

The Czech Coordination System of European Affairs and Its Inclusiveness

Viera Knutelska

▶ **To cite this version:**

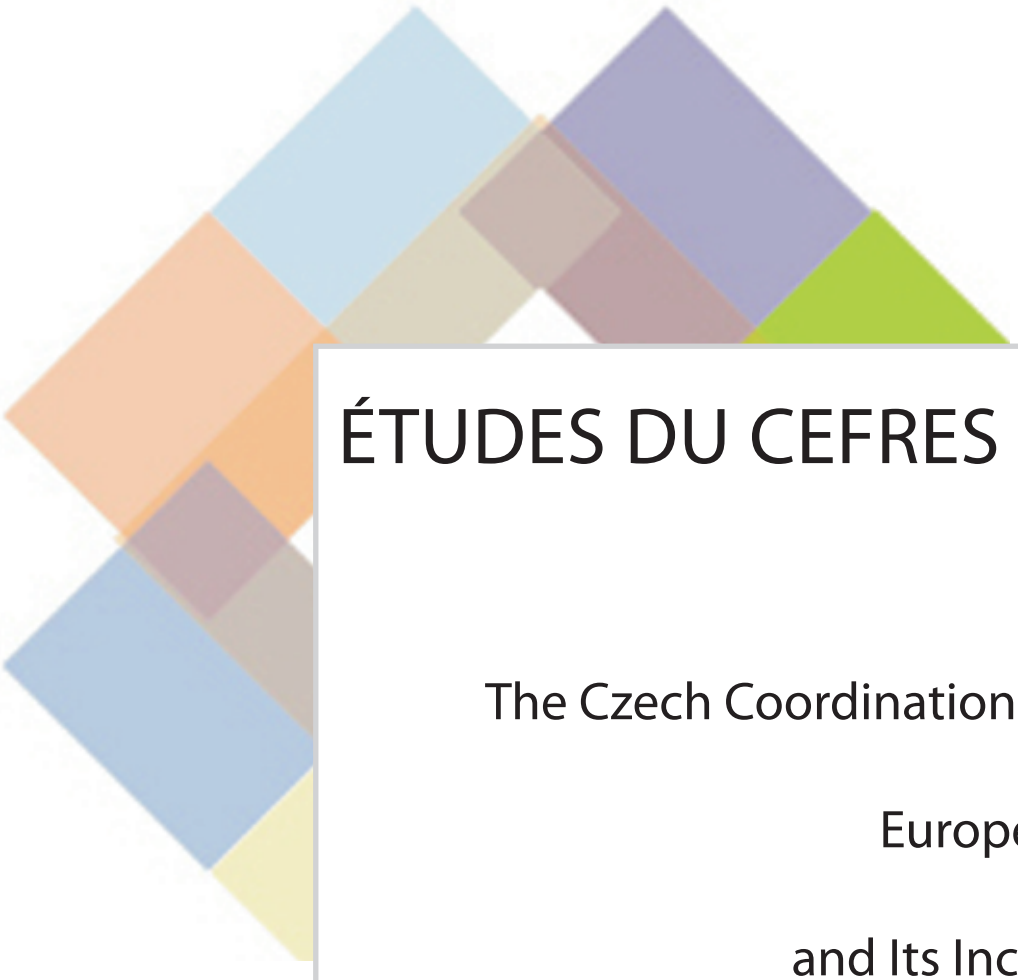
Viera Knutelska. The Czech Coordination System of European Affairs and Its Inclusiveness. 2013. halshs-00871987

HAL Id: halshs-00871987
https://shs.hal.science/halshs-00871987

Preprint submitted on 11 Oct 2013

HAL is a multi-disciplinary open access archive for the deposit and dissemination of scientific research documents, whether they are published or not. The documents may come from teaching and research institutions in France or abroad, or from public or private research centers.

L'archive ouverte pluridisciplinaire **HAL**, est destinée au dépôt et à la diffusion de documents scientifiques de niveau recherche, publiés ou non, émanant des établissements d'enseignement et de recherche français ou étrangers, des laboratoires publics ou privés.



ÉTUDES DU CEFRES N° 16

The Czech Coordination System of European Affairs and Its Inclusiveness

Viera KNUTELSKÁ

Liberté • Égalité • Fraternité
RÉPUBLIQUE FRANÇAISE
MINISTÈRE DES AFFAIRES ÉTRANGÈRES

Centre français de recherche en sciences sociales
UMIFRE 13, USR 3138 MAE-CNRS
www.cefres.cz

cnrs

The Czech Coordination System of European Affairs

and Its Inclusiveness

Viera Knutelská

Centre français de recherche en sciences sociales
UMIFRE 13, USR 3138 MAE-CNRS
Štěpánská 35
P.O. Box 850
CZ-111 21 Prague 1
République tchèque
www.cefres.cz
www.cefres.hypotheses.org
http://www.facebook.com/pages/CEFRES/206124182750790

Authors are solely responsible for the content of their work published in *Études du CEFRES*.

© CEFRES 2013

INTRODUCTION

This paper aims to contribute both to the existing research on executive coordination and to the Czech debate on European policy in two ways. First, it describes and analyses the Czech executive coordination mechanism in European affairs and its coordination / centralisation level based on official documents setting up and amending the rules of this system and using key factors identified in existing research (Kassim, Peters, and Wright 2000; Kassim et al. 2001; Gärtner, Hörner, and Obholzer 2011), as well as the developments of this system and possible theoretical explanations behind them (Dimitrova and Toshkov 2007). Second, it analyses in greater detail the inclusiveness of the system, i.e. its openness to input from non-executive and even non-governmental actors. This inclusiveness is demonstrated mainly on the relations of the key executive coordination institutions – the Office of the Government and the Ministry of Foreign Affairs – with main Czech think-tanks focusing on European policy – Europeum, Association for International Affairs (AMO)[1] and Evropské hodnoty (European Values) – as manifested on recent key issues of interest, such as the Fiscal Compact and the Czech Strategy in European Union.

