

Bringing the European Union Closer to Its Citizens: *The Role of the “European Public Service” and of EIPA*



By **Spyros A. Pappas***, Director-General of EIPA, 1989-1995

On the threshold of its 50th anniversary, the European Union seems to be faced with a paradox: an island of peace and wealth that has lasted for half a century is a target of scepticism by its own citizens. Although many efforts have been made to bring the Union closer to its citizens, little attention has been paid to the role of national administrations in this respect. Yet deeper interaction between administrations at all levels of government, and the formation of a true European civil service, could do much to overcome the unfairly negative image which the EU institutions seem to have today.

In the year of its 25th anniversary, the European Institute of Public Administration can be proud to have made a continuous contribution towards bridging the gap both vertically, between the European and the national public administrations, and horizontally, among national public administrations.

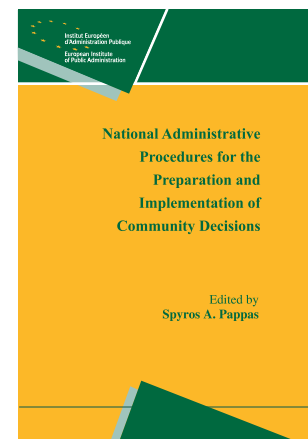
My contribution to this special issue of EIPASCOPE looks back at some of the steps taken by the institutions in the past. It also proposes some further measures which might be taken, and perhaps be supported by EIPA in future.

No focus on administrative reforms

A number of administrative initiatives have been taken by the European Commission that would, it was affirmed, “enable the Commission to maximise the *effectiveness* of its activities, both in qualitative and quantitative terms, focusing primarily on the *formulation of policy* and on the expectations of citizens in Europe and elsewhere. This should contribute to a better understanding of European goals, to bring Europe closer to the citizens and lead to a new European administrative culture”. Yet the administrative reforms of the Commission have, in my view, missed the mark in this respect.

The implementation of Community policies is in principle the task of national administrations which, in this way, become extensions of the Commission and together form the “executive” of the European Community. National administrations are in charge not only of the implementation of Community policies but, also, of their management, be it execution or further policy formulation.

Despite this important sharing of responsibility, however, very few references or thoughts have been devoted in reform initiatives to the linkages between the European Commission and the national administrations, which are treated as if they were separate entities. The 1979 Spierenburg report raised the question of incoming mobility, expressing the wish that more national civil servants would come to the Commission. Since then, only the Williamson report of 1998-1999 has pleaded for outgoing mobility of Commission officials seconded to national administrations. A modest attempt has been launched this year by DG Enterprise but only involving a week to be spent at an SME. The only successful example relates to horizontal mobility among national civil servants and this is the Action



Plan for the Exchange of National Officials Responsible for the Internal Market Legislation (Karolus) supported by EIPA.

The latest administrative reform has taken place within a political climate which has downplayed the administrative demands of the Community – and this continues today. Contrary to political statements in support of a strong Commission, on 14 July 2006 EU finance ministers agreed to make radical cuts in the European Commission staff budget despite warnings that this will prevent recruitment of new Member State officials – and that the Commission is already too small an administration to continue playing its role as guardian of the Treaty. Furthermore, instead of examining a new role for the Commission in an ever-changing environment of enlargement, new communication technologies and globalisation, the reform confined itself to policy formulation and personnel policy, while neglecting the question of policy implementation in coordination/cooperation with national administrations.

Reaching out to citizens through national administrations

On 10 May 2006, the Commission decided to “transmit directly all new proposals and consultation papers to the national parliaments, inviting them to react so as to improve the process of policy formulation”. Commenting on the initiative, Mrs Wallström said on 11 September 2006: “A greater voice for parliaments is a greater voice for Europe’s citizens. The Commission sends a signal to the national parliaments that we will inform them and we will listen to them. Their comments will be carefully considered.” This direct approach constitutes a substantial change in the involvement of the national political level in EU policy making, and may prove to be a way to help bring the Union closer to the citizens.

Nevertheless, it has to be borne in mind that national parliaments become involved in European decision making only after national administrations have already participated in the various consultative steps leading to the Commission’s proposal. In addition to that, national administrations are part of the “comitology” system and in charge of policy implementation. Moreover, it is equally important institutionally to establish closer coordination and cooperation with national administrations, not only in order to fill the gaps in management, but also to respond to public misperceptions – often fed by national governments for the sake of internal political consumption – about an inherent conflict of interest between European and national levels. It is essential to clarify the real nature of the respective roles and to build on what should in fact be a natural relationship of cooperation. Who does what, who is responsible for what? What is the role of the national administrations and what of Brussels? To what extent are national administrations part of “Brussels” and how could “Brussels” become stronger by forming a united front with national administrations? Opening the way to national Parliaments without prior consolidation of European administrative cooperation, could even be premature and cause increased unease as far as accountability is concerned.

