EIoP European Integration *online* Papers

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Abstract

Processes of soft policy coordination in the EU and of Europeanization have in recent years mostly been conceptualised in terms of learning. The OMC is mostly seen as inducing ideational, cognitive and possibly normative learning between member states. However, the generalised learning assumption stands in sharp constrast with the little amount of empirical evidence provided so far by scholarly research. This contribution addresses the learning assumption by looking at two empirical processes of the OMC inclusion: the drawing-up of the National Action Plans (NAPs) in France and Germany, and the place of learning within this OMC, the peer reviews, in order to evaluate whether minimal conditions for supranational learning dynamics were given.

The results show that minimal conditions for supranational learning processes were not met in both member states nor within the context of the peer reviews. While this can to some degree be explained by institutional differences, the main explaining variable appears to be the lack of political will: at the domestic level, this lack hinders a synchronisation of the European and national agendas while at the European level, the same lack stands in the way of further positive integration.

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When learning hits politics or: Social policy coordination left to the administrations and the NGOs?(*)
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European Integration online Papers (EIoP) Vol. 10 (2006) N° 3; http://eiop.or.at/eiop/texte/2006-003a.htm
Date of Publication in EIoP : 31.5.2006
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1. Introduction ⬆

Since the introduction of the European Employment Strategy (EES) in late 1997(1), and in particular the Open Method of Coordination (OMC) in 2000, soft social policy coordination processes have increased significantly in the EU, complementing the traditional Community Method in the social field where the principle of subsidiarity(2) prevails. There is by now an abundant theoretical, conceptual and descriptive OMC-literature, but still relatively few empirical in-depth analyses are available(3). The majority of researchers conceive of the OMCs as processes inducing ideational, cognitive and normative learning. This is certainly related to the Lisbon Conclusions which introduced this OMC and several political EU texts since where one can continuously find a strong focus on learning(4). In the light of absent sanctionary mechanisms within the OMCs, it is assumed that "learning" can lead to policy change – and reform – through a shift of policy actors' understandings of social problems and their solutions(5).

Abundant empirical research which would bring strong support for *de facto* learning processes *induced by the OMC inclusion* is however missing. To the contrary, those who have invested in in-depth empirical research mostly conclude that the OMC inclusion has so far not delivered on both expected fronts, that is on effectiveness and legitimacy (Idema and Kelemen, forthcoming). Indeed, one can wonder why the tool box gathered by the OMCs and its non-bindingness should promote "learning" processes in a politically highly sensitive policy area where further integration was and remains judged undesirable for reasons of institutional diversity and political and ideological disagreements(6). It often seems as if research tends to neglect that we are dealing with a *political* process, in which one can find different ideas, interests and resources available, which is embedded

in other, "stronger" political processes such the EMU or the Growth and Stability Pact.

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In this contribution, I address the question whether the main instruments for learning, that is the National Action Plans (NAPs), the "good practices" and the peer reviews (PR), as well as the processes and institutional settings surrounding them foster learning supranational processes. This will be done by briefly situating the OMC in the context of theories on learning and developing a framework for analysis (1). In a second step, this framework is applied to the OMC inclusion as it has been developed at the EU-level (2). The next section will focus on the processes leading to the NAPs in France and Germany (3). France and Germany lend themselves well for a comparison as they offer an opportunity to test the concept of institutional fit / misfit. While there is a good amount of fit in the French case which should make it easy to comply with the European coordination process, one can observe important institutional misfit in Germany. Fourthly, I will address the exercise of the peer reviews, wondering whether the instrument is composed in a way which could support supra-national learning (4). The empirical parts are mostly based on 40 in-depth interviews that I conducted in 2004-2005 and 27 returned open questionnaires(7) as well as on the analysis of EU and national documents related to the OMC inclusion (that is, against poverty and social exclusion). In the next section, I will offer an explanation for the poor results so far (5). Concluding, I will address the question in how far the limitation of learning in social policy through the OMC might be structural (6).

2. Situating the OMC in the learning literature ⬆

The OMC is supposed to lead member states in the direction of convergence of performances through ongoing processes of exchange, comparison, learning and benchmarking(8). While diverging in some aspects, most OMCs have integrated common features such as the writing of NAPs by the member states, of Joint Reports by the Commission and the Council, common objectives or guidelines, the data-gathering on the basis of commonly agreed indicators, peer reviews and potentially benchmarking as well as the exchange of good practices.

Conceptual and theoretical debates surrounding the OMC include the issues of democratic legitimacy, the modernisation of the so called European Social Model, of convergence vs. divergence and of steering processes in multi-level systems, the latter one being commonly referred to as governance literature(9). It is here that the idea of policy learning can be located.

The idea of learning can be traced back to the 1960s (Deutsch) and the 1970s, where Heclo defined political learning as „a relatively enduring alternation in behaviour that results from experience and/or new information concerned with the attainment or revision of policy objectives" (Heclo 1974: 306). Here, as in other proposals (Olson and Peters 1996), there is a distinction between ideas and policies, between the incorporation of new information and actual change in behaviour. In the 1990s, Hall has strongly influenced the academic debate, defining policy learning as a "deliberate attempt to adjust the goals of techniques of policy in the light of consequences of past policy and new information (Hall 1993: 278). Hall speaks of learning when policy change occurs after such as process. He identifies three central variables: the principle goals that guide policy in a particular field; the techniques of policy instruments to attain these goals; and the precise setting of these instruments. Together they define what he calls a policy paradigm. Only when the adjustment of the tools (first order learning) or in the setting of the tools (second order) fail is the paradigm itself threatened and may principle goals be changed (third order).

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In 1997, the concept of a directly deliberative polyarchy has been presented and has received broad attention since, also in the OMC literature (Sabel and Cohen 1997). The authors suggest that steering in political systems might be better achieved through ongoing local learning processes than through centralized regulation. Consequently, they propose a reconfiguration of the traditional political (state) powers and their rights and duties, mainly shifting formal and material responsibilities to local units while leaving the dissemination of information and the distribution of financial means to central agencies. Competition between the different local units about the "best model" would be supported by processes of mutual comparison and benchmarking.

More directly concerned with the social OMC processes in the EU, Hemerijck and Visser have identified a whole set of reasons why processes of learning might not lead to any or improved policy change. These include the assessment that "learning" is neither a sufficient nor a necessary condition for policy change; that to learn from other countries is only but one possible factor amongst others for the change of social policy arrangements, and not necessarily the most important one; that there is no reason to believe that "learning" necessarily improves performances, particularly if "learning" does not rely on one's own experiences. They have also noticed that "poorly developed evaluation methods tend to stand in the way of effective learning" (Hemerijck and Visser 2003: 17). Finally, research has shown that often fundamental political, administrative, institutional and cultural aspects are neglected, overseen or forgotten in the analysis of "learning" processes, for example problems of collective action, diverging interests, the low predictability of outcomes, to name only a few (Kröger 2005a; Radaelli 2004).