The issue of executive coordination of European affairs is highly relevant for understanding the formation of European policies of individual member states. It represents one of the two key institutional adaptations each acceding member must undergo, the other being creation of the system of national parliamentary scrutiny. However, while the question of parliamentary oversight is often more prestigious and regulated by constitutional legal acts, the "little" rules of executive coordination are

[1] It should be noted that the author herslef worked in AMO in 2010-2013.

usually regulated only by organisational regulations, although they have often even more profound impact on everyday handling of the European agenda on national scale (cf. Knutelská 2011). Moreover, although both systems have to be to a certain extent inter-linked, as an efficient system of national parliamentary scrutiny benefits from some kind of oversight of the executive coordination, they are often created as well as studied separately. The more prominent role of national parliaments has been reflected also in greater attention paid to it in academic research that has been growing rapidly; there are many works on individual parliaments as well as multiple comparative volumes (see e.g. Bergman 1997; Katz and Wessels 1999; Maurer and Wessels 2001; Tans, Zoethout, and Peters 2007; Cygan 2007; O'Brennan and Raunio 2007; Karlas 2011).

On the other hand, the topic of executive coordination mechanism has so far attracted relatively few researches. Nevertheless, there are substantial publications approaching the subject from the Europeanization perspective (for overview and theoretical approaches, see Goetz 2000; Goetz and Meyer-Sahling 2008), with some focusing partially or exclusively on the executive coordination, covering both the old (Kassim, Peters, and Wright 2000; Kassim et al. 2001; Jordan 2003; Laffan 2006) and new Member States (Dimitrova and Toshkov 2007; Gärtner, Hörner, and Obholzer 2011) and even some aspects of the Czech case (Karlas 2010; Neuman 2011). Some attention has also been paid to the relation between efficiency of national European policy and institutional set-up (Sepos 2005; Panke 2010).

From empirical point of view, the institutional setting and actual performance of the Czech system of executive coordination is also highly relevant for the on-going Czech debate on its European policy. The cohesion of Czech European policy formulation has been challenged repeatedly over the last few years. There has been some division between governmental and presidential views on European Affairs almost ever since president Klaus took office, although the intensity of this division differed as governments changed. However, the need to prepare and run the Presidency of the Council in 2009 helped to keep at least the government's positions relatively clear and cohesive. The Czech European Policy became less clear when the Nečas' government took office in 2010, and the cleavage between the more eurosceptic views of the Primes Minister's party ODS and the

more eurooptimist views of TOP09, the party of the Foreign Affairs Minister Karel Schwarzenberg became apparent. This division was further accentuated in September 2011, when the Prime Minister created the post of State Secretary for European Affairs at the Office of the Government despite the disagreement of Karel Schwarzenberg who felt that European affairs fell under his jurisdiction, and had his own State Secretary for European Affairs (EurActiv 2012). The best known public display of this division in Czech European Policy followed the somewhat surprising Prime Minister's decision not to sign the so called Fiscal Compact, a decision which the Foreign Minister publicly commented with following words: "This really harms the Czech Republic. That much is clear to everyone, while our stance is absolutely unclear to everyone." (Pop 2012) Although such manifestations of disagreement dissipated after a while, the issue of Czech executive coordination system remains crucial for the debate.

This paper thus contributes both to academic research by presenting and in-depth study of the Czech executive coordination as well as to the on-going Czech debate on how to improve the cohesion, expertise and long-term planning of the Czech European policy.

EXECUTIVE COORDINATION MECHANISM AND ITS DEVELOPMENTS

As mentioned above, the Metcalfe (1994) scale of national policy coordination for the effectiveness of international policy-making and factors identified by Kassim, Peters, and Wright (2000) are used in this section to analyse the main characteristics of both system, i.e. the level of coordination or centralisation.

The Metcalfe's scale consists of nine levels, while each lower level is a necessary prerequisite for the next one. The lowest level represents a situation without any coordination or communication among ministries, while the highest level represents a situation of overall governmental strategy in which the ministries are purely executors of the centre's decisions.

The lowest level, independent decision-making by ministries, involves only intra-ministry coordination without any true cooperation with other ministries, i.e. each ministry makes

decision within its policy domain. The cooperation begins at the second level, communication to other ministries that involves existence of regular channels of information-exchange, typically governmental databases, creation of contact persons within each ministry, etc. The third level, consultation with other ministries, is the first level that includes two-way communication, in which ministries receive feedback to the information they provide on their decision-making, but retain their decision-making autonomy. The fourth level, avoiding divergences among ministries, goes beyond information- and opinion-exchange as it includes negative coordination, typically ensured by direct contact prior to the approval or presentations of positions. The fifth level, search for agreement among ministries, includes positive coordination in order to achieve consensus that can typically be ensured by voluntary set-up of joint teams, working groups or studies. The sixth level, arbitration of policy differences, is the first one to include a mechanism enforcing agreement in cases where ministries cannot reach it through lower levels of voluntary cooperation; this mechanism includes a third-party involvement, e.g. decision by the centre. At the seventh level, setting parameters for ministries, the ministries are limited in their decision-making by prescribing guidelines for what ministries cannot do. The sixth and seventh levels again represent a negative coordination, the eighth level, establishing governmental priorities, is based on common guidelines on what ministries should do, i.e. setting common policy priorities, clear enough to implement in specific cases. The ninth and last level, overall governmental strategy, represents maximum centralization, where all the strategic policy choices are made by the centre and ministries are mere executors of these decisions.

The level of coordination or centralization can be further defined using factors identified by other authors and represented by practical choices member states made when designing their coordination systems.

Whereas Metcalfe (1994) does not identify “the centre” or “the government”, the attribution of the role of central coordinator or decision-making authority is crucial when studying individual systems. There are three basic options (cf. Kassim, Peters, and Wright 2000; Gärtner, Hörner, and Obholzer 2011); the coordination unit can be placed at the Government’s / Prime Minister’s office, at a specific already existing sectorial ministry or

created as a separate institution. Further practical arrangements will depend, in the first case, on the position and powers of the Prime Minister in the cabinet, in the second case, on the selection of a ministry – Foreign Affairs is the most common choice, but the role can also go to the Ministry of Economy or others – and, in the third case, on the position of the separate institution. This can be created as a ministry (Ministry of European Affairs) or as an independent governmental agency.

