questions and answers session)

Marja RISLAKKI, Permanent Representation of Finland to the EU ,
Counsellor (Enlargement)

Isabelle VERSCHUEREN, *European Commission, DG ADMIN - Unit C1*

13.15– 15.00

Lunch

15.00 – 17.00 Unconsolidated EU decision-making systems?

Chair: Mathias Jopp, *Institut für Europäische Politik, Berlin*

Introduction: Dorota Pyszna-Nigge, *Jean-Monnet-Chair for Political Science, University of Cologne*

Panel statements (followed by a questions and answers session)

Christian DANIELSSON, *European Commission, Cabinet Verheugen, Deputy Head of Cabinet*

Zsolt BECSEY, *Mission of Hungary to the EU, Minister, Head of the Political Section*

Libor BOHAC, *Mission of Czech Republic to the EU, Third Secretary, Training of state administration officials in EU affairs*

Michaela KÜCHLER, *Permanent Representation of Germany to the EU, Counsellor*

Conclusions

Barbara Lippert, *Institut für Europäische Politik, Berlin*

Ca. 17.00

End of the workshop



Institut für Europäische Politik
Bundesallee 22
D-10717 Berlin



Jean-Monnet-Lehrstuhl für
Politikwissenschaft
Universität zu Köln
Gottfried-Keller-Straße 6
D-50931 Köln

Research Project

"Europeanisation of public administrations in Central and Eastern Europe in the process of transformation and integration"

funded by the Volkswagen Foundation

Workshop on

Pressures of Europeanisation: from post-communist state administrations towards normal players

3 April 2003

Fondation Universitaire
11, Rue D'Egmont
1000 Brussels

List of participants

	Name	Institution
Ms	Arany, Marlène	Trans European Policy Studies Association (TEPSA), Brussels
Mr	Becsey, Zsolt	Minister, Head of the Political Section, Mission of Hungary to the EU
Mr	Bohac, Libor	Third Secretary, Training of state administration officials in EU affairs, Mission of Czech Republic to the European Union
Mr	Danielsson, Christian	Deputy Head of Cabinet, Cabinet Verheugen, European Commission
Ms	Hargita, Agnes	Head of the Community Policies Section, Counsellor of Economic Affairs, Mission of the Republic of Hungary to the European Communities
Ms	Jarger, Marjeta	Minister Plenipotentiary, Deputy Head of Mission, Mission of the Republic of Slovenia to the European Union
Mr	Jopp, Mathias	Director, Institut für Europäische Politik, Berlin
Ms	Küchler, Michaela	Counsellor, Permanent Representation of the Republic of Germany to the European Union
Ms	Lippert, Barbara	Deputy Director, Institut für Europäische Politik, Berlin
Mr	Mescoqs, Olivier	Trans European Policy Studies Association

		(TEPSA), Brussels
Ms	Nauerz, Myriam	Friedrich-Ebert Stiftung, Brussels
Mr	Popowski, Maciej	Minister Plenipotentiary, Deputy Head of Mission, Mission of the republic of Poland to the European Union
Ms	Pyszna-Nigge, Dorota	Research Associate, Jean-Monnet-Chair for Political Science, University of Cologne
Ms	Ricken, Stefanie	Senior Researcher, EU enlargement, Friedrich-Ebert Stiftung, Brussels
Ms	Rislakki, Marja	Counsellor Enlargement, Permanent Representation of Finland to the European Union
Mr	Ruete, Alfred Matthias	Director, Direction D - Negotiation, pre-accession, coordination and financial instruments, Enlargement DG, European Commission
Mr	Sporar, Bostjan	Counsellor Enlargement, Accession Negotiation, Mission of the Republic of Slovenia to the European Union
Ms	Umbach, Gaby	Research Associate, Jean-Monnet-Chair for Political Science, University of Cologne
Mr	Vandamme, Jacques	Studiegroep voor Europese Politiek (SEP), Groupe d'Études Politiques européennes (GEPE)
Ms	Verschueren, Isabelle	Unit C1, DG Personnel and Administration European Commission
Mr	Wessels, Wolfgang	Jean-Monnet-Chair for Political Science, University of Cologne



Institut für Europäische Politik
Bundesallee 22
D-10717 Berlin



Jean-Monnet-Lehrstuhl für
Politikwissenschaft
Universität zu Köln
Gottfried-Keller-Straße 6
D-50931 Köln

Research Project

"Europeanisation of public administrations in Central and Eastern Europe in the process of transformation and integration"

funded by the Volkswagen Foundation

Workshop on

Pressures of Europeanisation: from post-communist state administrations towards normal players

3 April 2003

Fondation Universitaire
11, Rue D'Egmont
1000 Brussels

Protocol

Prepared by Gaby Umbach

Welcome and introduction by the organisers

In their welcome address **Prof. Dr. W. Wessels** and **Dr. M. Jopp** introduced the overall research project "Europeanisation of public administrations in Central and Eastern Europe in the process of transformation and integration" funded by the Volkswagen Foundation. They emphasised the relevance of the research subject, because of the importance of the analysis of the impact of EU accession on the CEEC and also because of the implications that the transformation of the political system and the public administration has on the accession of these countries to the EU.

Dr. Jopp emphasised the twofold challenges CEEC were facing in this context: the democratic transformation and the parallel process of EU-Europeanisation. Both processes, which influence each other and thus partly go hand in hand.

Furthermore the question of the existence and relevance of certain administrative models would be of interest when analysing the developments in the CEEC-5. Have special models of public administration been developed, have the countries taken up pre-communist traditions or are they integrating themselves into the scope of European models?

Therefore it would be very rewarding to take a closer look at the three themes, which structured the workshop:

Panel 1: Stages and critical junctures of EU-Europeanisation in the candidate countries: historical overview and developments over the last ten years.
Panel 2: EU-Europeanisation and national differentiation
Panel 3: Unconsolidated EU decision-making systems?

PANEL 1

Stages and critical junctures of EU-Europeanisation in the candidate countries: historical overview and developments over the last ten years.

Chair: Wolfgang Wessels, *Jean-Monnet-Chair for Political Science, University of Cologne*

Introduction: Barbara Lippert, *Institut für Europäische Politik, Berlin*

Panellists: Marjeta JARGA, *Mission of Slovenia to the EU, Deputy Head of Mission*
Maciej POPOWSKI, *Mission of Poland to the EU, Deputy Head of Mission*
Matthias RUETE, *European Commission, DG Enlargement Director, Direction D*

Prof. Dr. W. Wessels sketched the EU as an multilevel space, in which civil servants are key important players to make the multilevel system work. The EU as a matter of European, national and regional actors offers two different areas, in which civil servants have to engage in, for which they have to be prepared and in which they are confronted with EU matters: the policy and the implementation side. In these two areas civil servants are actors within the political system, partners of politicians within the political cycle and therefore clearly important.

In view of adaptation requirements of the acceding countries to the present EU-system, **Prof. Wessels** emphasised these needs also to be valid for the current MS. Therefore and because of the missing unique European administrative model a simple transplantation of administrative models from the MS to the acceding countries are no solution for the current situation of the acceding countries. No simple lessons can be drawn from the MS examples.

Within the framework of the research project it is therefore important to look at the political cultures and administrative traditions in the acceding countries, which will be important for the development of the EU after enlargement.

Dr. B. Lippert applied the approach of Europeanisation as defined as a shift of attention of national institutions and the growing participation in EU decision-making on the acceding countries. With a view to this approach an analytical distinction would be necessary between Europeanisation in general and specific 'EU-Europeanisation'. EU-membership is special, because national administrations are affected by a huge diversity of governance modes, which exert adaptation pressure already during the accession process. Furthermore it has to be taken into consideration that the acceding countries tackle EU-Europeanisation in the context of systemic transformation and consolidation.

With a view to the different stages of Europeanisation, **Dr. B. Lippert** presented the first guiding thesis: the pressure of the EU on the candidate countries increases according to the intensification of relations from association to negotiations. Therefore stages and critical junctures of Europeanisation would emerge. Thus, pressure of the EU on the acceding countries increased over the years. Additionally the responds of the acceding

countries as well as the differentiation among them in timing and sequencing of reforms became more concrete.

Basic decisions on constitution-making and macro-institutional choices of the CEEC-5 were taken before the influence of the EU became manifest. The increasing pressure of the EU on the candidates to prepare for membership then followed a staged process: firstly, the legal and also institutional frameworks were concerned; secondly, with regard to the concrete implementation of the *acquis* and its control, demands of the EU were established in terms of quantity and quality of adaptation. An increase of binding obligations is characteristic for these stages of Europeanisation. Thus the impact of the EU on domestic administrative structures was increasing in substance.