Trubek and Mosher, occupied with the functioning of the EES, have introduced an important distinction when analysing supranational learning processes insofar as they differentiate on the one hand between looking at policy change once it has occurred and the possibility of tracing change back to learning processes and, on the other hand, analysing whether the instrument which is expected to support learning processes is well equipped to do so. Turning to the latter scenario, they suggest that learning *can* take place where public and private actors are brought together in deliberative problem-solving settings; where policy networks are enlarged; where decentralised experimentation is encouraged; where information on innovation is precise and commonly available; and where actors are encouraged to compare their results with those of the best performers in any area. They come to the conclusion that these elements are given in the EES yet remain speculative whether learning has really happened through it (Trubek and Mosher 2003).

Applying the insights of historical institutionalism to processes of Europeanization, it should be clear that policy change can only be measured in a longer time perspective. Adding the voluntary character of the OMC which makes it difficult if not impossible to trace policy change through learning directly back to the OMC (Kröger 2005b), the distinction made by Trubek and Mosher offers a fruitful starting point. However, while some elements are quite easy to track down (precise and commonly available information, bringing together of many actors), others remain rather vague (deliberative problem solving, decentralised experimentation), while still other elements are simply missing.

The first of these elements seems to be language. Jacobsson, in her analysis of the EES, has pointed to the "subtle transformation of states" (2004) induced by "soft law" procedures. She claims that in the absence of binding regulation, more enduring transformation may be brought about through the use of common language, discourse and problem definition. Barbier and Letablier (2005), more critically, have shown, that language can pose serious difficulties for supranational learning processes, be it for simple communication, be it for the deeper understanding of political concepts and of the functioning of institutions. In any case, with respect to the OMC, knowledge of (foreign)

language(s) is essential as many documents only appear in English and/or French.

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Another element that needs to be considered are the financial, human and time resources available to the concerned actors. It is clear that in the absence of such sufficient resources, any policy-making process is likely to have little impact.

Taking the elements brought up by Mosher and Trubek and the latter ones just mentioned, particular attention should be paid to the nature of the consultation processes and the actors involved therein. This is necessary as it is widely assumed that the participation of a wide range of actors will bring to the fore not only a wide range of interests, but also additional problem-solving strategies and thereby enhance bottom-up learning, one of the goals of the OMCs; to the sort of information available as it can be assumed that in order to learn, one needs to have a minimum of information about a current approach; to the public that these information reach (visibility and dissemination) as a wide reach (and debate) is necessary in order to foster enduring learning processes (Hemerijck and Visser 2003); to the knowledge of particularly English and French by the actors involved and to the amount of resources available.

The availability of these elements will now successively be dealt with by looking at the OMC inclusion at the European level, at its national application and at the exercise of the peer reviews.

3. The tool box of the OMC inclusion: The EU-level ⬆

In the field of poverty and social exclusion, the OMC comprehends the following elements: common objectives which should be regularly reviewed ; commonly agreed indicators; the drafting of NAPs on a bi-annual rhythm including examples of so-called good practices; Joint Reports edited by both the Commission and the Council and, since 2004, peer reviews. Additionally, there is a Communitarian Action Programme meant to support accompanying activities in the fields of NGOs, networking and research.

Looking at the consultation process, this OMC is the most developed when compared to the other social OMCs as it foresees the "mobilisation of all relevant actors" in the fourth common objective, a formulation that particularly targets non-state actors. Institutionally, however, only the participation of the national governments, individually and in the Council, of the Commission, of the SPC and its indicator sub-group (ISG) are mandatory. In these two latter committees, one finds again representatives of the member states and the Commission as mandated members. Other actors can, but must not be periodically invited. All other actors (national parliaments, the European Parliament, the social partners, NGOs, the regions, etc.) can issue statements, reports or the alike but these must not be considered by the national governments nor by the Commission.

Turning to the information that is available, this OMC foresaw NAPs on a bi-annual rhythm between 2001-2005 and foresees NAPs in a tri-annual rhythm within the streamlined OMC social protection and inclusion, beginning in 2006. The NAPs are texts which are drafted by a particular ministry and adapted by the national governments. After the first round in 2001, a common outline has been adopted by the SPC. This outline is meant to assure a certain degree of comparability of the NAPs, their readability and that certain issues such as gender mainstreaming or the integration of immigrants are dealt with. The NAPs should also contain examples of so-called good practices, usually in an annex, which are supposed to support policy learning and policy transfer by providing detailed information on particular approaches. However, no mention is made in the official OMC documents what qualifies an approach as a good practice and what information should be provided about it.

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Finally, in another annex, the NAPs also contain commonly agreed indicators which are supposed to provide information about the performances of member states in various policy fields. However, the information contained in these performance indicators is quite difficult to unpack and their added value for supranational learning and comparison processes can be questioned (Kröger 2005a). Still, all in all, it is fair to conclude that the OMC inclusion foresees the provision of a good amount of information.

With respect to the visibility of these information and their dissemination, a web site has been created by the Commission where most of the related documents can be found(10). Additionally, another web site has been created in order to disseminate the experiences and lessons learned in the peer reviews since 2004. At the domestic level, it is left up to the government and other involved actors if, and if so how they disseminate the respective documents.

Turning to the issue of language, no specific rules are foreseen for the OMC inclusion. Up until the EU-enlargement in 2004, the availability of all documents in English and most of the documents in French was assured. Since enlargement and the significant increase in official languages however, most of the NAPs of EU-15 exist either in English or in French, but not in the domestic language, while the NAPs of the ten new member states exist in both national language and English. In the context of the streamlining process of several social OMCs (inclusion, health and pensions) which has started in 2006, the Joint Report of the Commission and the Council is down to ten pages, available in all languages. The still shorter information on the specific member states (2-3 pages) however only exist in the respective national language.

Finally, the impact of any policy-making process also depends on the financial and human resources that are accorded to it. While no additional resources are foreseen in the strict institutional context of the OMC inclusion, the European Parliament has adopted, in late 2001, a Communitarian Action Program against Social Exclusion. This program was budgeted 75 million Euro for the period 2002-2006. It is meant to be supportive of the OMC inclusion by providing means to NGOs and researchers operating in this field as well as to the creation of networks between all the actors involved. As far as member states are concerned, there are no prescriptions as to what their budgets should look like.

4. The domestic exercise: Adopting the OMC inclusion back home ↑ (11)

Before entering the empirical part, let me briefly return to the choice of countries.

In France, the discourse about and research on social exclusion has originated within the EU and has led to a large academic community, political debates and finally legislation, culminating in the 1998 act against social exclusion. These developments are mirrored in the existence of the *Direction Générale de l'Action Sociale* (DGAS) and a large affiliated body working on research and statistics (DRESS). French actors were also quite successful in uploading their discourse on social exclusion to the European level and remain amongst the most active ones in the Social Protection Committee and its ISG(12). They have furthermore traditionally pro-integrationist with respect to social matters. Finally, the French state structure with comparatively few veto players and hierarchical communication culture should work in favour of a successful implementation. There is thus a good degree of institutional fit between the OMC inclusion and the domestic institutional settings and one could expect a good amount of fit with the European agenda.