Centralisation or level of coordination is most often defined by decision-making power of this coordinator, such as information exchange, negative coordination or positive coordination, and related autonomy of individual ministries (Kassim, Peters, and Wright 2000; Panke 2010; Gärtner, Hörner, and Obholzer 2011), plus the (non)existence of a single communication channel between the capital and Permanent Representation (Kassim, Peters, and Wright 2000; Kassim et al. 2001; Panke 2010; Gärtner, Hörner, and Obholzer 2011), but may also go beyond the study of the central government and consider the role of other actors than those belonging to central executive, such as national parliament, subnational authorities or non-state stakeholders (Kassim et al. 2001). The role of non-state stakeholders can also be used as an indicator of selectiveness or comprehensiveness of the coordination mechanisms (Gärtner, Hörner, and Obholzer 2011)

In practice these factors translate into several key questions that have to be answered to create any kind of executive coordination in European affairs:

a) Which office / ministry should act as the central coordinator?
b) What should be the position of the person presiding over the coordination mechanism?
c) What are the competences of ministries and the central coordinator in preparation for different levels of the Council decision-making (Council working groups, COREPER, ministerial level)?
d) Who decides on allocation of dossiers to ministries? What is the mechanism for resolving the disputes over which ministry should be primarily responsible for a specific dossier? What is the mechanism for resolving position disputes?
e) What is the access of other than cabinet state actors – President, parliamentary chambers, etc. – to the coordination system?

f) What is the access of non-state actors (interest representatives, think-tanks) to the coordination system?

In the Czech case, all these issues have been regulated by governmental decrees establishing the statutes and rules of procedure of the Committee for EU on governmental and working levels.[2] During accession process, the Czech Republic created a mechanism for coordination of Czech position in accession negotiations. The system had several coordinating bodies placed at the Office of the Government: the Governmental committee for European integration, consisting of deputy-ministers or ministers, Working committee for integration of the Czech Republic to the EU and the Delegation of the Czech Republic for negotiations on the Accession Treaty of the Czech Republic to the EU. The chief negotiator was also directly responsible to the Prime Minister. However, the process was coordinated from the Ministry of Foreign Affairs, where the chief negotiator held the post of deputy-minister and later state secretary (for further details on the coordination of the accession process, see Witzová 2004). The basis for the current system was created in 2003, when it replaced the pre-accession system and created Committee for European Union (on ministerial and working levels). Most of the coordination was still carried out at the Ministry of Foreign Affairs. Changes were introduced into the system in 2006, 2007, 2008, 2010 and 2011.

a), b) <u>The role of central coordinator</u>

The chief coordinating body for European affairs is the Committee for European Union (VEU). In 2006 it was composed of deputy-ministers as regular members. The VEU was chaired by the Minister of Foreign Affairs; the first vice-chairman was also from that Ministry. The administrative preparation (the role of executive secretariat) and coordination was still placed at the Ministry of Foreign Affairs, as it has been since before the accession. In October 2006, and in preparation for the Presidency role, the VEU was

[2] Decrees of the Government no. 427 of April 28, 2003, no. 680 of June 7, 2006, no. 1239 of October 25, 2006, no. 148 of February 25, 2008 and no. 5 of January 4, 2010, all accessible in the archives of the Government at http://racek.vlada.cz/usneseni/usneseni_webtest.nsf/web/cs (Accessed September 30, 2013).

split into two levels: VEU, carrying the formal role of highest coordinator and occupying itself only with highly salient issues including approval of positions for the European Council and disputes that could not be resolved at lower levels; and VEU at the working level (P-VEU) continuing the regular work of coordination, usually meeting on weekly basis. The VEU is composed of ministers, the P-VEU of deputy-ministers. This differentiation was kept since October 2006 until today. The VEU is chaired by the Prime Minister; the role of the chairman of the P-VEU changed several times since its introduction, and was related to shifting of administrative support of the coordination of European affairs away from the Ministry of Foreign Affairs. In early 2007, new post of Vice-Prime Minister for European affairs was created. The position was held by Alexandr Vondra. The Vice-Prime Minister for European affairs took over the role of chairing the P-VEU and coordinating the preparations for the Czech Presidency. The role of the executive secretariat of the VEU also moved from the MFA to the V-PM office. The Minister of Foreign Affairs was moved to the role of the second vice-chairman of the VEU and vice-chairman of the P-VEU.[3] Although there was no proper Ministry for European Affairs, the office of the Vice-Prime Minister worked as de facto ministry before and during the Presidency.

The position of the Vice-Prime Minister or Minister for European Affairs was not filled in the Nečas' government that took office in July 2010. The Ministry of Foreign Affairs expected the role of the central coordinator to shift back under its competences. However, the disputes over the Czech European policy between two coalition parties, Civic Democratic Party (ODS), represented by the PM Petr Nečas, and TOP09, represented by the Minister of Foreign Affairs, Karel Schwarzenberg, complicated the matters. Without a Minister for European Affairs, the P-VEU formally did not have a chairman, and the Minister of Foreign Affairs remained the only vice-chairman of the VEU, expecting to be in charge of the P-VEU as well. The PM decided to resolve the dispute by amending the

[3] On the evaluation of the changes in this period, see Ministry of Foreign Affairs (2007) 'Vyhodnocení institucionálního zajištění členství České republiky v Evropské unii v období od 1. května 2007 – 31. prosince 2007', available at: http://www.mzv.cz/jnp/cz/zahranicni_vztahy/evropska_unie/vyhodnoceni_institucionalniho_zajisteni.html (Accessed on October 4, 2013).