In the course of the past 15 years five partly overlapping stages of Europeanisation can be identified from the first contacts and the association agreements up to accession negotiations and the upcoming membership period.

In the *first stage* the CEEC-5 established contacts with the EC/EU individually in the context of liberalisation and system change in former Warsaw Pact/CMEA countries. This led to formal bilateral relations with the conclusion of trade and cooperation agreements that had besides the elimination of trade barriers little institutional or administrative impact in the CEEC-5. However, this was the case when the EC started its PHARE programme in 1989. For administering the assistance and aid measures the CEEC-5 had to establish at least a minimum administrative structure. As far as the development of a core of EU experts and key structures for dealing with EU affairs is concerned, PHARE was an incentive to europeanise the executives and raise the awareness for the EU in parts of the administration.

During the *second stage* the next major juncture in the process of Europeanisation was the conclusion of the Europe Agreements. They provided for joint institutions with the EU on a bilateral basis and introduced corresponding processes of deliberate and anticipatory adaptation. Early on, they acted as would be members when for example complying with product norms and standards of the Internal Market and establishing respective agencies and procedures. Moreover in the Europe Agreements the CEEC-5 also subscribed to the rules and procedures of EU competition policy including the setting up of respective supervisory institutions.

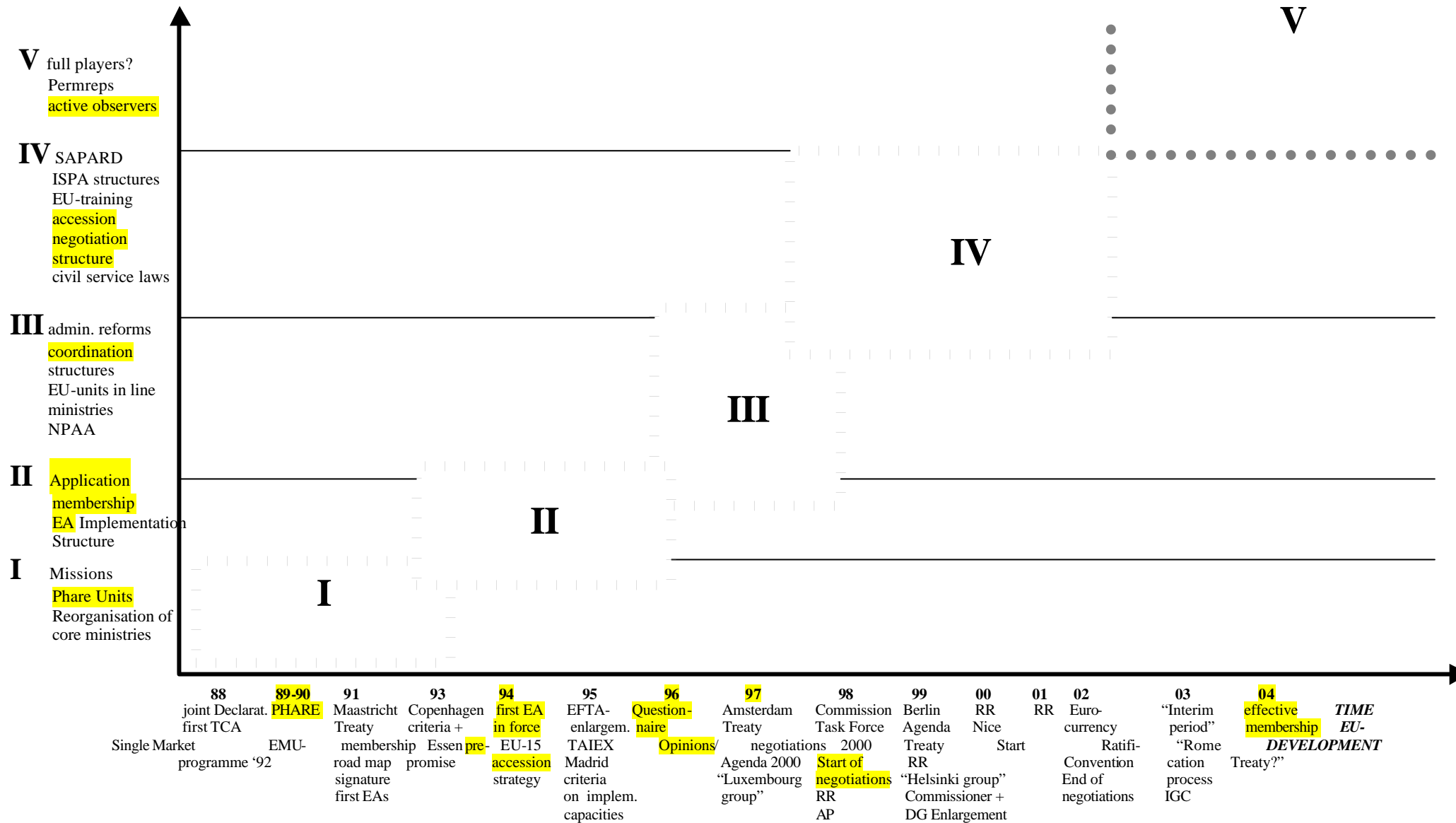
The Europe Agreement stage was followed by a short, however crucial, *third stage* in which interaction, notably between the European Commission and the national administrations of the CEEC-5 intensified. The domestic preparations for the Commission's first opinions on the membership applications, namely the filling in of the questionnaire (1996) and the taking up of the Commission's White Paper on the integration of the CEEC into the Internal Market impacted directly on core parts of the state administration. This stage brought in a more concrete impact of the EU and response of the CEEC-5 respectively, as it increased the demand for inter-ministerial and intra-ministerial, hence, horizontal and vertical co-ordination.

The moment of opening membership negotiations in the *fourth stage* and the initial screening process, highlighted the need to dispose of an efficient and effective decision-making system at home and in Brussels. The CEEC-5 had to create links or strengthen co-ordination between structures for negotiations and the process of preparing for membership (pre-accession) and in particular for taking over the EU's *acquis*. Structures that were established in the second stage under the Europe Agreements (Joint institutions of association, PHARE administration units etc.) became involved in these pre-accession and negotiation efforts (mostly as part of the review procedure). These challenges led to more structured and comprehensive efforts to increase administrative capacities both in quantitative and qualitative terms in the CEEC-5. At this stage also a politicisation of the whole EU decision-making machinery can be observed due to the nature and scope of membership negotiations.

Effective membership will introduce a *fifth stage* of Europeanisation. From the day of signature of the accession treaties the CEEC-5 will have to have all skilled officials in place to serve institutions in the whole of the EU policy cycle. Membership means that the newcomers have to serve more than 700 expert groups of the Commission at the preparatory level, around 300 working groups assisting Coreper and the Council at the decision making stage and approximately 244 comitology committees which oversee proper implementation of EU rules and legal acts. In this stage of membership Europeanisation processes differ from earlier stages because the EU will reduce or even give up structured guidance. The reality test will show whether the degree of Europeanisation will be sufficient and capacities appropriate to act as a fully-fledged player.

Table: 5 stages of Europeanisation of state administrations in CEEC-5

**CEEC-5
DEVELOPMENT**



AP: Accession Partnerships EA: Europe Agreements FTA: Free Trade Agreements RR: Regular Reports TCA: Trade and Cooperation Agreements XY...: critical junctures

The **first presentation of the panellists** especially referred to the fourth and fifth stage of Europeanisation. In May 2003 the 100th meeting of the PHARE committee will be held, focussing on a review of the very first PHARE programme. Acceding countries will join the meeting as observers. On 17th April 2003 all EU committees will be opened for the acceding countries, which will for one year participate as observers. Moreover, the PHARE project will provide for financial assistance for the acceding countries' official to cover travel costs to Brussels. The overall financial support will make up 10 mio. €. With a view to the management of PHARE funds the Commission would like to over to a system of extended decentralised implementation with an ex-post instead of an ex-ante control. This would leave the management of funds to the new member states.