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In Germany, there was previous to the OMC inclusion no research and discourse tradition with respect to social exclusion, resulting in the absence of respective institutions such as the DGAS or the DRESS. Under the diverse Kohl administrations (1982-1998), there was a continued refusal to publicly acknowledge that there could be such a thing as poverty in Germany – the term "social exclusion" had not even entered in the (public) vocabulary. To this institutional misfit one can add a profound mistrust that the Commission is slowly but surely seeking to extend its competencies in the area of social policies, an idea that is totally and repeatedly rejected(13). Additionally, there is a strong rejection of everything that has to do with numbers, indicators(14), quantified target setting at European level, ranking, and naming and shaming strategies(15), and, more generally, of strong integration in social matters. Finally, the federalist state structure with its many veto players and the consensual communication culture might very well add to difficulties in implementation. One can thus expect considerable difficulties for the domestic adaptation of the OMC inclusion.

4.1. Mobilisation and participation of actors ⬆

In the domestic implementation of the OMC inclusion, mobilisation and participation of the relevant actors occurs predominantly – if it occurs – when governments are preparing their NAPs. Since the launch of this OMC, there have been three such rounds (2001, 2003 and 2005). In France, the monitoring of the NAPs lays with the General Direction of Social Affairs (DGAS) which belongs to the ministry of work, social cohesion and housing. The DGAS has at its disposal 11 consultative bodies, amongst which the *Conseil National des politiques de Lutte contre la pauvreté et l'Exclusion sociale* (CNLE)(16), a political body made up of public elected representatives, administrations, civil society organisations and qualified members(17). Also, there exists since 1998 an interministerial committee in the fight against poverty and social exclusion, which, however, has still only convened once (July 2004).

When preparing the NAPs, the sub-direction in charge consults the permanent committee of the interministerial committee every three months. Once a draft is ready, it is sent to the cabinet of the respective state secretary. After having obtained the consent from the cabinet, the text is presented to the CNLE and the *Comité National de l'Insertion par l'Activité Économique* (CNIAE)(18). It is at this stage that the draft NAP can be accessed by a limited number of actors – those represented in the these committees – beyond those in the administrations. Afterwards, the text is eventually completed and sent again to the respective cabinet. After its consent and eventual re-editing, the final document is forwarded to the parliament, the second chamber (Sénat) and the *Conseil Économique et Social* (CES), yet without any possibility for intervention or discussion, shortly before being sent to the European Commission.

In France, consultation is said to have been either non existent or minimal in all three rounds. While the first NAP was "elaborated by a few heads"(19), the administration did consult the CNLE once in the second, even though only little time before the handing-over of the final document to the Commission. At this meeting, however, representatives of the devolved authorities were broadly absent, as seems to have been the case repeatedly(20). According to several interviewees, there has been no consultation and participation whatsoever of the regions, départements and local communities(21). Participants of the meeting agree that it resembled more an information, than a consultation exercise, that no major or new initiative was taken over. The only impact that this meeting apparently had were some new formulations with respect to the mobilisation of actors. The last exercise, in 2005, seems to have followed the same pattern. Interviewees reported that in 2005, the exercise had been even more formal than in 2003, the meeting mainly being a presentation of the *Plan de cohésion sociale*, presented in spring 2005. The French government does not foresee parliamentarian debate of the NAPs.

Since the delegation of competencies to the départements in the social field, in January 2004, one could expect a greater involvement of the respective authorities in the process. Apparently, the DGAS as well the as national umbrella organisation of NGOs tried to initiate local and regional NAP processes, without success, however: "It's the big problem, in France, with respect to the European process, that there is no participation of the sub-national authorities whatsoever. We have tried, in 2005, to develop a consultative mechanism. It was not possible due to political reasons"(22). Political actors do simply not wish to implement a "program" established by another political majority(23).

Some NGOs could participate in the process in the context of the CNLE. As the consultation was deemed insufficient, they wrote a letter to the DGAS asking that working groups be created in order to prepare the NAP (2003) – without response. They have used this process to proceed to an internal re-organization, in 2003, of the very broad and mainly subsidiarized landscape of charity organizations. Particularly has it allowed the two main umbrella organizations in France, the UNIOPPS and EAPN-France(24), to find ways of closer and more effective cooperation(25).

In Germany, the consultation of the relevant actors was not much more developed than in France. Contrasting with France, however, this cannot be explained by missing discussion arenas. Clearly, the regions do not have any interest in making this process more visible and therewith object for public discussion. Unlike in France, the NAP process has had different ministerial affiliations over the years in Germany. These changes are important as no institutional continuity could be assured at the top levels of political leadership; yet, as in France, the people at the working level who coordinate the process have largely remained the same since 2001, changing from one ministerial affiliation to the other. The draft NAP of the sub-unit will be circulating in the ministry before being sent to the other ministries. Only when the respective European units of the ministries have agreed will the draft be handed over to the level of state secretary. Afterwards, the regions, NGOs and social partners will be consulted.

Comparable to the CNLE in France, there is in Germany a so-called permanent advisory board gathering regional and local representatives, social partners, NGOs and a few academics which has been created as a consultative body for the National Report on Poverty and Wealth (NARB) and was extended, in 2002, to the consultation process of the OMC inclusion. Whereas the CNLE meets every 1-2 months, this board convenes 1-2 times a year. The regions (*Länder*) can use the second chamber, the *Bundesrat*, to issue opinions and decisions. More particularly, they dispose of a working group, the conference of ministers for work and social affairs (Arbeits- und Sozialministerkonferenz, ASMK) convening once a year.

For the three rounds, there were consecutively one, two and again one meeting(s). According to NGOs, the first consultation was without any impact on the NAP. In the second round, in which the federal ministry in charge tried to better involve the regional authorities and the NGOs, slight impacts of the latter ones can be tracked down(26). As in France, NGOs have asked the administration to install a smaller working group that would meet more regularly – without success. In 2004, the government proceeded to a voluntary update of its NAP(27) deemed necessary in the light of the so-called Agenda 2010, introducing significant changes in the labour market policies and minimum income schemes. The advisory board was consulted once but without apparent impact. Finally, in 2005, the advisory board was not consulted at all(28). While there was no parliamentarian debate in 2001, there have been debates(29) on the NAPs in 2003 and 2005. However, the Parliament received the NAPs only after their adaptation by the respective cabinets and after their handing over to the Commission.