Rules of Procedure of the Cabinet[4] without the approval of ministers for TOP09. The new Rules of Procedure gave the competences of the Minister for European Affairs to the PM, who in turn could now name a State Secretary for European Affairs, to be in charge of everyday coordination and to chair the P-VEU meetings. The PM named the former Head of the Section of European Affairs of the Office of the Government, Vojtěch Belling, to the post. The Minister of Foreign Affairs responded by giving the same title to his first Deputy Minister in charge of European affairs, Jiří Schneider.

c) Work and competences distribution for different levels of Council decision-making

The primary processing of documents and preparation of positions for the Council working groups is prepared by Sectoral coordination groups (RKS), set-up at each ministry. The instructions and positions for COREPER and ministerial level are also prepared by individual RKS, but then approved by VEU, with frequent use of silent procedure. VEU decided by consensus; if that could not be reached, the matter was referred to the Prime Minister, and could have been placed on government's agenda. Since the introduction of two levels, VEU and P-VEU, in October 2006, the VEU approves the positions for the European Council and position that could not be agreed upon by the P-VEU, the P-VEU carries out all the other agenda coming from RKSs and prepares the material for the VEU agenda. The P-VEU continues to decide by consensus. Its role in fact mirrors the role the COREPER has in the preparation of the ministerial level of the Council.

d) Settlement of assignment and substantial disputes

At first, the disputes were mediated through the Ministry of Foreign Affairs. Only in cases where the situation could not be resolved by agreement, the VEU made the final decision, or, in case of further disputes, referred the matter to the PM / the Government.

[4] Decree of the Government no. 655 of August 31, 2011

e) Other than cabinet actors role

The VEU, and since October 2006, the P-VEU, also include associate members: representatives of the Office of the President, both parliamentary chambers, central bank, Supreme Audit Office, Czech representative to the European Court of Justice. Possibility of participation of the representative of Permanent Representation was also included. In early 2006, the Government adopted also a regulation on communication with both parliamentary chambers (for further details, see Knutelská 2011). Since the division of VEU to its ministerial and working level forms, the associate members on the ministerial level included chief representative of the Office of the President and governor of the central bank, plus, since 2008, head of the Permanent Representation to the EU and President of the Czech Statistics Office. The associate members at the working level include representatives of all the above-mentioned institutions, other central executive agencies, Association of regions and the Union of towns and municipalities. The amendment of the Statute of 2008 also includes obligation of associate members to attend if an issue on the agenda falls under their competence of if they are asked to do so by a full member.

f) Other that state actors' access

Since the creation of RKSs, the coordination rules give each RKS / its chairman the right to invite representatives of social partners, regions and municipalities and non-governmental organisations.

The Czech system of executive coordination thus, since its creation until today, contains elements of coordination of levels 1 to 6 as defined on the Metcalfe scale (Metcalfe 1994). The P-VEU and the VEU, and their rules of procedure that include specific rules for discussion and approval of position, fulfill not only their role of information exchange and feedback as defined in level 1-3 (independent decision-making by ministries, communication to other ministries-information exchange, communication with other ministries – feedback), but, through the rules on settlement of disputes and consensual decision-making on the P-VEU level also the characteristics of levels 4-6 (avoiding divergences among ministries – negative coordination, inter-ministerial search for

agreement – seeking consensus, arbitration of inter-ministerial differences). The formal rules do not include elements of levels 7-9 (setting limits for ministerial action, establishing central priorities, overall governmental strategy – state as unitary actor), as all the issues are decided collectively through P-VEU or VEU. Of course, in everyday practice, the mechanisms set up at levels 4-6 may not always work due to time or workload constraints, and the Czech national position may thus be presented without effective informed consensus having been reached on the issue. Similarly, in cases of strong disagreement, a single ministry could be outvoted at the VEU and effectively limited in its actions.

We can also see that while the level of coordination or centralisation did not change substantially. Of course, the coordination was moved from a sectoral ministry to the Office of the Government, but the role of central coordinator changed only in details. On the other hand, some slight changes in the independence of RKSs or in the involvement of the PM occurred in the system; the RKSs were given more independence at the time of the preparation of Presidency (see Karlas 2010), in order to cope with the workload, in the last two to three years, slight tendency towards centralisation can be seen in the fact the PM is more frequently personally involved (Interview 1), which can be attributed to the increased saliency and media-coverage of the European Council's due to the crisis. However, the system as such was subject to multiple changes over the years. What were the factors that influenced the creation and changes in the coordination mechanism the most? Dimitrova and Toshkov (2007) offer an overview of three existing approaches to the issue of institutional change in executive coordination.

First, the politics of institutional choice (based on rational choice approach) assumes that the major changes are related to changes in governing elites, i.e. parties controlling the executive. Second, the functional-change approach sees the changes in institutional settings as a result of adjustments towards greater efficiency under EU pressure represented by reforms of European institutions or policy failures on the part of the Member State, where the changes represent an optimisation of coordination structures. Third, the historical–institutionalist approach stresses the importance of the influence of early institutional choice (Dimitrova and Toshkov 2007, 962–967). The authors conclude

that while the historical-institutionalist change approach cannot explain the developments in executive coordination of European affairs in the new member states (although they acknowledged that historical-institutionalism may simply not be suited to explain changes occurring in such a short period of time, and, in the future, it could have more explanatory value), the politics of institutional choice offers most likely explanations of these development, and functional-change approach can also be useful in complementing its explanations.

The functional-change approach, although usually without this (or any other) label can also be found in almost all existing studies on executive coordination. Kassim, Peters and Wright (2000) offer the most comprehensive overview of usual arguments for the need to create, and, later, amend, the executive coordination mechanisms by listing the factors that pressure the EU Member States to co-ordinate their European policies on domestic level. These include the growing competence of the EU in more and more policy fields, holding the office of the Council Presidency, traditionally high saliency of some policy areas in some member states and the high saliency of European integration for the domestic politics, especially in countries with relevant euro-sceptic political parties or publics. As the second and third situation can be more problematic when the perceptions differ among key political actors (especially those in, or closely linked to an office), these two factors in fact combine the logics behind functional-change approach and politics of institutional choice.

Based on this theoretical overview, the changes in executive coordination mechanism should be prompted either by government changes and inter-institutional rivalries (politics of institutional choice approach), or by the need to adjust to European decision-making and to achieve greater efficiency of policy formation (functional change approach).

In the Czech case, elements of both can be traced. First, the Czech Government gradually created a three-level system of preparation of national positions – sectoral coordination groups, Committee for European Integration at working level, Committee for European Integration at ministerial level that mirrors the Council make-up of working groups, COREPER and the Council itself, as well as the special silent procedure, mirroring the "I" or "A" points in the COREPER and the Council. Second, the first major changes related to the creation of the post of Vice-Prime Minister (later Minister) for European affairs and to the role of RKSs were introduced in order to prepare for the role of the Presidency. Third,

the stronger involvement of the PM in European affairs and the retention of coordination at the Office of the Government after the Presidency could be interpreted as the result of the increased role of the European Council in the times of crisis. On the other hand, the last development was marked by strongly visible competency disputes between the two bodies, the Office of the Government and the Ministry of Foreign Affairs, their political representatives, the PM Petr Nečas and the Minister of Foreign Affairs Karel Schwarzenberg, and their respective political parties, the ODS and TOP09.