With a view to the discussion of the public administration reforms and of administrative capacity building activities a huge problem would be that the EU policy was built on the common understanding of EU laws and politics, which the acceding countries had to adapt to largely by own efforts. In the early 1990s a lot of money was wasted on the EU side on external consultancies, which produced 'glossy' evaluation reports, 'which nobody read'. An essential break in this practice was the reform of the PHARE programme in 1997/98, which initiated the work with national experts in the framework of twinning and TAIEX instead of external consultancies. Those activities were by purpose not looking at the broader picture, but where focussing on the creation of 'islands of stability' and concentrated on several areas of the EU *acquis* to 'work its way through the system'. Nevertheless, at the beginning of these new activities, there was an extreme reluctance on both side against the EU member states' national experts, which were delegated to the then candidate countries.

Concerning the ongoing reforms of the public administrations, the speaker emphasised, that the reforms had to go on even after accession. For this purpose the accession treaty would offer an 'transition facility' (total 420 mio. €) for the new member states, which they could take up the further reform their public administrations if they so wish to. Among the still most visible problems of the CEEC's public administrations were the low pay level and the low degree of stability within the civil service. These problems would still for a number of years remain enormous obstacles for these countries.

The **second panel speaker** emphasised the need to distinguish between public administration reforms and the familiarisation with EU affairs/co-ordination of EU affairs. With a special view to these two aspects Slovenia would be a latecomer, as also the development of administrative structures were delayed in Slovenia. Structures were moreover built more in a trial-and-error process depending hugely on 'improvisation' and personnel aspects.

With a view the co-ordination of EU affairs, the speaker underlined the parallel development of the structures alongside the different stages of Europeanisation. With the start of the membership negotiations also the awareness of the relevance of the sectoral approach started and negotiations were centralised under the Government Office for European Affairs (GOEA). Currently the functions and role of the GOEA would not be clear and planning of the restructuring would go on.

Regarding the reform of the public administration, there would be still a need for constant improvement, which go parallel but not necessarily hand in hand with the integration into the EU. Moreover, the Slovenian public administration reform was a more ad hoc process than related to EU accession.

The **third panellist** stressed, that an important aspect of the national public administration reforms would be the change of attitudes from outsiders to insiders. What still needs to be done more intensively was the decentralisation of responsibilities within the public administration, as the membership negotiations strongly centralised EU affairs to the level

of state secretaries. With a view to this change from outsiders to insiders, the acceding countries will face a 'reality check phase' during the year of observer status in EU institutions, which will increase the burden of workload.

Regarding the realisation of Europeanisation the whole decision making machinery in the capitals would have to be included avoiding the problem of merely creating 'islands of excellence'. This problem becomes obvious when looking at the EU units within the ministries, as the expertise largely remains in these units. Nevertheless, it is important, that the EU knowledge has to be spread across the public administration rather than being centralised in the ministerial EU units. Additionally stronger internal co-ordination within the ministries is needed in order to raise the awareness of the relevance of EU affairs. The most important aspect in this context is the establishment of a coherent and efficient co-ordination system back home.

With a view to the Polish case, the co-ordinations structure would reflect the coalition reality translated into institutional arrangements with the decision on the new position and tasks of the EU co-ordination body still needed. On the other hand, the relevance of the national co-ordination structures should not be overestimated and confused with policy-making, as policy-making still lies within the line ministries and the co-ordination mechanism would rather be important in case of conflicts.

Concerning the recruitment of national officials to EU institutions the Commission strategy to spread the recruitment process over a period of seven years was welcomed, as else the national public administrations would 'bleed to death'.

Comments:

Regarding the first presentation one participant remarked that the lack of confidence in the national experts in the beginning of twinning activities was mutual, as the candidate countries felt 'checked' rather than supported. Moreover the discontinuity of the experts was a source of negative experience as experts were constantly changing. Thus a long period of trust building was necessary to overcome these sort of problems.

Discussion:

Questions and answers:

Is the Commission education programme only addressing future Commission officials or all officials in the CEEC?

The Commission programme as well as twinning activities focus on national officials.

What will the new form of twinning look like?

Under EPIS the Commission has quite a strong role, which should be diminished as under the new twinning tasks should be decentralised to the public administrations of the new member states. Thus the idea of consultation should be strengthened, where the Commission give only non-binding decision and plays a less formal role than today.

What needs to be done to further prepare the public administrations of the new member states for membership?

Further steps need to be taken to decentralise the responsibilities within the public administrations. Moreover, the division of labour has to be specified and the institutional reorganisation of the central EU-related co-ordination structures needs to be finalised.

Are patterns of preference visible among the CEEC with a view to what examples to choose from EU member states?

France and the UK are often taken into account because of the excellent EU co-ordination systems. As twinning partners, Germany and France are strongly represented. Also Spain advanced in recent years.

How will national desk officers be integrated into EU affairs?

They will be strongly involved in the observer phase and will often be send to Brussels to accustom them to the EU.

PANEL 2

EU-Europeanisation and national differentiation

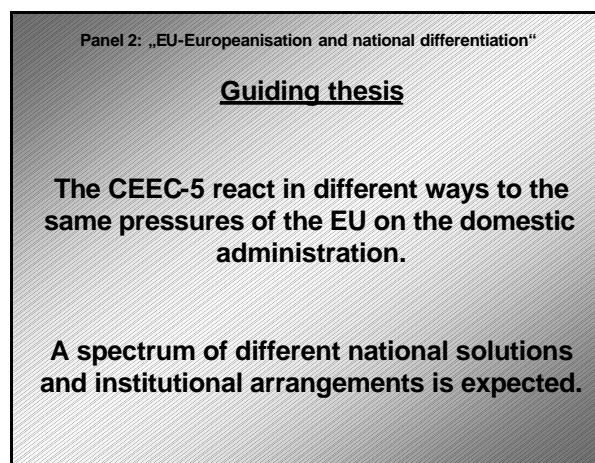
Chair: Wolfgang Wessels, *Jean-Monnet-Chair for Political Science, University of Cologne*

Introduction: Gaby Umbach, *Jean-Monnet-Chair for Political Science, University of Cologne*

Panellists: Marja RISLAKKI, Permanent Representation of Finland to the EU , *Counsellor (Enlargement)*

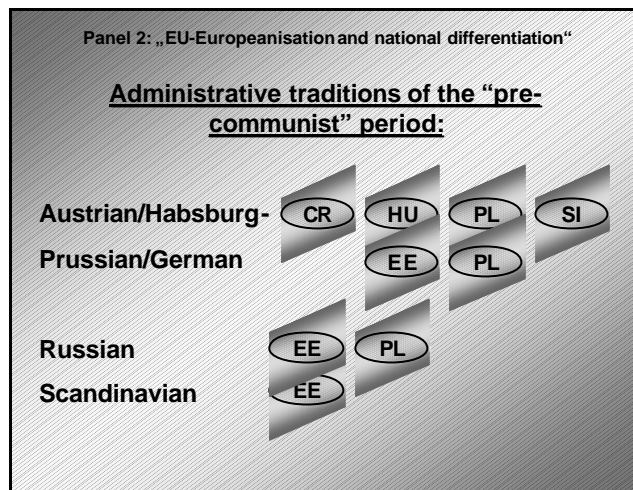
Isabelle VERSCHUEREN, European Commission, DG ADMIN - Unit C1

Gaby Umbach introduced the second guiding thesis, which assumes that the CEEC-5 react in different ways to the same pressures of the EU on the domestic administration. Thus a spectrum of different national solutions and institutional arrangements in the CEEC-5 is expected.



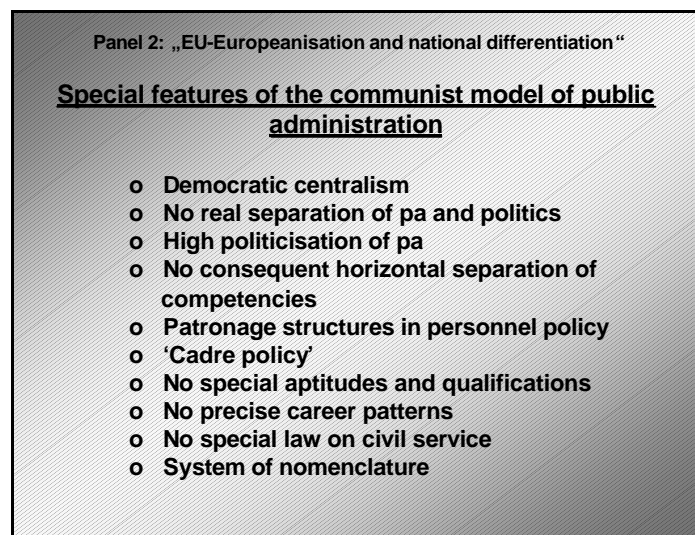
Administrative traditions

As an important intervening factor the pre-communist traditions of public administration, these have long-term implications and are thus important for the analysis. Gaby Umbach gave a short introduction into the different pre-communist traditions and sketched out the variety of public administration traditions among the CEEC-5.