In 1992 I wrote in EIPASCOPE: “The European public service is an activity of Community interest, defined through the policy formulation procedures and the distillation of the national interests, carried out by the European public administration which is articulated in the national administrations and the administration of the European Community according to the principle of subsidiarity”.¹ Some 15 years later I am disappointed in the progress made.

Although we are still far from what I call a “European public service”, there are further steps that could be undertaken towards the establishment of a well-networked European administration. One of them could be the systematic pursuit of civil servants’ mobility (in the light of 2006 as the European Year of Workers’ Mobility) on the obvious condition that the budget allocation for human resources would allow an adequate increase in the Commission’s staff. Such mobility should not be limited to horizontal exchanges among national administrations or within the services of the European Commission, but should be extended to the outgoing mobility of Commission officials to national administrations. So far it has been voluntary and did not work. A more detailed

action plan could become more attractive and would then lead to the secondment of numerous Commission officials to national administrations for a period long enough for them to acquire the knowledge of a national administration that is imperative for the effective exercise of their European tasks. Most importantly, they would transpose their expertise at the national level; at least one Commission official should become the permanent vertical linkage in a policy field of his/her expertise. Collectively, the seconded officials in all Member States could form a coordination forum in each policy field to ensure a more homogeneous implementation of policies. Gradually, this exchange would not only have a clear impact on the quality of European cooperation but also help create the feeling that Europe is also home, that we, the national administrations, are Europe too. The same applies to the citizens: public administrations constitute the contact point between the State and the consumer-citizen, and thus contribute to the picture that citizens form about their municipality, their State, their “Europe”.

What is more, I should emphasise that we are currently witnessing a process of close collaboration between the European level and the national level in certain areas which is producing remarkable results. I am sure that these examples will in fact become paradigms which will inspire joint actions in other sectors. I will begin this non-exhaustive list with the new provisions which have been introduced in competition law. Council Regulation 1/2003 of 16 December 2002 on the implementation of the competition rules laid down in Articles 81 and 82 of the Treaty has the effect of decentralising the implementation of these rules by allowing national courts and national competition authorities to become more involved in the implementation of Community rules. To ensure that the Community rules are applied effectively and coherently, the Commission and the national authorities designated by the Member States are together forming a network of competition authorities to cooperate closely in the implementation of Articles 81 and 82 of the Treaty. To achieve this, the Commission has published a communication relating to cooperation within the network of competition authorities to provide a framework for such cooperation in cases where Articles 81 and 82 of the Treaty are applied, and to form a base from which to create and preserve common competition culture in Europe. The second example of this cooperation between European and national authorities is to be found in the area of financial services. The final report of the Committee of Wise Men on the regulation of European securities markets, chaired by Baron Lamfalussy, proposed the establishment of a four-level approach to regulation. I shall go through the different stages very briefly. Legislation concerning securities markets must be based, within a general conceptual framework and on a case-by-case basis, on framework principles (Level 1) and on implementation measures at Level 2. Two new committees have been established to facilitate the definition of the details of implementation measures: the European Securities Committee and the Committee of European Securities Regulators. Level 3 which aims to strengthen cooperation is under the responsibility of the first committee whose objectives are to set out coherent guidelines for preparing administrative rules, adopting common interpretative recommendations and common standards, comparing and reviewing regulatory practices and, finally, providing reciprocal controls. The final stage concerns the implementation of the rules drawn up and their application by the authorities concerned. What is new about this regulatory approach is that it involves the different actors (Commission, European Parliament, national regulators and Member States) in the various stages of the formulation of the rules and of their implementation by the competent authorities. Today we can state that this approach was a great success and has led to the implementation of the Commission’s Financial Services Action Plan (FSAP). In conclusion, I believe that we must learn lessons from the examples quoted above. When the European Commission and the Member States work together within a given structure, the results are positive and the advances considerable. More than ever, we require close collaboration between the various powers so that a proper response can be made to the citizen’s needs. For this reason, I believe that a *rapprochement* between European and national administrations is desirable and the first realistic step

could be a step towards structured and systematic mobility.

It was a great privilege for me to participate for more than seven years in the early life of EIPA; to experience its transition from an uncertain present to a secure future, its dramatic expansion from a few activities to more than 300 each year, from a couple of hundred members to many thousands, from the headquarters in Maastricht to several thematic centres in Europe and beyond, from a private initiative to its recognition by all Member States and the European Commission. I would like to pay tribute to all those whose devotion has made EIPA what it is today: an island of excellence at the service of the European ideal in a pragmatic and consistent manner. ::

Notes

- * Before his term as EIPA's Director-General, Mr Pappas was member of the Supreme Administrative Court in Greece and was involved in the founding of the National Centre of Public Administration, of which he became Secretary-General. After leaving EIPA, he went on to hold various positions as Director-General within the European Commission; i.a. in setting up the DG Health and Consumer Protection as well as the DG Education and Culture. He returned to private practice in 2001 and founded his private law firm in 2004.
- ¹ Spyros A. Pappas, "Towards a European public service", *EIPASCOPE*, 1992/3.