INCLUSIVENESS OF EXECUTIVE COORDINATION SYSTEM

The formal make-up of the Czech system of executive coordination in European affairs as described above is very open to the outside input. It gives the RKSs the possibility to invite and include in the debate any state or non-state actors. At the coordination level, the number of associate members has also increased since the creation of the system, although these include only representatives from various branches and levels of the government. The parliamentary involvement is worth mentioning, as it is based on a decentralised system of communication allowing direct information- and feedback-exchange between parliamentary chambers and ministries, which has been reflected in development of the parliament's position, which is stronger in practice than in formal setting (for details, see Knutelská 2011).

The system is thus set to be highly inclusive.

To examine this inclusiveness in case of the most informally involved, i.e. non-governmental actors, this paper focuses on the access and possible influence of the Czech think-tanks active in European affairs. What is the access of non-executive actors to the key actors within the executive coordination mechanism and how is it structured (i.e. directly within the mechanism, e.g. by participation in advisory or observatory capacity, or indirectly through external activities, e.g. debates or policy papers)? How are the opinions originating outside the executive reflected in the outcomes – specific policy positions?

To examine these issues, I carried out semi-structured interviews with representatives of the coordination system (Interviews 1-3) and think-tanks (Interviews 4-6). All the interviewed officials were asked following questions (variations depending on their institutional affiliation): What is your opinion of the Czech executive coordination mechanism in European affairs? How often do you participate in the coordination mechanism working level meetings? How often do you read think-tank / civil society contributions? How often do you participate in their activities (seminars etc.)? Do you take their input into consideration in your work? Do you think others are influenced too? Do you think that positions approved by the European Affairs Committee (EAC) in general best reflect Czech interests? The questions for think-tank representatives mirrored this structure as follows: What is your opinion of the Czech executive coordination mechanism in European affairs? Were you ever invited / have you ever participated in the coordination mechanism working level meeting? Do you know of others who have been invited / have participated? Do you know / do you have any contacts with people who regularly participate? How often do you think your / your institution's contributions are read by the civil servants involved in preparing Czech European policy / state officials? Do you / how often do you meet (including informally) with these officials? How often do they participate in your activities (seminars etc.)? Do you feel they take your input into account when making decision? Do you think others take into account input of other similar institutions? Do you think that positions approved by the EAC best reflect Czech interest?

In general, the interviewed officials claimed their willingness to accept input from think-tanks. They showed to have good overview of existing think-tanks and their activities and claimed to follow them regularly, or know of colleagues that do. However, there are differences in preferences and evaluation of usefulness of the think-tanks; while the officials from the Office of the Government prefer contributions from lawyer and think-tanks and university departments staffed with lawyers (Interview 1), the officials from Ministry of Foreign Affairs prefer contributions from more generally oriented think-tanks (Interview 2). There is also some perception that different think-tanks have better ties with the MFA and are thus more "benevolent" to its work, while they are more critical to the Office of the Government performance (Interview 1). This perception is not shared by the think-tanks themselves, however, they are aware that they are perceived differently by

governmental bodies. They also feel that this perception is hard to change (Interviews 4-6) and negatively influences their access to the decision-makers (Interview 6). The interviewees also believe that different think-tanks clearly aim at different kind of audience. For example, while they now follow the Evropské hodnoty more often than in the past, they believe they are more oriented towards broader public audience than towards the state administration (Interview 2). The events organised by think-tanks are most attractive for the officials if they present an attractive speaker they would not be in (frequent) touch otherwise. The quality of written contribution was evaluated by all interviewees as mixed (Interviews 1-3), sometimes lacking the necessary legal precision (Interview 1). The representatives of the think-tanks themselves feel that their contributions are followed by the officials, but most successful are those that are prepared in collaboration or upon request by governmental bodies (Interviews 4, 5). On the other hand, they feel that the governmental bodies sometimes do not understand or appreciate their role, asking for too technical analysis and ignoring broader issues (Interview 4) or limiting themselves to legal arguments; the latter being the case especially of the relevant departments of the Office of the Government staffed primarily by lawyers (Interview 5). All the interviewees evaluated the formal make-up of the coordination mechanism as well organised and known to all actors concerned, however, the evaluation of the quality of Czech positions was more critical. The most positive evaluation came from the officials from the Office of the Government (Interviews 1, 3), although there was a comment on varying quality of individual ministries and low interest of some of the ministers that impacts the preparation of positions (Interview 3). The think-tank representatives viewed the quality of the system more critically, criticizing too much legalism (Interview 5), low political saliency and competency disputes between MFA and the Office of the Government (Interviews 4-6) and, in one case, varying competence of individuals working in the coordination mechanism (Interview 6).

Regarding the inclusiveness of the formal bodies in the system, none of the six interviewees knew of a case where a position of a ministry or an official was influenced by a civil society organisation to the degree that he would use it as an argument in the coordination process. The system is open to consultations, but these happen more often in

special meetings and working groups set-up in individual ministries (Interview 3); the preparation of European Council and its media coverage can prompt some NGOs that do not understand how the EU works and how the positions are prepared to contact the PM directly (Interview 3). As for themselves, neither of the interviewed officials felt his position ever changed because of an outside input, however, they claimed think-tanks can sometimes draw their attention to different points of view (Interviews 2, 3).

Moreover, all the interviewees were directed to consider these issues also in relation to the creation and amendment of the rules of the executive coordination mechanism, the Fiscal Treaty and the Czech Strategy in European Union.

The last two issues can be considered interesting case studies for several reasons.