All five countries are close to and interconnected with established types of public administration in Western Europe. With a view to the legal and administrative traditions and cultures within the “*pre-communist*” period of the five countries several influences can be identified. The Czech Republic, Slovenia and Hungary were part of Austrian/Habsburg Empire. Poland was under Austrian/Habsburg, Prussian/German and Russian influence, while Estonia experienced Russian, Prussian/German and Scandinavian rule.

Under the *communist regimes* those traditions were removed and replaced by the communist model of public administration as the five countries became subordinated to the Soviet communist power, blurring the boundaries between politics and administration, i.e. between communist political parties and central state administration. Given the special features of the communist public administration model after the breakdown of the communist regimes in 1989/90 the CEEC-5 faced enormous problems of re-organisation of its administrative structures.



Shared post-communist problems and weaknesses

Among the *shared problems of the post-communist administrative reforms* are the introduction of civil service laws, personnel policy including a new *leitbild* and code of conduct for officials, the balance between old and new staff and the “generation gap”, the efficiency in human resource management, professionalism of public servants, the

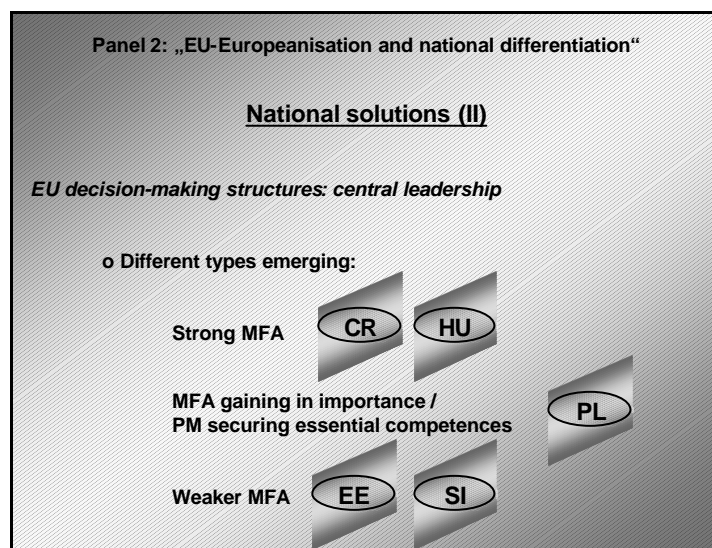
formation of a new balance between the elected or appointed officials on the one side and the permanent civil servants on the other. The separation of political responsibility and the competencies of the public administration also constitute major challenges to all five countries. The countries thus paid tribute to the problems of corruption, mismanagement and obscurity of the administrative set up under the communist regime and concentrated e.g. on the limitation of the influence of politicians on the administration, the reduction of political advisors or the separation of administrative and policy-making tasks and competencies. Moreover, the quality of governance and the decentralisation of the public administration are major topics of all existing concepts of public service reforms.

Political transformation

Pressures from the EU on the CEEC-5 to adapt were uniform but the 5 countries reacted differently. The CEEC-5 developed constitutional orders with functioning branches of democratic government. All five are parliamentary democracies with moderate pluralist party systems and a still unfinished process of party formation, notably of centre right parties. Macro-institutions of democratic political systems are in place. From the point of view of formal constitutional provisions, the systems of government of the CEEC-5 show some variance, which does however fit in the spectrum of western European democracies and the political systems of EU member states in particular. Thus, the brief look at key features of the political system of the CEEC-5 offers little evidence of special and particular post-communist features at the level of institutional consolidation.

With regard to political transformation and constitutional order as well as with regard to the evolving national EU decision-making systems the CEEC-5 established different (national) solutions. They draw elements from designs and systems of other EU member states but they do not import wholesale models.

EU decision-making structures: central leadership



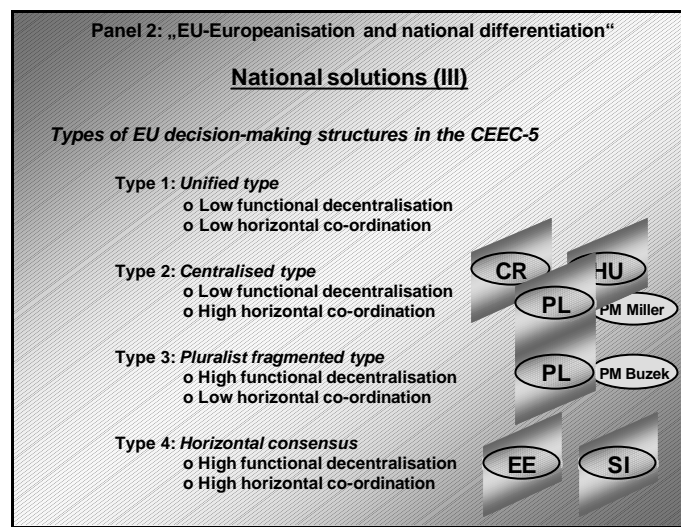
As another example for the national differentiation among the CEEC-5 **Gaby Umbach** referred to their EU decision-making structures with regard to the *central leadership in EU affairs* at the level of the executive in the CEEC-5. While Hungary and the Czech Republic built their EU-related structures around the Foreign Ministry, in Poland the Foreign Minister gained in importance and weight while the Prime Minister secures essential competences as far as decisions on key personnel is concerned. Additionally, in Estonia and Slovenia,

the role of the Foreign Ministry is comparatively smaller. In Estonia this is due to a strongly decentralised type of decision-making with strong line ministries and low degree of co-ordination (flat hierarchy).

Co-ordination structures

With a view to the building up of decision-making structures is a key challenge in the CEEC-5 two important dimensions could be identified: The degree of functional decentralisation and horizontal co-ordination within the government, notably between ministries. Horizontal co-ordination is defined in qualitative terms by hierarchy, that is to be measured by existing 'chains of command', subordination etc. Contrary, functional decentralisation is defined in quantitative terms by focussing on proliferation of actors that is to be measured by involvement of ministries, departments, agencies and at an intra-ministerial dimension.

Here too, different national solutions can be found:



Legal frameworks and administrative reforms



On the background of the shared problems the CEEC-5 addressed the reform of their public administration and the civil service in different ways. Meanwhile, all five countries have adopted *legal frameworks* for the civil service and the public administration, but only in Slovenia the public administration has constitutional character. The legal frameworks

adopted mainly focus on the regulation of recruitment, promotion and salary levels as well as aspects of the career systems applied. Moreover, the human resource management is settled, providing exact provisions for the evaluation of education, experience, knowledge, skills and abilities of civil servants. Furthermore, measures against corruption and the high fluctuation within the civil service are related to in these legal frameworks. With a view to the differentiation among the countries, differences are to be found in the timing of reforms, with Hungary, being the first to pass such a law in 1992 and the others to follow only in 1996, 1999, 2000/01 and 2002.

Panel 2: „EU-Europeanisation and national differentiation“

National solutions (V)

Legal frameworks

- o All five countries used the standards of and cooperation with the OECD/SIGMA to ensure a proper administrative framework and incorporation of basic norms.
- o Problems are largely more general problems of modernisation and newcomers to the EU than ‘post-communist’ ones.

Main Focus:

- o Job duties and responsibilities
- o Tenure and security
- o Disciplinary arrangements
- o Rewards, salary levels and wage bargaining
- o Recruitment
- o Promotion
- o Career systems
- o Human resource management

All five countries used the standards of and cooperation with the OECD/SIGMA in this field to ensure a proper administrative framework and incorporation of basic norms. New demands and also techniques and methods in the context of new information technology were taken up by the CEEC-5. These are more general problems of modernisation and newcomers to the EU than ‘post-communist’ ones.