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The second chamber (*Bundesrat*) has been very critical towards the OMC inclusion from the beginning on. This does not come as a surprise as the German regions hold important competencies in the social field as well as financial responsibility, but were in no way included in the establishment of the OMC inclusion at EU-level which is perceived as a double intrusion – by the EU and the federal government – in their competencies. Resistance is particularly strong when originating in regions with an opposed political leadership to the one in Berlin. While the overall engagement of the regions in this process has been rather low, there nevertheless have been limited regional initiatives to make use of the OMC inclusion(30). If the regions have not been particularly pro-active in the process, the situation is worse as far as cities and counties are concerned: here, the OMC inclusion has largely remained unidentified and where it is known, it is clearly rejected(31) as intrusion into own competencies and a bureaucratic process leading nowhere.

The interest of NGOs in the OMC process has, not surprisingly, been high. Since the beginning of 2001, the umbrella organization of the six big welfare organizations created a working group in order to accompany the OMC inclusion; the frequency of its meetings largely follows the NAP-agenda. The same umbrella organization has organized at least three workshops to make the process known to a greater public and set up regional alliances. Yet, while hopes were quite developed that the European strategy could bring a new verve to the fight against poverty, enthusiasm about the process has decreased over the years as it became clear that the impact of the OMC inclusion on policy development was very weak(32).

4.2. Availability of information ⬆

As described, the main sources of information are the NAPs which are supposed to lay down political programs and strategies used to combat poverty and social exclusion. Within the NAPs, there are also examples of "good practices", meant to be sources of inspiration for other member states searching for particular policy approaches as well as commonly agreed indicators. Having dealt with the problematic aspects of these indicators as grounds for supranational learning somewhere else (Kröger 2005a), I will now concentrate on the "good practices", particularly as the NAP are generally seen as governmental reports aligning the policies already in place. The "good practices" reveal at least four problems.

Firstly, there is no definition which features such a practice should content, that is no mention is being made about how long such a practice should have existed, how many people it should have targeted, how many actors and institutions should come together and which ones, how cost-intensive it can or should be, leading to a subjective choice of policies or programmes and their labelling as "good practices".

Secondly, these practices need not be evaluated before being spread supranationally. This comes as no surprise as "good practices" are commonly equated with "innovative", that is with recent policy measures, adopted by the government(s) in place and not their predecessors. To illustrate this, a look at the "good practices" of the French NAPs (2003, 2005) is helpful. In the 2003 NAP, one of the "good practices" included was the Revenu Minimum d'Activité (RMA) in the field of activation policies; yet, the RMA was only introduced as of 1 January 2004 and since then has proven as an unattractive instrument for both employers and potential employees. In the peer review which took place in Paris in late 2004, a policy targeting newly arrived immigrants with a legal status(33) was reviewed which so far had only been experimented in some 20 départements and has only been expanded nationally as of 1 January 2006. Finally, in the 2005 plan, one of the three "good practices" is an interministerial and financial document (DPT) in the policies against social exclusion which, as of spring 2006, is still awaiting its first publication – while the decision to have such a

document on an annual basis was adopted in July 2004.

Thirdly, it is not spelled out who should select the "good practices". Since there are no European instructions and as the drafting is in the hands of the central governments, it comes as no surprise that they will tend to choose governmental practices or regional practices from "friendly" regional governments. And indeed, we find this assumption confirmed when looking at both the French and German choices. In France, strongly centralized in the social sphere until 2004, all good practices ever presented are governmental programmes or laws. In Germany, out of the 16 "good practices" presented in the first NAP, only three originated in regions governed by the political opposition. It is also noticeable that only a single "good practice" came from one of the five Eastern regions. In 2003, when more *Länder* had already changed the political leadership, three out of the four presented "good practices" were governmental programmes. In 2005, finally, two out of three examples were federal programmes, one originated in North-Rhine-Westphalia, at that time governed by a "friendly" political majority. This mis-representation necessarily leads to the discontent of both regions and local communities: "It is way too much bureaucratic effort while a representative account of local diversity is not possible. That is why the approach of "good practices" is not very fortunate"(34). While the regions are partially present, at no point of time, both in France and Germany, were NGOs asked to suggest a "good practice"(35).

Finally, the absence of an outline about how the "good practices" should be presented adds to the structural problems. In the first round of NAPs (2001), there was a certain inflation of "good practices", leading to some 16 examples in the German case, laid down on 22 pages. Necessarily, the provided information can only be very superficial and therewith not really contribute to supranational learning(36). Particularly, in almost all cases, no mention is made as to how programmes and policies are financed and under which conditions. It is left up to the coordinating ministries whether they attempt to explain an approach more in detail, as happened for several "good practices" in the first French NAP, or whether they choose to limit the description to a dozen lines, as has happened both in French and German NAPs.

Finally, "good practices" as used in the OMC/incl. process do not support enduring learning as they do not contain the lessons learned through the evaluation of past errors (Hemerijck and Visser 2003).

4.3. Dissemination of information and visibility ⬆

In France, there is very limited knowledge of the first NAPs, no knowledge of the "good practices" advanced in other NAPs, and very limited knowledge of some of the Joint Reports. One of the main reasons advanced for this low turnout has been the lack of sufficient resources in order to really accompany the process, both for NGOs and the DGAS. The lack of engagement of the territorial authorities, while somewhat being motivated politically since the elections of spring 2004, seems also to be related to a lack of knowledge of the process itself (Legros 2004: 10). In Germany, most interviewees had not read NAPs from other member states at all. A few interviewees reported to have partially read some other NAPs or the Joint Reports(37) . At the regional level, there was very limited knowledge of the Joint Reports and almost none of other NAPs while at the local level, no knowledge about other member states' NAPs was reported.

Bearing this low degree of dissemination of information in mind, it does not surprise that both in France and Germany, all actors agree that the visibility of the process remains very low if existent at all. Interestingly, one French civil servant had doubts if the minister of social affairs even knew about the NAPs(38).

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In both member states, the administration and NGOs have engaged in the process while particularly the political leadership has refused to take the NAPs as a reference, to communicate about them, and to use them for the Europeanization of national social policy debates, thereby showing its lack of political support. Overall, it is rather fair to conclude that the exercise of the NAPs has remained an administrative process, with the support of NGOs(39). Curiously, in both countries, central coordinating actors in the federal administrations attribute the lack of visibility to the NGOs, not making their homework(40).

The sort of information available, its low degree of dissemination and visibility make those French and German actors with some knowledge (about the NAPs and Joint Reports) think that the OMC inclusion has not influenced the development of domestic policies. While the idea of supranational learning is not rejected by civil servants, they have strong doubts that "learning" would happen through the exercise of the NAPs, an exercise harshly questioned in terms of effectiveness. Apparently, the NAP is perceived by the political leadership as a communication text to the EU, as a re-writing of what already exists, not as a domestic policy making tool(41) . Furthermore, there is a shared evaluation that the different national institutional arrangements and the high degree of abstraction of the European process stand in the way of advanced forms of "learning".

