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# Europeanization of Czech interest groups

Working Paper No. 32

This text has been written as part of the research project “Political Parties and the Representation of Interests in Contemporary European Democracies” (code MSM0021622407) and was also supported by the research project *Political Actors in the Process of Europeanization and Internationalization of the Political Area of the Czech Republic*, sponsored by the Czech Ministry of Labour and Social Affairs (code 1J 002/04-DP1).

Brno 2009

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## Contents

Part A: Interest Representation in the European Union -----	3
1. The EU as a new arena for the interests of the CR-----	3
2. The mechanism of representing interests within the EU -----	10
3. Regulation of lobbying in the EU -----	19
4. Actors from the CR at the EU -----	28
5. Conclusion: current status and capabilities of actors in the EU -----	43
Part B: Europeanization of interest groups in the Czech Republic -----	45
1. Europeanization of Czech Interest Groups-----	45
2. Parameters of Europeanization of interest groups -----	46
3. How have the interest groups changed over the course of European integration? -----	47
4. Partners of Czech interest groups, relationships with them, and the character of mutual communication -----	54
5. Interest promotion and the strategies used by interest groups -----	61
6. Relations with political officials in the Czech Republic -----	70
7. Access to resources, and drawing upon them-----	75
8. Loyalty and identification -----	78
9. Degree of Europeanization of Czech interest groups -----	81
10. In place of a conclusion: Is the Europeanization of Czech interest groups a model for interest groups in other countries? -----	88
References: -----	93
Primary sources: -----	93
Bibliography: -----	96
Annexis: -----	100
Annex 1 – list of research subjects-----	100
Annex 2 – structure of interviews with subjects (questionnaire)-----	105

## **Part A: Interest Representation in the European Union**

### **1. *The EU as a new arena for the interests of the CR***

The CR's entry into the EU in 2004 was the culmination of preparations for membership in this multi-national structure, the mechanisms of which are fundamentally different from those within the CR. The entire range of Czech political parties, movements, and interest groups have become part of the EU, established on the principle of several levels of mutual influence. Regardless of whether the EU is approached through theories of neo-functionalism, multi-level governance, or neo-institutionalism, it is clear that the process of Europeanization is the central element of the EU's activities. Europeanization, as a theory that analyzes and explains the effect of the European integration process on the structures and processes of the political systems of EU member countries, has become an integral part of understanding the EU. Above all, it is the key factor that interest groups and political actors must deal with when entering the European arena of interest representation.

The CR's entry into the EU naturally raises the question of whether Czech interest groups and political parties are able to cope with the results of the Europeanization process. Are these groups able to accept the conditions of the European arena and adapt to them? Do they actively take advantage of the available opportunities? There is no doubt that the impact on interest groups is different than on political parties; nevertheless in both cases it offers an entirely new dimension for the advancement of their interests.

#### **1. 1 The character of the EU**

The identity of the EU is multi-faceted, and is therefore a point of dispute in the concept of political science, European studies, and law. One fundamental and relatively universal concept is that the EU is an entity on the borderline between an international organization and a state. There is also the idea that the EU is an entity "sui generis". If we are not content with these, then we may examine a broad spectrum of possibilities. The issue of defining the EU has been the object of contention for the entire fifty years of its existence, and consensus on the issue has yet to be reached.

The classic terminology of political science and terms such as federation, confederation, and unitarism are insufficient in the case of the EU. It is clear that with

reservations the term confederation can be applied (Klokočka 1996: 238). European studies and legal studies are more diverse in their answers to the question “what is the EU?” On one hand the EU is described as a unique political system, because it meets the parameters of a system of institutions, relationships, and mechanisms for the distribution of interests; it is responsive to feedback, and there is a connection between the decision-making processes and the allocation of economic, social, and political resources (Hix 1999). At the same time it is conceptualized as a kind of union of states (Dehousse 2003: 137), as a type of corporation (Tromm 2005: XIII), or as an example of a polycentric union with consensual decision-making (Wind 2003, Dehousse 2003). The EU can be described as a post-national form of government (Reschová 2003: 48), or as a post-national entity with a mix of supra-national, trans-national, and inter-governmental elements (Eriksen 2004: 36).

One definition treats the EU as a “horizontal, purpose-driven corporation of various forms, equipped with a system of decision making founded on coordination and harmonization, which is assigned to a number of differing tasks” (Tromm 2005: XV). Especially emphasized is the contrast between the form of treaty relations and the principles securing the integrated nature of the EU. For example Joseph Weiler points out that the EU on one hand is built on the foundation of supra-national power supported by the principle of the superiority of European law and its direct applicability, along with an inter-governmental mechanism for decision-making. This makes it a mix between normative supra-nationalism and the intergovernmental principle of decision-making (Maduro 2005: 2).