The current eurozone crisis and numerous new policy initiatives it incited represent an excellent opportunity to study the above-mentioned issues. The European measures proposed in the form of changes in primary European law or separate international treaties[5] or encroaching on areas traditionally conceived as intrinsic to national sovereignty[6] have greater saliency than ordinary European legislation. As such, they often accentuate existing opinion divisions among actors and deficiencies of existing policy position formation mechanisms. Consequently, the issues emerging during the eurozone crisis represent very interesting cases for cases studies examining the inclusiveness of policy position formation and public debate. The Fiscal Treaty proved to be a very interesting case for the Czech Republic, as the position of the two major coalition parties, ODS and TOP09, diverged significantly, as did the positions of various ministries involved in the process. The Czech think-tanks also commented on the process.

On the other hand, the adoption of the Czech Strategy in European Union was announced in the Government's programme in 2010, but the preparations were perceived as suspended in the following years due to disagreements over European policy among the coalition parties. Nevertheless, the strategy was prepared by the Office of the Government

[5] Such as amendment of article 136 of the Treaty on Functioning of European Union or the Fiscal Treaty, as well as not yet proposed but discussed changes in primary law regarding Commission investiture or power of the European Parliament

[6] e.g. budgetary powers, taxation, banking oversight

and adopted by the Government on May 15, 2013[7]. As the aim of the strategy is to define medium- and long-term goals and tools of the Czech European policy, it also a very good case for studying the involvement of EU-oriented think-tanks.

In the case of the Fiscal Compact (Treaty on Stability, coordination and governance in the EMU), the coordination mechanism needed to prepare (and, as the negotiations evolved, amend) the position rather quickly. While the idea of the Compact was formulated at the European Council meeting on December 8-9, 2011, the agreement on the text was reached on January 30, 2012, followed by signing of the Compact approx. one month later, when the Czech PM announced that he will not be signing the Compact. Separate analyses of the text under negotiation was prepared by the Office of the Government, Ministry of Foreign Affairs and Ministry of Finance and they diverged substantially regarding the suggested position and analysis of relation to the Czech constitutional rules. The PM basically adopted the position as prepared by the Office of the Government. Because of the shortness of time before the adoption of the text at the end of January, and because the Czech position was perceived as possibly influenced by the euroscepticism of the President Vaclav Klaus, whose term in office was due to finish in 2013, the debate that issued after January is also interesting for assessing the inclusiveness of the Czech coordination of European affairs. The Czech think-tanks examined here were mostly critical of the Czech position and the explanation behind it[8], saying that the Compact in itself does not represent a move towards two-speed Europe (Král 2012), that arguments of the Government ignore previous favourable positions of the Czech Republic on similar issues (Knutelská and Dostál 2012) and calling the Government's arguments "excuses" (Janda 2013). However, they did not feel their arguments were properly processed at the Office of the Government, the governmental body their opinions diverged from most (Interview 6).

---

[7] 'Strategie působení ČR v EU', available at: http://www.vlada.cz/assets/evropske-zalezitosti/dokumenty/130516_Strategie-pusobeni-CR-v-EU_2.pdf (Accessed on October 4, 2013)

[8] 'Proč se ČR nezavázala k ratifikaci smlouvy o fiskální unii': http://www.vlada.cz/cz/media-centrum/tiskove-zpravy/proc-se-cr-nezavazala-k-ratifikaci-smlouvy-o-fiskalni-unii-92547/ (Accessed March 13, 2013)

The Czech Strategy in European Union represents an entirely different case. A strategic or conception national document, that is supposed to present a medium- or even long-term national priorities and tools in European policy and that is not subject to time constraints imposed by EU-level decision-making, is an excellent case for broader inclusiveness in preparatory stage. However, due to differences in European policies of ODS and TOP09, the preparation of the strategy announced in the Programme of Nečas' government was on stand-by for several years. However, in the end, it was prepared by the Office of the Government and subject to inter-sectoral feedback mechanism. None of the interviewees from-think tanks were asked or knew of consultation in preparation of these documents. Evropské hodnoty therefore prepared a very critical analysis shortly after its adoption (Janda and Hokovský 2013a). The analysis was in turn strongly criticised in a commentary on the Government's information portal on European affairs, Euroskop (Žáček 2013); the commentary's argument that the Strategy fulfills one of its major goals, inciting the debate on the role of the Czech Republic in the EU, was again criticised by the authors of analysis as going against the main purpose and reasonable way of preparation of any strategic policy document (Janda and Hokovský 2013b). The debate was interrupted by the following fall of the Government.

Nevertheless, none of the interviewees from think-tanks agrees that the Czech Government possesses a strategic vision in European policy and the newly adopted Strategy does not change that position (Interviews 4-6). All interviewees see the low political saliency of European issues for political representatives as one of the main problems of the preparation of Czech position on European policies; while the Government officials say they feel low political support in preparing the positions ("We cannot make it a priority on our own", Interview 2), the think-tank representatives also see the low interest of political representatives as one of the main obstacles for making their voices more heard in preparation of the Czech European policy (Interviews 4-6).

CONCLUSIONS

This paper described and analysed the Czech system of executive coordination in European affairs and its inclusiveness. Using the Metcalfe scale (1994), it shows that the Czech system is semi-centralised, and while some informal tendencies towards a greater centralisation do exist, this aspect has not change much since its introduction. The paper also showed that most changes in the system were prompted by the adjustments of the requirements of European decision-making, thus confirming the explanatory value of functional change approach, but it also showed that changes in government and inter-institutional rivalries seen as the key factors by the politics of institutional choice can play even more decisive role when they are strong enough.

It should also be noted that none of this says much about the efficiency of coordination on its own, although some authors presume that more coordination at home should mean more efficiency, meaning better ability to produce good quality instructions for Brussels negotiations in good time (cf. Metcalfe 1994; Sepos 2005). However, the institutional set-up is not the only determinant of such efficiency, and empirical research does not support its key role (see Sepos 2005). Too little coordination may result in later inefficient changes in positions, while too much coordination may render the system too rigid and inflexible; Panke (2010) found that such efficiency is most likely assured in systems combining silent agreement procedures and neutral mediation of disputes by central institutions. In this regard, the level of coordination or centralisation in the Czech system may be preferable.