For NGOs, "learning" seems to have meant to discover the European dimension in the fight against poverty and social exclusion. The president of EAPN-France suggested that as of now "learning today much more concerns the learning amongst the associations of EAPN, learning about the European culture and dynamic, that's a precondition"(42). While the likeliness of supranational learning through the OMC is clearly rejected, actors agree that the process has improved interministerial coordination as well as coordination between the administration and the NGOs and improved the provision of information and data – developments which may work in favour of intranational learning. More generally, the assumption of "learning" was seen sceptically "because good practices are strongly de-contextualised"(43).

4.4. Resources

Both in France and in Germany, the administrations, regional actors (for the German case) and the NGOs reported not having sufficient (human and financial) resources to accompany the process and estimated that if they had been capable of following the process, that's because it had not gained major importance in the policy-making process; would it do so, both financial and human resources would not suffice to accompany it(44) . More concretely, in both member states, one can find three persons in the coordinating ministries which work around the NAPs, with one person as its central task. Additionally, there are two persons working regularly around the indicators of the OMC in each country. Particularly in Germany, these employees are not part of the domestic policy making process, thereby not connecting their knowledge with larger circles, but are quite isolated within their ministry (see also Idema and Kelemen, forthcoming). As far as NGOs are concerned, there is one person per country which is *also* paid for the follow-up and monitoring of this OMC. For all others, it is just another task to fulfil, often on a voluntary basis.

Assessing the OMC inclusion, actors from both member states agree that the process has helped to keep the issue on the political agenda, which it forces the government to draft the report, that it supports a European discourse on social exclusion and forces member states to engage in processes of comparison. However, most actors find that the OMC inclusion has not been helpful in its original goal that is the reduction of poverty and social exclusion.

The main reasons given for the so far limited impact of the NAPs were the missing political will to make use of the process and the NAPs, a too strong control of the OMC by the executive, the insufficient visibility and mobilisation of actors and the insufficient resources to make the process more meaningful. Criticisms are particularly harsh in Germany where most actors find that the time structure for the consultation process is too tight; where civil servants widely criticise the reporting duties, being seen as extensive, bureaucratic, without added value and ineffective, resembling more some kind of "activism than the set up of institutions"(45). They also regularly bash the intrusion of the EU in what is perceived a national, regional or local prerogative. Regional authorities additionally complain about insufficient consultation by the federal level and about the NAP not being a plan representing the federal diversity but a uni-dimensional governmental representation of what already exists.

Summarizing, both NAP processes have only mobilized the central administrations, more so in the French case, and NGOs. In both cases, the regions and local communities as well as the high political leadership are the big absentees. The expectation of broad participation, increasing the legitimacy of the instrument, has not been met, rather to the contrary, the OMC inclusion seems to work in favour of the executive and democratically not accountable committees whereas traditional mandated representatives rather stay out of the process (see also Smismans 2006). This situation contributed to the poor visibility of the process. Despite the involvement of NGOs, the French and German NAPs largely remained governmental reports, aligning measures and programmes already in place. Not surprisingly, this situation has resulted in a very poor knowledge of other member states' NAPs and the "good practices" included therein, which, more generally, are currently not in a format that would support supranational learning processes. When there was knowledge of "good practices" this apparently did not have any influence on policy development, institutional differences being mentioned mostly as the main reason. Not seldomly, lack of foreign language(s) simply seems to stand in the way of deepening one's knowledge about other member states' practices.

5. European instrument for "learning": peer reviews ⬆ (46)

The overall goal of the peer reviews (PR) is to identify and examine specific social inclusion policies in order to popularise them and assess whether and in how far they could be transferred to other member states. They thereby wish to increase the effectiveness of the EU social inclusion strategy and are directly supportive of the OMC inclusion. Participants normally include a civil servant and a national expert (being either a researcher or a representative of an NGO) from the host country, one official and one national expert from each peer country, up to three officials from the European Commission and up to four representatives of stakeholders involved in the policy under review, often coming from the European umbrella organisations of NGOs.

Each review ideally includes the following steps:

1. A thematic expert prepares a first presentation and assessment paper of the policy;
2. the paper is provided to all participants at least two weeks before the meeting; peer country experts write a short comment paper focussing on aspects of the relevance in the peer country and transferability;
3. a peer review meeting in the host country which lasts one and a half day. The meeting consists of a presentation of the policy and critical aspects by the thematic expert and the host country followed by a discussion and evaluation by the peer country officials and experts. At the meeting, one or several site visit(s) is/are organised in order to come to a better understanding of the policy under review. In the last sections, participants are invited to share their impressions of the site visit(s), to discuss the policy approach and particularly the issue of

transferability;

4. following the meeting, a final report will be provided to the Commission and all participants of the PR. In 2004-2005, 15 PR have taken place. Not very surprisingly, most PR have been hosted by EU-15 member states, but this is supposed to change in 2006.

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Returning to the criteria applied above, it is evident that the peer reviews have so far reached a very limited number of persons(47). It is a recent exercise which has only taken place 15 times in two years and each time, some 15-25 people participate. Furthermore, the empirical evidence suggests that the officials attending the meetings are often representatives of the working levels and without decision-making power, a situation which has to do both with the little importance accorded to the process and lacking language skills at the higher levels of decision-making(48).

As regards the availability of information, participants are devised as only half of them read all the papers before the meeting whereas the other half did not or only partly, being overwhelmed by the amount of papers to read and handicapped by the late arrival of the papers. Additionally, the provided information did not suffice in all cases as one third of the participants stated that they would have needed more information on the reviewed practice so as to really understand it: "We got a grasp of the practice but not enough to be able to explain to our country how exactly it works", or, more critically "we all did not know what they really wanted to tell us". Some participants wondered about the usefulness of reading all the documents if there is no place to discuss the other present member states' approaches. This relates to the question of available time: half of all participants found that the peer review either was too short in general or that the time available was not ideally used, by spending too much time in plenary sessions, listening to official statements.

Turning to the question of dissemination of the information, discussions and experiences, one discovers a real shortcoming if not failure. Two thirds of the interviewees did report orally in their home ministries or organizations. Mostly, however, this meant reporting to the closer circle of colleagues, not reporting to higher levels. Six participants reported in a written way, but it is unclear which audience these reports reached whereas seven participants did not report in any form whatsoever(49). Clearly, the information did not circulate within the concerned ministries just as it does not even circulate within the respective DG in the Commission(50). The lack of institutionalised follow-up clearly contributed to a situation where all but two participants denied any kind of impact of the peer review in their home country and no participants but two remained in touch after the peer review. One reason for the little follow-up might be the perceived differences in the domestic institutional arrangements which in the eyes of almost half of the participants stands in the way of transferring policies from one country to another whereas only two found that the peer review can be useful for initiating learning processes.

Resources have so far not been problematic for the participants as the Commission pays for their travel and accommodation. However, several independent experts have reported that their home ministry did not pay them for their contribution – as the Commission foresees it in its guidelines for the peer reviews.