Ministerial set up and EU-Europeanisation

Panel 2: „EU-Europeanisation and national differentiation“

National solutions (VI)

Ministerial set up

- o Traditional sets of ministries
- o Degree of organisational stability can be discerned in the case of the five classical ministries
- o Frequent changes in the socio-economic field, e.g. the Ministries of Economic Affairs, Labour and Social Affairs
- o Different organizational principles adopted with a view to the core executive (German Chancellor principle in Slovenia; German tradition of State Secretaries and the Chancellery in Hungary)

EU-Europeanisation

- o EU-Europeanisation of the administrative structures is a major challenge
- o Creation of EU units in the ministries from 1990 onwards
- o Structural differences prevail
- o Functionally similar tasks
- o Units follow institutional logic of the administrative systems and mirror national institutional procedures and preferences
- o 1998 was a central year in which many of the countries set up units exclusively dealing with the EU

A traditional sets of ministries has been established in all CEEC-5, which are, at the horizontal level, fully compatible with western European democracies. In all five countries, a degree of organisational stability can be discerned in the case of the five classical ministries - the Ministries of Foreign Affairs, the Interior, Justice, Defence and Finance -

while a good deal of change occurred in the socio-economic field, e.g. the Ministries of Economic Affairs, Labour and Social Affairs.

With a view to the *creation of EU units* in the ministries of the CEEC-5 structural differences prevail, while functionally the units fulfil similar tasks. Structurally the units follow the institutional logic of the national administrative systems they are embedded in and thus mirror national institutional procedures and preferences. Generally, after 1990 new administrative units have been established in all five countries to deal with the EU, such as ministerial departments, offices or state secretariats, taking over responsibility for EU-relations. 1998 was moreover a central year in which many of the countries set up units exclusively dealing with the EU.

Differentiation prevails and future reform demands

In summing up, **Gaby Umbach** emphasised once again, that neither a common unique model of public administration has been developed in the CEEC-5 nor could a complete return to pre-communist traditions be witnessed. The governments, moreover, generally tried to develop new administrative structures and procedures using experiences and elements from traditional European models. Thus, no specific post-communist politico-administrative type of public administration is emerging.

Moreover, the reform process of the public administrations would not yet be completed, even if the overall administrative reform initiatives of the five CEEC so far focussed on central aspects of the public administration. Elements for further reform still are the development of comprehensive reform programmes as reform initiatives were partly patchy. Moreover, the further decentralisation of tasks and competencies, the strengthening of the regional levels, the modernisation of the public administration in technical and programmatic terms, the improvement of career patterns, further training for civil servants with a view to EU accession, the enhancement of inter-ministerial co-ordination and administrative management, the enforcement of the qualification of law experts, the increase in public service personnel and the effective control of public administration performances are topics of further reform requirements.

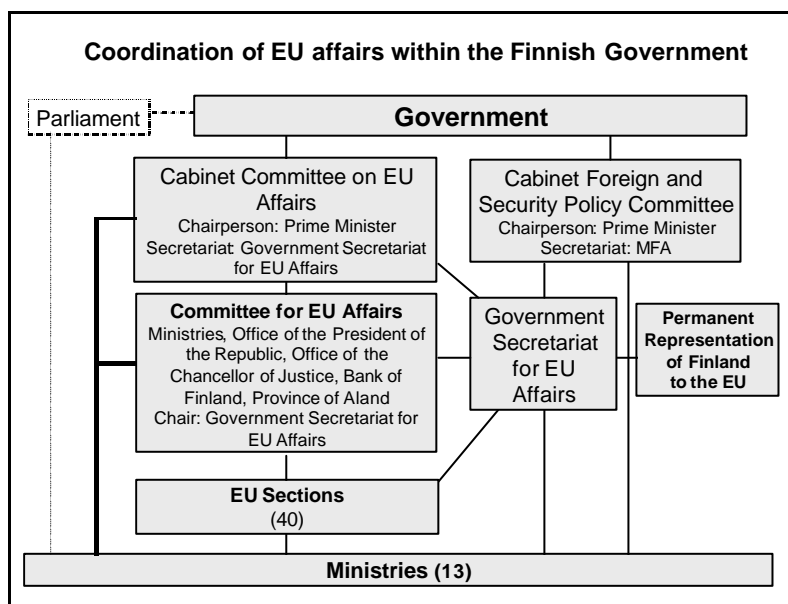
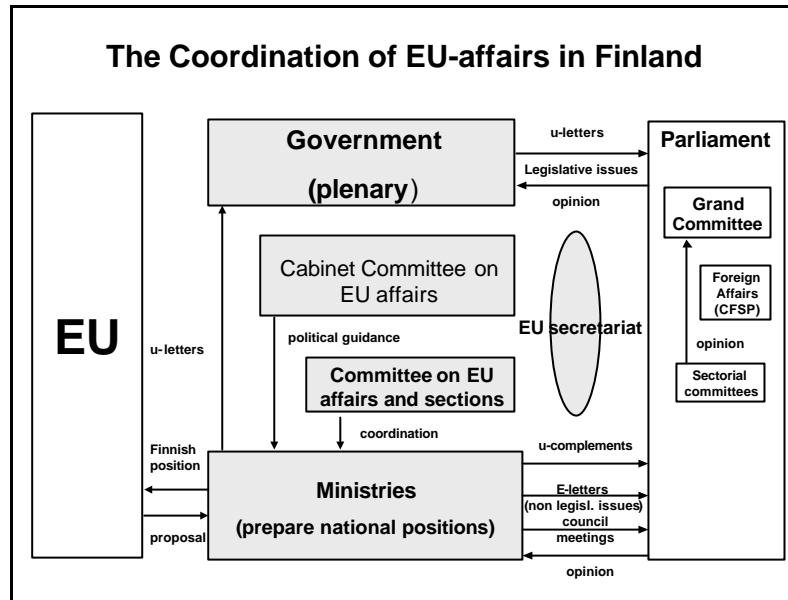
For the better integration of the CEEC-5 into the broader variety of EU member states, the presentations of the second panel concentrated on some relevant examples of current member states.

The **first panellist** thus introduced the example of Finland, which many of the CEEC-5 officials interviewed within the framework of the research project referred to as example for the establishment of their own national EU decision-making and coordination structures.

First of all, national structures would have to be capable to have (1) grip on the whole institutional structure of the EU, (2) grip on the doers, i.e. the EU officials and (3) grip on timing of EU decision-making. Thus, generally the ministries would have to be EU-prepared and training activities and resources should be adapted. Moreover, the rivalry between the ministries has to be diminished as only one Council exists and the member states have to present coherent and consistent positions. Thus the inter-ministerial cooperation has to be enforced and strengthened.

Another key to success in this context would be the establishment of an efficient EU-coordination structure, as the EU coordination task would have multiple aspects such as monitoring EU policies and their implementation, timely issuing of instructions and

identifying relevant issues, planning and lobbying and dealing with nominations and technical aspects such as council working methods. Therefore, the role and structure of the inter-ministerial coordination unit has to be recognised by the ministries, the political backing has to be ensured, the role of the national parliament has to be clear, the permanent representation to the EU should be involved and the ministries' internal coordination should be working smoothly.



As important bodies of the Finnish EU coordination structure the panellist identified the Committee on EU affairs, chaired by the head of the Government Secretariat for EU affairs. It covers major EU-policy issues and its main task is to eliminate ministerial disputes over certain policy problems. The committee includes representatives of all ministries and is engaged in the horizontal coordination of EU affairs. It moreover serves as a gatekeeper of the Cabinet Committee of EU affairs. The later is chaired by the Prime Minister. Besides the different ministers the Finnish ambassador to the EU also attends the meetings. Typical items of the committee's agenda are the preparation of council and European council meetings, items of political significance, ministerial disputes, the European convention, IGC-issues and CFSP/ESDP topics.

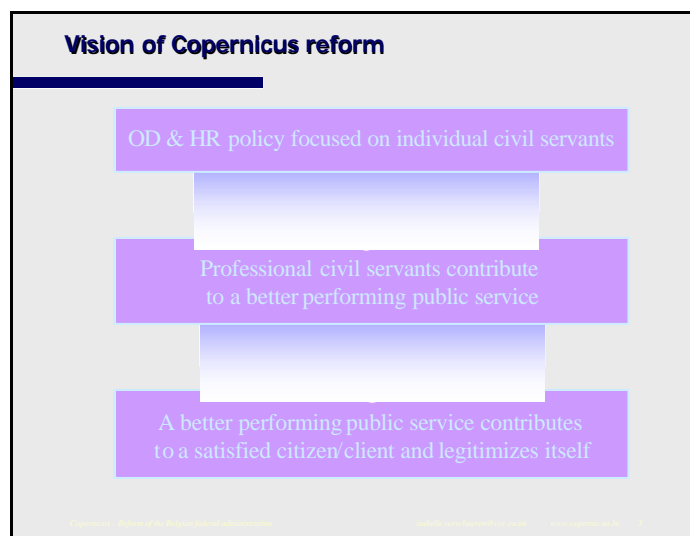
Furthermore, all ministries manage EU affairs under their responsibility. They will draft, in cooperation with other ministries involved a memorandum on each Commission proposal or other initiatives to be discussed in the Council. The responsible ministry will then deliver the proposal to the EU sub-committee within whose competences the initiative falls, to the Government Secretariat for EU affairs and the permanent representation to the EU.