Similar argument applies to the issue of inclusiveness. The paper showed that the institutional set-up of the Czech coordination system offer good formal and informal opportunities for non-executive and non-governmental actors to present their opinions to the decision-makers, however, the practice of debating more general and salient issues, such as the Fiscal Compact and the Czech Strategy in European Union, showed that the ability of think-tanks to present their opinions may be limited. The implications for the efficiency of the Czech system of position formation are also not clear-cut. As in the case of level of coordination and efficiency, one can presume conflicting reasoning for and

against greater involvement of non-state actors in the position formation. First, one could inherently assume that broader inclusiveness leads to more fact-based, more representative and thus more stable outputs / positions (for extensive discussion on inclusion and democracy, see Young 2000). On the other hand, Cross (2013) recently concluded that greater transparency of Council meetings polarises its negotiations, as it makes the states' positions known to outside parties. As broad inclusiveness also makes the negotiations more public, it could have the same effect on preference polarisation. The future developments of the coordination system as well as inclusion of non-state actors should thus remain subject to further (and inclusive) debate.

REFERENCES

Bergman, Torbjörn. 1997. 'National Parliaments and EU Affairs Committees: Notes on Empirical Variation and Competing Explanations'. *Journal of European Public Policy* 4 (3): 373–387.

Cross, James P. 2013. 'Striking a Pose: Transparency and Position Taking in the Council of the European Union: Striking a Pose'. *European Journal of Political Research* 52 (3) (May): 291–315. doi:10.1111/1475-6765.12000.

Cygan, Adam. 2007. 'Scrutiny of EU Legislation in the UK Parliament: The First Thirty Years....and Beyond?' In *National Parliaments Within the Enlarged European Union. From 'Victims' of Integration to Competitive Actors?*, edited by John O'Brennan and Tapio Raunio, 163–177. Routledge Advances in European Politics. London, New York: Routledge.

Dimitrova, A. and D. Toshkov. 2007. 'The Dynamics of Domestic Coordination of EU Policy in the New Member States: Impossible to Lock In?' *West European Politics* 30 (5): 961–986.

EurActiv 2012. 'Česká republika má dva státní tajemníky pro EU', EurActiv.cz, 5.9.2012, http://www.euractiv.cz/cr-v-evropske-unii/clanek/cr-ma-dva-statni-tajemniky-pro-eu-009096 (Accessed December 12, 2012)

Gärtner, L., J. Hörner, and L. Obholzer. 2011. 'National Coordination of EU Policy: A Comparative Study of the Twelve "New" Member States'. *Journal of Contemporary European Research* 7 (1): pp–77.

Goetz, K. H. 2000. 'European Integration and National Executives: A Cause in Search of an Effect'. *West European Politics* 23 (4): 211–231.

Goetz, K. H., and J. H. Meyer-Sahling. 2008. 'The Europeanisation of National Political Systems: Parliaments and Executives'. http://edoc.vifapol.de/opus/volltexte/2011/2482/.

Janda, Jakub. 2013. 'Výmluvy nad fiskálním paktem', 13.5.2013, http://evropske-hodnoty.blog.ihned.cz/c1-59866850-vymluvy-nad-fiskalnim-paktem (Accessed October 7, 2013)

Janda, Jakub and Hokovský, Radko. 2013a. 'Nečasova evopská strategie: počkejme a uvidíme', 30.5.2013, http://evropskehodnoty.cz/wp-content/uploads/2013/05/komentar.pdf (Accessed October 7, 2013)

Janda, Jakub and Hokovský, Radko. 2013b. 'Diskuze by měla Strategii předcházet', http://evropskehodnoty.cz/diskuze-by-mela-strategii-predchazet/ (Accessed October 7, 2013)

Jordan, Andrew. 2003. 'The Europeanization of National Government and Policy: A Departmental Perspective'. *British Journal of Political Science* 33 (02) (March 20). doi:10.1017/S0007123403000115.

Karlas, Jan. 2010. 'The Executive Co-ordination of the Czech Presidency: Unexpectedly Effective'. In *The Czech and Slovenian EU Presidencies in a Comparative Perspective*, edited by Petr Drulák and Zlatko Šabič, 91–110. Dordrecht: Republic of Letters Publishing.

———. 2011. 'Parliamentary Control of EU Affairs in Central and Eastern Europe: Explaining the Variation'. *Journal of European Public Policy* 18 (March): 258–273. doi:10.1080/13501763.2011.544507.

Kassim, Hussein, Anand Menon, Guy B. Peters, and Vincent Wright. 2001. *The National Co-ordination of EU Policy: The European Level*. Oxford, England ; New York: Oxford University Press.

Kassim, Hussein, B. Guy Peters, and Vincent Wright. 2000. *The National Co-ordination of EU Policy: the Domestic Level*. Oxford; New York: Oxford University Press.

Katz, Richard, and Bernhard Wessels, ed. 1999. *The European Parliament, the National Parliaments, and European Integration*. New York: Oxford University Press.

Knutelská, Viera. 2011. 'Working Practices Winning Out over Formal Rules: Parliamentary Scrutiny of EU Matters in the Czech Republic, Poland and Slovakia'. *Perspectives on European Politics and Society* 12 (September): 320–339. doi:10.1080/15705854.2011.596309.

Knutelská, Viera and Dostál, Vít. 2012. 'Fiskální smlouva — stará pravidla v novém hávu?', http://www.amo.cz/publikace/fiskalni-smlouva--stara-pravidla-v-novem-havu-co-prinasi-navrh-fiskalni-smlouvy-a-proc-se-ceska-republika-nepridala.html (Accessed December 12, 2012)

Král, David. 2012. 'Povede fiskální smlouva EU k dvourychlostní Evropě?'. *Mezinárodní politika* 3/2012 http://www.ustavmezinarodnichvztahu.cz/article/povede-fiskalni-smlouva-eu-k-dvourychlostni-evrope (Accessed October 9, 2013)

Laffan, Brigid. 2006. 'Managing Europe from Home in Dublin, Athens and Helsinki: A Comparative Analysis'. *West European Politics* 29 (4) (September): 687–708. doi:10.1080/01402380600842189.

Maurer, Andreas, and Wolfgang Wessels, ed. 2001. *National Parliaments on Their Ways to Europe : Losers or Latecomers?* Baden-Baden: Nomos.