Finally, the peer reviews either take place in the language of the host country or in English, but translation to English is in any case provided during the plenary sessions. During the site visits, translation might be a bit more difficult to organize. A little less than half of the participants thought that language was not an issue and did not influence the communication; one third thought that it partly did while eight participants stated that clearly, missing language skills or poor translation had made the communication difficult.

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Asked what had been the added value of the peer review to them, half of all participants mention the better knowledge of the reviewed practice, while a few point to the useful exchange with experts or to the fact of being evaluated by pairs while four did not see such a value at all.

Summarizing, one can say that the peer reviews, which are supposed to support learning processes, are not constructed so that a learning process could be carried through on an organizational level, that is within and across ministries and states, and not only for individuals. This is so because the dissemination of documents, experiences and approaches is not followed through in any systematic way and because people with decision-making power are largely absent from the peer reviews.

6. Explaining the poor delivery

Counter-intrusively, the French implementation record has not been better than the German one. True, within the administration, there is greater enthusiasm about this OMC than in the neighbouring country. But even here, knowledge of other member states' practices was practically inexistent nor did there seem to be much interest, in both countries, to learn from abroad. Consequently, the process did not lead to the introduction of approaches from abroad. Whereas in France, this attitude can be attributed to the conception of being a precursor in social affairs, the German case should be explained with respect to the many important veto players and the absence of a tradition in terms of exclusion discourse and approach. In both countries, the resistance and / or ignorance of the regional and local levels where social exclusion operates has contributed to the poor delivery as well as the lack of foreign language(s) which often stood in the way of deepening one's knowledge about other member states' practices. But these factors alone do not explain for the poor delivery in both member states.

The main barrier in both member states was the lack of support by the higher political leadership. Both governments do not display sufficient political will or, in other words, their disposition to make use of the OMC inclusion in order to Europeanize national social policy debates and move the latter closer to the European agenda is more than limited, resulting in low investments in terms of mobilisation, provided information, transparency and public visibility as well as the absence of additional resourcing. This is particularly wonder some for the French case where little would need to be done in order to synchronize the existing national debates and plans on poverty and social exclusion with the European agenda. In line with this conclusion, no connection was established between the technical expertise of employees, politicians and policy-making procedures. Finally, it is important to see that politicians and bureaucracies dispose of many channels through which to learn, the OMC inclusion just being one among many and not the most visible and compelling one.

This poor delivery, however, cannot be explained by national factors only – it is necessary to turn to the European level in order to understand the poor results. It is not reasonable to expect far-reaching results of a mechanism which is not legally binding, which remains rather vague about its goal(s), which does not foresee a mandate for independent evaluation as well as for the dissemination of information, etc. More particularly, far-reaching results cannot be expected of the OMC inclusion in a situation where other, macro-economic, financial and employment-focused processes have more binding instruments at their disposal and therefore foster processes of "negative" integration while rendering steps of "positive" integration ever more difficult (Scharpf 1996).

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7. Conclusion ⬆

The generalised assumption that the OMC inclusion would lead to widespread learning processes has proven wrong (see also Casey and Gold 2005) for France and Germany, and there is similar evidence for the Netherlands (Idema 2004), Italy (Sacchi 2004) and the United Kingdom (Armstrong 2005b). As shown, this has to do with a variety of factors, the main one being the lacking political will to Europeanize domestic social policy debates (see also Idema 2004) or, from another perspective, to implement the Lisbon agenda (see Kok report 2004). This lack of political will to implement the OMC inclusion at the domestic level reflects the lack of political will to go forward with positive integration at the European level.

The OMC inclusion has been presented by both a majority of politicians and academics as a way to strengthen the social dimension of the EU despite the prevailing rejection of further positive integration in the social field. The added value, it was argued, would be its capacity to address common challenges through mutual learning processes. At least two political factors are detectable when searching to understand these expectations (and evaluations!) of both the Commission and certain politicians and academics: while the first seeks to develop an image as a flexible and open governance actor, both groups hope that the OMC inclusion firstly succeeds on keeping social issues on the agenda and secondly prepares the ground for future binding social policy regulation (Idema and Kelemen, forthcoming).

The emphasis on *learning*, however, should itself be attributed to the political character of the process, member states wishing to accentuate that no competencies are given away through the OMC inclusion. It appears here that even for the support of supranational *learning* processes in the social field, member states would need to give certain competencies to the EU level in order to make the instrument more manageable and binding. These competencies would be related to the issues of independent evaluation, naming and shaming, the development of common objectives, indicators and outlines, greater participation *rights* of non-state actors as well as increased resourcing. But even with these increased competencies, one could have strong doubts about the possible impact of the OMC inclusion (now streamlined OMC social protection and social inclusion) as long as member states rather try to hide it than to promote it and subordinate the larger social field to competitiveness, growth and employment (Natali 2005). Consequently, it might be worth considering to redirect the attention more towards what *sorts* of policies the EU and its member states are currently fostering and implementing rather than to develop yet another learning or governance scenario.

References ⬆

Armstrong, Kenneth A., 2005a, Inclusive Governance? Civil Society and the Open Method of Coordination. ESRC Seminar Series "Implementing the Lisbon Strategy: Policy coordination through "Open" Methods".

Armstrong, Kenneth A., 2005b, How open is the United Kingdom to the OMC Process on social inclusion? ESRC Seminar Series "Implementing the Lisbon Strategy: Policy coordination through "Open Methods".

Atkinson, Tony, Marlier, Eric and Nolan, Brian, 2004, Indicators and Targets for Social Inclusion in

the European Union. *Journal of Common Market Studie*s, 42 (1), 47-75.

Atkinson, Tony et al., 2002, *Social Indicators: the EU and Social Inclusion* (Oxford: Oxford University Press).

Barbier, Jean-Claude, 2004, 'Open methods of coordination' and national social policies: what sociological theories and methods?", Paper presented at the RC19 international conference, Paris, 2-4 Septembre 2004. http://www.cee-recherche.fr/fr/fiches_chercheurs/texte_pdf/barbier/BarbierRC19Paris.pdf

Barbier, Jean-Claude and Letablier, Marie-Thérèse, 2005, (eds.), *Social Policies. Epistemological and Methodological Issues in Cross-National Comparison* (Brussels: P.I.E. – Peter Lang).

Berghman, Jos et al., 2003, Connecting Welfare Diversity within the European Social Model. Background Report prepared for International Conference of the Hellenic Presidency of the European Union, Ioannina, Greece, 21-22 May.

Büchs, Milena, 2005, *Dilemmas of post-regulatory European social policy coordination. The European Employment Strategy in Germany and the United Kingdo*m, Ph.D dissertation work.

Büchs, Milena and Friedrich, Dawid, 2005, Surface Integration - the National Action Plans for Employment and social inclusion in Germany, in: Zeitlin, Jonathan, Pochet, Philippe and Lars Magnusson (eds.) *The Open Method of Coordination in Action: The European Employment and Social Inclusion Strategies* (Brussels: P.I.E.-Peter Lang).