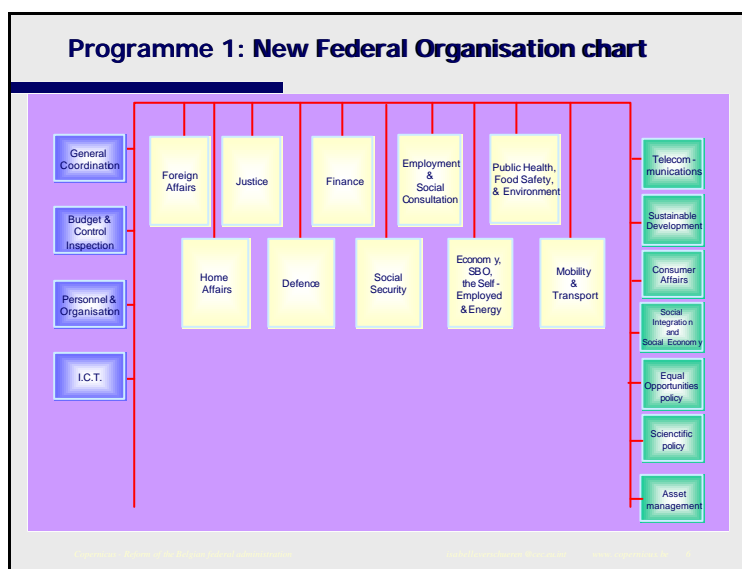
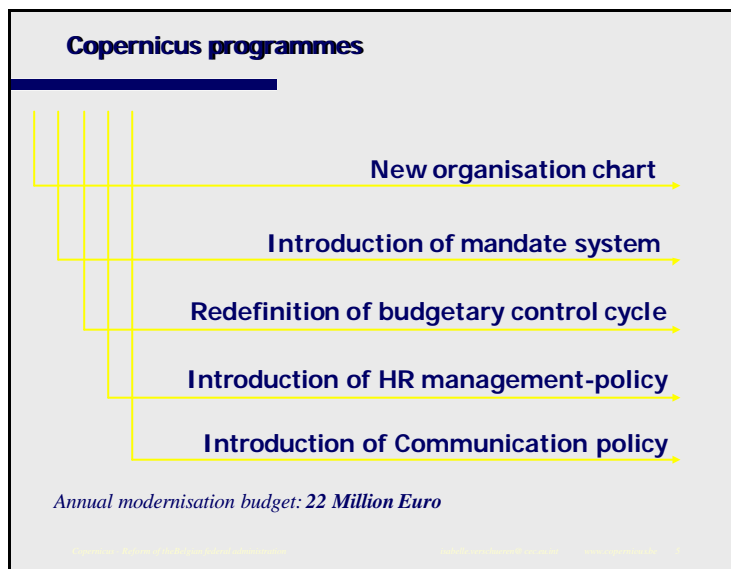
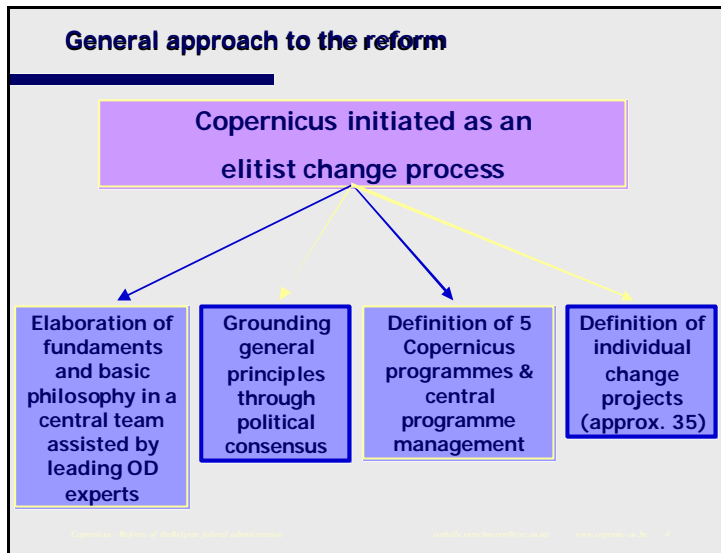
In the discussion and coordination of EU affairs, particular attention is attached to Finland's overall EU policy, the involvement of all competent Government ministries and the participation of and timely supply of information to Parliament and the Government of Åland. In addition, emphasis is given to the supply of information to various interest groups. With a view to the inter-ministerial coordination, the ministries' EU coordinators and the Government Secretariat for EU affairs collaborate in the coordination of EU affairs. The EU coordinators meet regularly and prepare decisions to be made on the Committee on EU affairs.

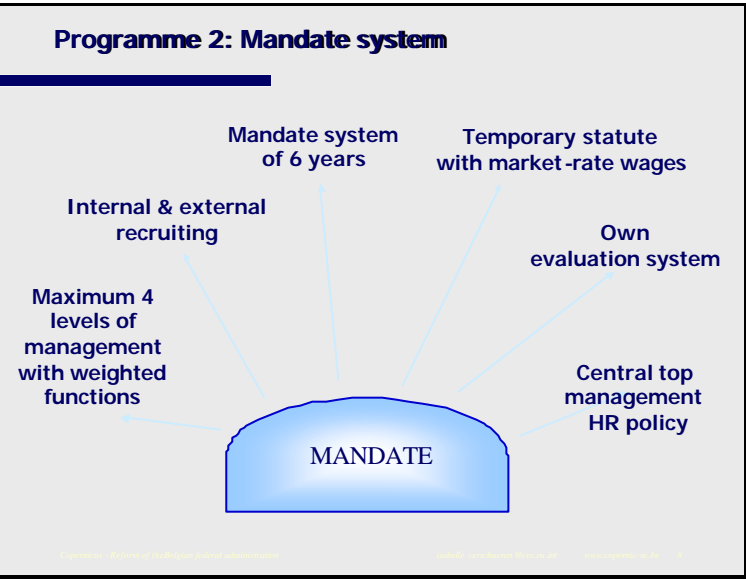
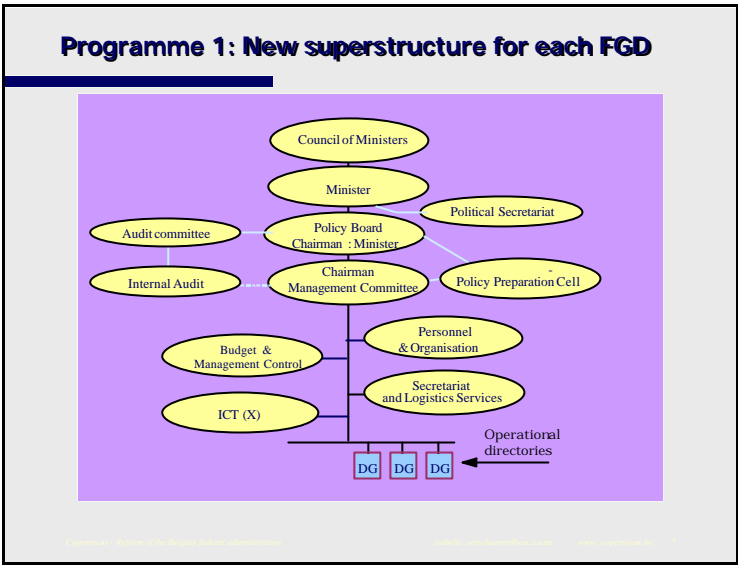
With a view to other European examples of public administration reforms, the **second panel speaker** gave an introduction into the 1999 Belgium civil service reform, which showed the wide scope of reform initiatives and a combination of different approaches. Most important aspects of reform were the structural reform of the ministerial bureaucracy with the reduction of ministries, the reduction of the civil service corps and the reform of the status of civil servants with the recruitment channelled via private companies.