Metcalfe, L. 1994. 'International Policy Co-Ordination and Public Management Reform'. *International Review of Administrative Sciences* 60 (2) (June 1): 271–290. doi:10.1177/002085239406000208.

Neuman, M. 2011. 'The Nexus between Czech Non-State Actors and Domestic Foreign Policy Making in the EU Presidency Context'. *Perspectives. Review of International Affairs* (1): 5.

O'Brennan, John, and Tapio Raunio, ed. 2007. *National Parliaments Within the Enlarged European Union*. New York NY: Routledge.

Panke, Diana. 2010. 'Good Instructions in No Time? Domestic Coordination of EU Policies in 19 Small States'. *West European Politics* 33 (4): 770–790.

Pop, Valentina. 2012. 'Fiscal treaty stirs political disputes in EU countries'. EUObserver.com, 1.2.2012, http://euobserver.com/economic/115090 (Accessed December 12, 2012)

Sepos, Angelos. 2005. 'The National Coordination of EU Policy: Organisational Efficiency and European Outcomes'. *Journal of European Integration* 27 (2) (June): 169–190. doi:10.1080/07036330500098227.

Tans, Olaf, Carla Zoethout, and Jit Peters, ed. 2007. *National Parliaments and European Democracy. A Bottom-up Approach to European Constitutionalism*. Groningen: Europa law publishing.

Witzová, Ivana. 2004. 'Jednání o Přistoupení České Republiky k Evropské Unii: Jak Úspěšné?'. *Mezinárodní Vztahy* 39 (1): 70–89.

Young, Iris Marion. 2000. *Inclusion and Democracy*. Oxford; New York: Oxford University Press.

Žáček, Ondřej. 2013. 'Jak (ne) analyzovat vládní Strategii', Euroskop, 31.5.2013, https://www.euroskop.cz/46/22476/clanek/jak-ne-analyzovat-vladni-strategii/ (Accessed October 7, 2013)

List of Interviews

Interview 1, official, Office of the Government, June 20, 2013
Interview 2, official, Ministry of Foreign Affairs, July 3, 2013
Interview 3, official, Office of the Government, July 3, 2013
Interview 4, representative, Czech think-tank active in European affairs, July 10, 2013
Interview 5, representative, Czech think-tank active in European affairs, July 24, 2013
Interview 6, representative, Czech think-tank active in European affairs, July 26, 2013

Publications du CEFRES

Les publications du CEFRES sont toutes accessibles en ligne sur le serveur Hyper article en ligne en sciences de l'Homme et de la société, HAL-SHS (CCSD CNRS)

http://halshs.archives-ouvertes.fr/CEFRES/fr/

Éditions du CEFRES

— Paul BAUER, Christian JACQUES, Mathieu PLESIAT, Máté ZOMBORY : *Minorités nationales en Europe centrale : démocratie, savoirs scientifiques et enjeux de représentation*. Prague : CEFRES, 2011, 237 p.

— Paul GRADVOHL (dir.) : *L'Europe médiane au XX^e siècle : Fractures, décompositions, recompositions, surcompositions*. Prague : CEFRES, 2011, 285 p.

— Marie-Claude MAUREL et Maria HALAMSKA : *Les acteurs locaux à l'épreuve du modèle européen LEADER. France, Hongrie, Pologne*. Prague/Varsovie : CEFRES/Institut pour le développement rural et l'agriculture de l'Académie des sciences de Pologne (IRWIR PAN), 2010, 205 p.

— Pascal MARTY, Sandrine DEVAUX (eds.) : *Social movements and public action. Lessons from environmental issues,* Prague, CEFRES, 2009, 194 p. Ouvrages issu d'une recherche menée dans le cadre du projet EU-Consent financé par le 6^e PCRD

— Sandrine DEVAUX, Imogen SUDBERY (eds.) : *Europeanisation. Social actors and the transfer of models in EU-27,* Prague, CEFRES, 2009, 256 p. Ouvrage sont issu d'une recherche menée dans le cadre du projet EU-Consent financé par le 6^e PCRD

Cahiers du CEFRES

— „Individus sous contrôle" *Cahiers du CEFRES n° 32*, 2012, 304 p.

— „Contributions à une histoire culturelle germano-tchèque en Europe centrale. Un espace à reconstruire ?" *Cahiers du CEFRES n° 31*, 2011, 238 p.

Études du CEFRES

— *À partir de l'Europe centrale, analyser un monde qui change. Colloque organisé à l'occasion du 20^e anniversaire du Centre français de recherche en sciences sociales,* n° 15, 62 p.

http://www.cefres.cz/IMG/pdf/etude15.pdf

— Éloïse ADDE (dir.) : *Aux sources de l'idée d'union européenne,* n° 14, 54 p. http://www.cefres.cz/IMG/pdf/etude14.pdf

— *Comment affronter à vingt-sept les nouveaux défis de l'agriculture et du développement rural ? = EU 27 : How to cope with the new challenges of agriculture and rural development?,* n° 13, 25 p. disponible en ligne en version française et anglaise :

http://www.cefres.cz/IMG/pdf/etude13.pdf

Études du CEFRES n° 16

The Czech Coordination System of European Affairs and Its Inclusiveness

by Viera Knutelská

ABSTRACT

The paper aims to analyse the inclusiveness of position formation in the area of European affairs in the Czech Republic. It first offers a brief description of the Czech coordination mechanism in European affairs, and then analyses mutual relations and debate between the key institutions (Office of the Government and the Ministry of Foreign Affairs) and main Czech think-tanks in the area of European affairs (mainly Europeum, AMO, Evropské hodnoty). The openness of the system to accept outside expert input is manifested on some key cases, such as the Fiscal Compact, Czech Strategy in European Union, etc. The access of think-tanks to governmental institutions is found to be generally very good, although the reflection of their input by the decision-makers seems to be rather limited, which is attributed mainly to diverging opinions within the coordination system itself and the low salience of European affairs on political level.

KEY WORDS

Executive coordination, Czech Republic, Presidency, Position formation inclusiveness

THE AUTHOR

Viera Knutelská is a lecturer at the Department of International Relations of the Institute of Political Studies – Faculty of Social Sciences, Charles University in Prague. She held a Postdoctoral Fellowship at CEFRES for the summer term (February 1st – July 31st, 2013).