Casey, Bernard H. and Gold, Michael, 2005, Peer review of labour market programmes in the European Union: what can countries really learn from one another? *Journal of European Public Policy*, 12: 1, 23-43.

COM, 2002, Nr. Kommissionsvorschlag: 13926/01, *Gemeinsamer Bericht über die soziale Eingliederung - Teil I: Die Europäische Union, einschließlich Zusammenfassung* (Brussels).

COM, 2003, 773 final, *Joint Report on Social Inclusion, Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions* (Brussels).

de la Porte, Caroline, Pochet, Philippe and Graham Room, 2001, Social benchmarking, policy making and new governance in the EU**.** *Journal of European Social Polic*y, 11 (4), 291–307.

EC, 2001, Objectives in the fight against poverty and social exclusion (EC: 2001/C 82/02).

EC, 2000, Council Decision of 29 June 2000 on Setting up a Social Protection Committee (2000/436/EC).

Friedrich, Dawid, 2006, Policy Process, Governance and Democracy in the EU: the Case of the Open Method of Coordination on social inclusion. Forthcoming in *Policy & Politics*.

Hall, Peter, 1993, Policy paradigms, social learning, and the state: The case of economic policy making in Britain. *Comparative Politics* , 25 (3), 275-296.

Hemerijck, Anton and Visser, Jelle, 2003, Policy learning in European Welfare States, unpublished manuscript, October 2003.

Huster, Ernst-Ulrich et al., 2003, *First Report on the Implementation of the German NAPincl 2001-*

2003, May 2003.

Idema, Timo, 2004, European Coordination, Local Effects? Towards an Effective Implementation of the European Social Inclusion Strategy in the Netherlands', Appendix 5 in The Netherlands Council for Social Development, *Europa als Sociale Ruimte: Open Coördinatie van Sociaal Beleid in de Europese Unie*, recommendation No. 28 (The Hague: SDU), 177-211.

Idema and Kelemen, forthcoming, New Modes of Governance, the Open Method of Coordination, and other Fashionable Red Herring. Forthcoming in *Perspectives on European Politics and Society.*

Jacobsson, Kerstin, 2002, *Soft Regulation and the Subtle Transformation of States: The Case of EU Employment Policy*, Score Research Rapport 2002, Stockholm.

Kröger, Sandra, 2005a, Learning and deliberation: A desirable and adequate design for European Social Policy?, Paper prepared for the young researchers workshop of the ESPAnet, University of Bath, 1-2 April 2005.http://www.bath.ac.uk/eri/events/EVENT05-ESPANET/ESPAnet%20school/Bath%20YRW%20Kroeger.pdf

Kröger, Sandra, 2005b, Coming to grips with soft governance: a conceptual framework for analysing the Open Method of Coordination in the field of poverty and social exclusion , Paper prepared for the Summer School 2005 of the Postgraduate Programme »The Future of the European Social Model«, 18th to 21[rst] July, University of Göttingen.

Mabbett, Deborah, 2004, Learning by numbers: The role of indicators in the social inclusion Process, Paper prepared for the ESPAnet Conference, Oxford, 9-11 September 2004.

Natali, David, 2005, Roadmap to the Streamlining OMCs and the Renewed Lisbon Strategy, Preliminary note, Brussel, September 2005.

Olsen, Johan P. and Peters, Guy B., 1996, Learning from Experience?, in: Johan P. Olsen, Joan P. and B. Guy Peters (eds.) *Lessons from Experience. Experimental Learning in Administrative Reforms in Eight Democracies* (Oslo: Scandinavian University Press), 1-16.

Overdevest, Christine, 2002, The Open Method of Coordination, New Governance, & Learning: Towards a Research Agenda, New Governance Project Working Paper, http://www.eucenter.wisc.edu/OMC/open12.html

Page, Edward C., 2000, Future Governance and the Literature on Policy Transfer and Lesson Drawing, Paper prepared for the ESRC Future Governance Programme Workshop on Policy Transfer, 28 January 2000, Britannia House, London.

PNAI 2003-2005 – Bilan et d'actualisation, France.

Radaelli, Claudio, 2004, Who learns what? Policy learning and the open method of Coordination, Paper prepared for the ESRC seminar series: Implementing the Lisbon Strategy "Policy learning inside and outside the open method", European Research Institute, University of Birmingham, 26 November 2004.

Sacchi, Stefano, 2004, New Modes of Governance in the EU and Italy's Institutional Capability. A Comparison of Employment and Social Inclusion Policies. *Rivista Italiana di Politiche Pubbliche*, 3, 5-35.

Scharpf, Fritz, 1996, Negative and positive Integration in the Political Economy of European

Welfare States. In: Marks, Gary et al, Governance in the European Union, (London: Sage), 15-39.

Smisman, Stijn, 2006, New Modes of Governance and the Participatory Myth. *European Governance Papers*, 06-01.

SPC, 2003, Common Outline for the NAPs / inclusion 2003-2005 (Brussels).

Trubek, David M. and Mosher, Joshua S., 2003, New Governance, Employment Policy, and the European Social Model, in: Zeitlin, Jonathan and David M. Trubek, (eds.), *Governing Work*

*and Welfare in a New Economy. European and American Experiment*s, (Oxford/New York:

Oxford University Press), 33-58.

Zeitlin, Jonathan, 2003, Introduction, in: Zeitlin, Jonathan and Trubek, David M. (eds.), *Governing Work and Welfare in a New Economy: European and American Experiments*, (Oxford/New York: Oxford University Press), 1-30.

Endnotes ⬆

(*) I am very grateful for comments and constructive criticism from Antonio Brettschneider, Milena Büchs, Dawid Friedrich, Anne Karrass, Steve Schwarzer and John Veit-Wilson.

(1) See Büchs 2005.

(2) Article 3b of the Treaty on European Union states that "the Community shall take action, in accordance with the principle of subsidiarity, only if and insofar as the objectives of the proposed action cannot be sufficiently achieved by the member states and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the Community".

(3) Exceptions include Büchs (2005) for the EES as well as Armstrong (2005), Atkinson et al. (2002) and Friedrich (2006) for the inclusion process.

(4) The Lisbon Conclusions imagine the OMC inclusion as "periodic monitoring, evaluation and peer review organised as mutual learning processes" (para 37).

(5) See Berghman et al 2003; Jacobsson 2002; Overdevest 2002; Trubek and Mosher 2003 and Zeitlin 2003 among many others.

(6) Disagreements about how to conceive of the social sphere and how to organize it institutionally and financially.

(7) See the respective footnotes further down.

(8) For the origins of the concept of „benchmarking" de la Porte, Pochet and Room (2001).

(9) The methodological issue of how the impact of the OMC is to be evaluated has been broadly neglected.

(10) Exceptions particularly include working documents of the SPC and the ISG.