The Belgian federal administration

- 14 ministries: 60 000 civil servants
- Point of departure
 - Erosion of powers
 - Budgetary negligence
 - Legitimacy problem through incidents
 - Statute Camu (1937) as the last fundamental reform
- Government Policy Statement 1999:
 - Belgium must become a model state
 - Modernising the apparatus of government: one of 3 top priorities







Programme 2: Management function weighing system

Score table: 12 criteria

1. Knowledge	4. Complexity	10. Autonomy
2. Multidisciplinarity	5. Innovation	11. Impact
3. Contextual understanding	6. Leadership	12. Size of territory
	7. Planning & Organisation	
	8. Change Capacity	
	9. Interaction	

Programme 3: Initiatives

- New R&S system
- New evaluation system
- New career system
- New salary system
- redeployment
- Public Management Programme for high-potential civil servants
- BPR of P&O units
- HR of top management

Programme 4: New control cycle

Principles to support responsabilisation

1. From ex ante control to ex post evaluation
 2. From external control to internal control
 3. Focus on elaboration of internal control systems
 4. Internal evaluation/audit capacity
- redefinition of the Finance Inspectorate

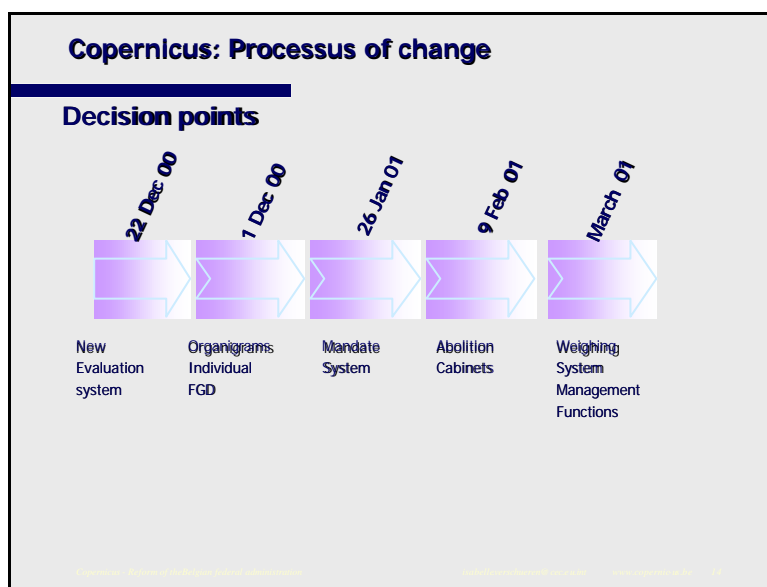
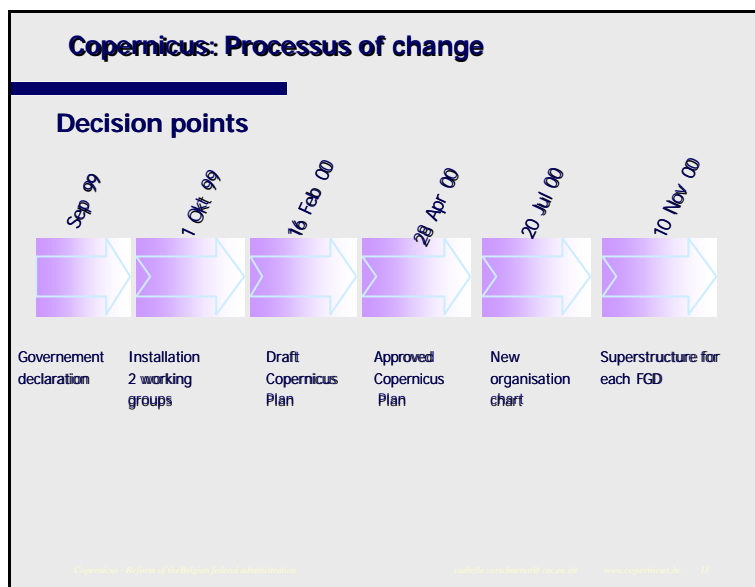
Programme 5: Communication mix

Phase 1: Informing

- Roadshow
- Newsletter - E-newsletter: "Today Tomorrow"
- Monthly Magazine
- Website www.copernic-us.be
- National television broadcast VRT - RTBF
- Roadshows
- Press briefing
- Networking
- Personal enquiries

Phase 2: Motivating

- Discussion groups (50)



Questions

Did Finland take examples from other EU member states when creating its EU coordination structures?

During the negotiation phase the Finnish negotiators travelled a lot and maybe Spain and Denmark served as examples.

How long did it take to adopt the Finnish EU coordination structure to the 'reality' of EU decision-making? What were the weaknesses of the structure when entering the EU?

In 1995 this structure had already been created during the observer status phase. One change was made after the Finnish presidency with a view to the transfer of the Government Office for European Affairs from the MFA to the Prime Ministers Office. A development, which currently can also be found in Hungary.

Did the Finnish example serve as model for the CEEC-5 and other candidate countries?

Have there been any contacts between Finland and the CEEC-5 with a special view to the reform of their missions into permanent representations?

The Finnish government organises seminars on its EU coordination system and the head of the permanent representation travels a lot to explain their model. Of course Finland holds close links to Estonia, including the exchange of officials, as both countries are neighbours.

Did Belgium take examples from other EU member states in view of its public administration reforms?

Holland, the UK and Finland served as examples and were taken into consideration.

PANEL 3

Unconsolidated EU decision-making systems?

Chair: Mathias Jopp, *Institut für Europäische Politik, Berlin*

Introduction: Dorota Pyszna-Nigge, *Jean-Monnet-Chair for Political Science, University of Cologne*

Panellists: Christian DANIELSSON, *European Commission, Cabinet Verheugen, Deputy Head of Cabinet*

Zsolt BECSEY, *Mission of Hungary to the EU, Minister, Head of the Political Section*

Libor BOHAC, *Mission of Czech Republic to the EU, Third Secretary, Training of state administration officials in EU affairs, Spokesman of the Mission*

Michaela KÜCHLER, *Permanent Representation of Germany to the EU, Counsellor*

Dorota Pyszna-Nigge introduced the third guiding thesis, which assumes that while the period of pre-accession and accession negotiations was also formative in view of the domestic EU decision-making systems, effective membership will offer a new set of opportunity structures so that adaptations or even wholesale changes of current designs of the national EU machinery are viable options. Thus, the EU-decision-making system in the CEEC-5 still have to be regarded as unconsolidated. The moment of membership will introduce a new stage.

Unconsolidated systems

- Pre-accession and accession negotiations formative in view of the domestic EU-decision making systems
- Path dependent development?
- Novel designs for the membership period?

09.04.2003 Brussels, 3 April 2003 2

Impact of EU accession

- New stage/new ball game
- Capacity to fully act *within* the EU system
- Revised co-ordination structures
- New demands from the EU
- New opportunities

09.04.2003 Brussels, 3 April 2003 3

New demands from the EU arise in the following areas for the state administrations in the CEEC-5: As candidates the CEEC-5 were merely involved in the implementation and partly the enforcement stage of the policy cycle. As members they will be involved in decision shaping at the preparatory stage and decision taking at the decision making stage. Changes and adaptations to this new stage in the missions of the CEEC-5 to the EU, which act as a nexus between the national, and Brussels' arena but also develop a life of their own as multi-level players can already be observed.

New demands and opportunities

- Proliferation of actors (functional decentralisation)
- Setting up of permanent representations
- New opportunity structures for:
 - * Parties
 - * National parliaments
 - * Interest groups
 - * Key ministries

09.04.2003 Brussels, 3 April 2003 5

All these new constellations and considerations point at the emergence of a new set of opportunity structures that force players to shape and strengthen their position in the domestic EU decision making systems. The following elements of revision of the institutional designs of the negotiation/pre-accession period in the CEEC-5 can thus be observed:

- Stronger role of Prime Minister (in Hungary and Poland)
- Reorganisation of Chancellery/Office of the Prime Minister (in Hungary through the new post of a Europe minister)
- Reorganisation of Foreign Ministry (as e.g. in the CR and in Poland)
- Reorganisation of the central co-ordination structure subordinated to the PM or the FM (as in Poland and Slovenia)
- Stronger involvement of line ministries (in all CEEC-5)

- Transformation of missions to the EC into proper permanent representations in Brussels (in all CEEC-5).

New institutional design

- Stronger role of the Prime Minister (H) (PL)
- Reorganisation of the Chancellery/Office of the Prime Minister (H)
- Reorganisation of the Foreign Ministry (CZ) (PL)
- Reorganisation of the central co-ordination structure subordinated to the PM of the FM (PL) (SI)
- Stronger involvement of line ministries (all)
- Transformation of Missions into proper Permanent Representations in Brussels (all)

09.04.2003 Brussels, 3 April 2003 4

These shifts and changes indicate that the institutional balance within the triangle - Prime Minister – Foreign Ministry – subordinate or separate EU office or ministry - has not been fixed but is still in the making. Nevertheless, these adaptation processes must not be regarded as weaknesses but as essential adjustments to the new stage of membership and the efforts to become normal and fully fledged members in the EU system.