(11) For the French case, this chapter draws upon 12 in-depth interviews directly linked to the NAP exercise that I conducted between January 2004 and September 2005, four of which with the concerned administrations, two with a Sénateur which is at the same time the president of the CNLE (see further down) and seven with representatives of the main NGOs, partly having important functions within the French and European branches of the European Anti-Poverty Network (EAPN). Additional information on the empirical implementation come from the works of Michel Legros, to my knowledge the only French researcher who has closely observed the French case and also researched it empirically. For the German case, I have taken into consideration the material gathered in 19 in-depth interviews (three on the federal level, six on the regional level, two on the local level, six of NGOs and two with involved researchers) as well as the publicly available statements and opinions of the same actors. The interviews were conducted between May and November 2005.

(12) I have interviewed 14 members of the SPC as well as the Secretariat provided by the Commission and six members of the ISG as well as its Secretariat and almost all cite, among others, the French delegations of being (very) active ones.

(13) „The OMC holds risks for the protection of national competencies. It should not mutate to a vehicle for system comparison but help to find answers for concrete questions. The ministry refuses an inflation of common objectives and indicators. It should be checked regularly whether a sneaky erosion of national competencies can happen", in: "We shape the change!", Ministry for Health and Social Affairs, 2004: 45, translation sk.

(14) Civil servants confirmed that each time data would be sent to the EU, there are important discussions with the state secretary, wishing to check whether the data would let Germany appear in the desired way.

(15) See the opinion of the German government (9.3.2005) on the communication of the Commission of 9 February 2005 – COM (2005) 33 final. This evaluation was confirmed by all interviews conducted with the implied civil servants as well as with a German participant of a peer review.

(16) National Council of the fight against poverty and social exclusion. This political body was set up by the 1988 act relating to the establishment of a minimum income scheme, the Revenu Minimum d'Insertion (RMI), act nr. 88-1088 of 1 December 1988.

(17) More precisely, the CNLE is made up of one member of parliament, one member of the Sénat, six members of the devolved territories (two for the regions, two for the départements and two for the majors), eight members of charity organizations and eight members by qualification, being mostly researchers. In 2005, the CNLE has been extended to members for the social partners and the Social and Economic Committee, the declared aim being a greater mainstreaming of policies against social exclusion.

(18) The national committee for integration through economic activity.

(19) Interview DGAS, chef de service, 15.6.2004

(20) Interview president of the CNLE, 21.9.2005.

(21) In 2003, this may be explained by the fact that the main competencies in the social field still led with the central government, whereas main competencies were shifted to the départements and local communities as from January 2004 on.

(22) Interview, DGAS, September 2005 (translation SK). The local and regional elections in March 2004 resulted in a massive political change from the right to the left.

(23) Interview NGO, September 2005.

(24) Union Nationale Interfédérale des œuvres et Organismes Privés Sanitaires et Sociaux et European Anti-Poverty Network – France.

(25) Interview with the president of the UNIOPSS commission against poverty, 26.1.2004 and with the then in place President of EAPN-France, 10.6.2004.

(26) The suggestion to have a focus on particularly weak people was incorporated and the problems of homelessness and illiteracy were mentioned. Furthermore, in an annex, some more 17 good practices were attached seven out of which described practices of NGOs.

(27) This optional initiative has accentuated the reluctance against the permanent reporting duties both at federal and regional levels.

(28) The reason being, according to a federal civil servant, that this document was a governmental implementation report and not a NAP.

(29) "Debate" should be taken with caution: 45 minutes were accorded to six parliamentarians, advancing their respective proposals without any further discussion and without any particular reference to the document or to the larger European context

(30) Such initiatives have taken place in two regions, Sachsen-Anhalt and North-Rhine-Westphalia and related to the development of regional action plans and / or the adaptation of the Laeken indicators to the regional statistical reporting. Fina lly, the delegations of two *Länder* have suggested, in 2004, the creation of a Mister / Misses OMC/incl. for every region, so that cooperation and coordination could be improved between the federal and the regional levels. Due to resistance from the majority of the other regions, the proposition failed even before being set on the agenda of the ASMK.

(31) Interview employee in the headquarters of the German association of counties, 7.7.2005.

(32) Interview NGO, 25.6.2005.

(33) The Contrat d'Accueil et d'Intégration (CAI), a contract for reception and integration, aiming at facilitating the integration of newly arrived immigrants, particularly from outside the EU. The individual can voluntarily conclude such a "contract"; yet if wishing not to do so, this can have implications for a future request of the French citizenship.

(34) Interview Association of German Counties, 7.7.2005, translation sk.

(35) It should be noted, however, that in the 2003 NAP, German NGOs obtained the possibilities to expose some of their practices in an annex.

(36) A regional actor reported that if interested in learning, one would not look at these short presentations of practices, but rather try to get detailed information elsewhere, interview 12.10.2005.

(37) This is particularly the case for the concerned people in the federal coordinating ministry.

(38) Interview, DGAS, 22.9.2005

(39) This scenario is clearly mirrored in the selection of the interviewees both in France and Germany. Those being capable of giving precise information about this OMC process are very few and located in the federal ministries and the larger NGOs. But even in the latter, several central

employees in both member states were not able to give me any information and a few times did not even know about the process.

(40) Interview DGAS, 15.6.2004 and Ministry of Health and Social Affairs, 20.6.2005.

(41) This corresponds with the findings of related empirical research (Büchs and Friedrich 2005).

(42) Interview NGO, 29.9.2005, translation SK.

(43) Interview NGO, 25.6.2005, translation sk.

(44) Ironically, one regional German actor said that resources were sufficient as the NAP/incl. did not figure as a priority.

(45) Interview federal Ministry of Health and Social Affairs, 25.10.2005.

(46) The empirical material taken into consideration here consists of nine in-depth interviews with participants from six different peer reviews (UK, Denmark, France, Germany, Finland, Brussels) as well as 27 rather short replies to a written open questionnaire from participants of the same six peer reviews (yet overall 30 replies come from only three peer reviews, France, Germany and Brussels). Answers from the country officials (coming from the respective ministries) and national experts (mostly researchers) are numerically balanced. But, it is true, I have only information from three NGO representative, undoubtedly contributing to the quite positive overall picture. Additionally, I was lucky enough to participate myself in the peer review which took place in Brussels, in November 2005, in order to come to a more concrete picture of the format. If the reported answers in what follows do not always add up to 36, that is because sometimes, particularly for the written answers, participants have chosen not to reply. On the other hand, in particular with respect to general comments and the added value, they were free to list as many issues as they wanted (or none at all). With respect to the participants of the peer review that took place in Brussels in November 2005, I could not ask them yet whether they had remained in touch with other participants nor if the peer review had had an impact on domestic policy development.

(47) For the peer review process of the EES, Casey and Gold come to the same conclusion (Casey and Gold 2005)..

(48) This explanation was offered by several of the interviewees, see also Casey and Gold 2005.

(49) If these mount up to more than 36, that is because two participants have reported both orally and in a written way.

(50) Interview with the official of the Commission who is in charge of these peer reviews, 18.11.2005.