From these observations a total reorganisation is not envisaged. A path dependent development is more likely to persist.

Conclusions:

- Partial structural reorganisation
- New co-ordination procedures
- Need of constant adaptation
- Tendency towards open systems

09.04.2003 Brussels, 3 April 2003 6

Outlook: Trends and scenarios on future developments

For the future development of state administrations of the CEEC-5 in the stage of effective membership three scenarios could be envisaged:

1. normalisation-scenario (positive)
2. sub-standard multi-level players (medium)
3. failure scenario (negative)

Europeanisation of state administration in new member states of CEE – 3 scenarios

	Scenario 1: - positive – Normal players	Scenario 2: - medium - Sub standard players	Scenario 3: - negative - Failed players
Key features	<ul style="list-style-type: none"> - normalisation/successful adaptation comparable with old EU members - steady (guided) process of administrative capacity building 	<ul style="list-style-type: none"> - structural shortcomings for transition period - stop and go reforms and process of administrative capacity building 	<ul style="list-style-type: none"> - façade Europeanisation - fall back behind Copenhagen and pre-accession stages - failed relationship state administration/political class
Structures	<ul style="list-style-type: none"> - institutional stability and incremental changes - effective and efficient EU policy making system 	<ul style="list-style-type: none"> - instable EU policy making systems - strongly affected by changes of government and politics - willing but difficulties to adapt 	<ul style="list-style-type: none"> - neglected structures - not willing and not able to adapt - special type of post-communist administration
Human resources	<ul style="list-style-type: none"> - adequate human resources and training schemes - adequate personnel policy - largely newcomer problems 	<ul style="list-style-type: none"> - quantitative and qualitative problems - islands of excellence problem - slow and haphazard upgrading of skills and training schemes 	<ul style="list-style-type: none"> - over-politicised personnel policy - unskilled personnel - lack of commitment to increase capacity building through training etc. - new leitbild of democratic public administration/civil service not effective
Impact EU	<ul style="list-style-type: none"> - reliable partners in policy implementation and equal partners in policy formulation - uniform acquis - continued structural diversity in enlarged EU - variations of present designs - trend convergence towards established basic types 	<ul style="list-style-type: none"> - weak partners in policy implementation and policy formulation - swiss-cheese acquis - multi-speed and multi-standard EU - enhanced assistance strategy for newcomers - specific post-communist/defect type for transition period - trend: divergence of basic types 	<ul style="list-style-type: none"> - failed enlargement - paralysis of EU decision-making - distortion of acquis - political setbacks for EU - newcomers as mavericks - permanent special cases among new members - trend: divergence of basic types

Which scenario is most likely? So far, smooth adaptation processes without fundamental conflicts or insurmountable obstacles have dominated throughout the stages of Europeanisation. Moreover, normalisation as the overall trend appeared stronger and swifter than expected. The CEEC-5 are convinced that they will fit into the broad (western) European patterns and will not become permanent special cases. Thus a development according to *scenario 1* is widely expected in the CEEC-5 and also the EU. However, today, it seems exaggerated to speak of the emergence of a “special type of administration” in the CEEC-5 (*scenario 3*). A situation as outlined in *scenario 2* cannot be excluded for new members and the EU. According to this scenario a consolidation in terms of administrative capacities and performance within the EU multi-level game at a substandard level compared to present EU member-states might be witnessed.

Regarding the adaptation of the national structures after accession, the **first panellist** highlighted three areas, in which the further development of the national structures will be of vital importance.

(1) Policy formation

One of the most important capacities related to this topic is the identification of nationally relevant and important issues, as most of the newcomers will not be able to engage in all areas of the EU acquis. The less centralised the policy formation would be in this context, the more unclear the position of the new member state would be. Thus the best options would be a centralised structure within the MFA or the Prime Ministers office. Additionally, like in the Finnish case, the permanent representation should play a key role on the policy formation phase as they would be closest to the scene.

(2) Acting in Brussels

Most important in this context would be to use the channels and points of access rightly, even if the main focus of the new member states would in the beginning be on the Council. Thus, the focus would shift from the Commission, where it laid before, to the Council. This implies that also the modes of interaction will have to change, as the working methods are different here. Regardless of the relevance of the Council, the new member states should not forget their contacts to the Commission, as this institutions plays an enormously important role in the EU decisions-making cycle. Furthermore, in a long-term perspective, the establishment of contacts to the European Parliament should not be neglected.

(3) Policy implementation

This aspect might turn out to become the mayor challenge to the newcomer as the national institutions established only recently could turn out to work insufficiently.

The **second panel speaker**, after reiterating the institutional development of the Hungarian case pointed out that his country, like most of the CEEC-5, currently is in a very transitional period as the real coordination structures and policy formulation channels will be established only after 3 to 4 months of the observer status. Currently his government would be preparing a resolution for the establishment of a structure for the observer status, which so far would have been adopted only on a provisional basis.

Regarding the re-structuring of the national public administrations the speaker stated, that the most educated person would have to stay in the national capitals if one would not risks enormous deficits due to brain-drain to Brussels and to the private sector.

With a view to the administrative adaptation after membership the most important issue for the first membership period would be the work in the Council. Thus inter-ministerial experts groups for all Council working groups, also including horizontal ministries, were to be set up in Hungary. Additionally the transformation of the missions into the permanent representations would be another important area of the reform activities. To ensure coherence, en the case of Hungary, the structure would mirror the Hungarian coordination structure in the capital. Moreover, an inter-ministerial integration group would be set up at the senior civil servant's level. Hungary would opt for a very centralist approach in order to reassure the coherence of its policy positions.

The **third panellist** introduced the ongoing Czech preparations for membership. Like in Hungary, inter-ministerial coordination groups of experts will be engaged in high-level technical issues. Additionally a committee on EU integration, comprised of the heads of the inter-ministerial coordination groups, will represent the political level. The centre of the future coordination structure will still be the MFA. The Czech Republic will also continue to have a centralised coordination structure in the future.

Within the MFA, certain parts will be reorganised strengthening the department dealing with EU affairs and making it more independent. The government will set up the general guidelines of the national policies and the Prime Minister will intervene in case of inter-ministerial conflicts. Like in all other CEEC-5 the Czech mission currently is transformed into a permanent representation and it will have its main tasks in the preparation of Council working groups and in the coordination of national activities in Brussels. Moreover, the principle role of the newly established permanent representation will be to identify national priorities and search for partners and alliances among other EU member states.

The **fourth panel speaker** highlighted once again that the acceding countries were in a crucial phase at the moment when it comes to the reform of their EU-related decision-making and coordination structures. Compared to old member states like Germany the scope of restructuring has seldom be witnessed before.

In any case, a stronger integration of the line ministries will be one of the mayor challenges in the future as the decision-making in the CEEC-5 is currently located at a very high level. As a member state this will not be possible anymore as the involvement in EU decision-making will be part of the daily business of nearly every level of the public administration. Thus, decision-making will have to be transferred to lower levels. Additionally, the new member states should keep the aspect of human resource development closely in mind, as especially the middle management has to be strengthened. Thus, also the (university) education in EU affairs has to be further promoted.

Questions

What are the main reasons for the reorganisation of the national EU-related institutional structures?

One reason is that the capacities of the various ministries must be more deeply routed on the whole ministry and not only in the EU units. Thus, a sensibilisation strategy is needed.

What are the personnel aspects for institutional adaptation?

All level of the public administration have to be trained in EU affair as the brain drain to Brussels might else destabilised the national arena.

Conclusions

Barbara Lippert, *Institut für Europäische Politik, Berlin*

Dr. Lippert once again highlighted the shift of focus, which the research project experienced during its lifetime and that all contributions during this workshop very much underlined this development. In the beginning the project team focussed far more on post-communist legacies of the past as relevant intervening factors for the development of the public administrations in the CEEC-5. At the end of the project aspects such as the evolution towards normal players and the 'shadow of the future EU membership' gain more importance, locating the problems of the CEEC-5 directly into the scope of the future problems of all 25 EU member states. Thus enlargement will not only challenge the new members, but also change the decision-making procedures in the EU and thus create adaptation pressure for all member states.