The unclear nature of the very concept of the EU, the character of which is reflected in the processes and interactions between the supra-national, national, and internal levels, is the result of a number of unique aspects of the EU. First of these is the fact that the EU is built on the principle of delegation of sovereignty<sup>1</sup> by its members in the areas dealt with by primary law. Member states are members of collective organs, in which negotiations over future measures take place. Thus the states decide collectively, but cannot pull out of a collectively-made decision, or independently push their own position.<sup>2</sup>

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<sup>1</sup> Delegation of sovereignty is seen as the limit for a country which is consequently unable to exercise its highest, full, and unlimited power (Klokočka 1996: 102–108). However, the idea also exists that the delegation of sovereignty expands the opportunities for a state to project its will onto the international community. Especially the small and diplomatically less-capable countries according to this concept do not promote their interests, but rather react to international relations. In their case the EU is interpreted as a superstructure representing an “umbrella” allowing them to better stand up against external circumstances (Tromm 2005: XV).

<sup>2</sup> Comments of course refer to agenda of the EU first pillar.

A second reason for the difficulty of finding a definition of the EU is the uniqueness of the supra-national structure of the EU, equipped with its own special mechanisms of control, insufficient separation of powers, and other institutional consequences of inter-governmental and supra-national polarization, and constant interaction on the supra-national, national, regional, and even local levels. This so-called multi-level concept of governing is an integral part of the EU system (Chrysochoou 2001: 104–112; Jachtenfuchs, Kohler-Koch 2005: 101–105; Rosamond 2000: 109–113). Joseph Weiler describes this particular concept as the situation where the EU is founded on a federal principle with a hierarchy of norms from top to bottom, but at the same time exhibits the opposite hierarchy of authority. This hierarchy is exercised from bottom to top (Weiler 2003: 9). The role of Union institutions on this complicated system is naturally difficult to assess; it is influenced by a number of factors. It is affected by the primary law, ratified by all of the member countries, and at the same time by myriad administrative rules, customs, and procedures, the understanding of which depends on experience with the real conditions of the Union. A large role in understanding the institutions of the EU is played not only by knowledge of the law, and the size of the arena,<sup>3</sup> but other at-first-glance insignificant consequences of the multi-nationality of the Union arena.

The third reason for the inability to clearly define what the EU is the mutual linkage among all of these political levels. The EU is built on the fundamental pillars of European law, which is the “principle of subsidiarity” and “direct effect”. Thanks to these principles and their expansion, the EU has successfully maintained its homogeneity and prevented organizational disintegration. Decisions adopted on the supra-national level of the EU become part of the law of the member countries, which are directly subject to it. At the same time it displays dependence in realizing control measures, and also in the phase of implementation of supra-national legislation. Without the support (institutional and political) of the member states in getting legislation enacted, the EU is effectively helpless (Greenwood 2003). Although there are norms of European law applicable directly on the territory of the member states, and are effectively enforceable there by Union law, their actual enforcement is dependent on the political agreement of the member country and the efforts of its bureaucratic apparatus. The EU requires the cooperation of the bureaucracy in the member states because it does not have its own legitimate enforcement power, and for many of its powers it is directly

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<sup>3</sup> Today Brussels is the workplace of 13 000 lobbyists, directing their activities at an estimated 6500 officials of the European Union. In the case of the EP, where lobbyists must be accredited, there are some 5500 lobbyists to the current 785 MPs.

dependent on the member states. The dependence factor affects the exercise of legislative, executive, administrative, and judicial power (Reschová 2003: 75)

## 1. 2 The corporatist Union arena

The participation of actors in the process of promoting interests within the EU is not a matter of choice, but of necessity. Entities from the member states working within the shared EU market have no other option given what is at stake in the political game on the supra-national level but to be active participants in the mechanisms of interest promotion. Thanks to the principle of superiority and direct effect of European law (Tichý et al. 1997: 232-228), for the majority of agendas the domestic arena is fully under the influence of the supra-national environment. Almost without exception, domestic actors are part of the supra-national game, and the Union's lobbying rules affect them directly. The goal of interest representation is either to actively influence the arena, or limit the loss entailed by the transfer of decision-making power to the supra-national level.

The way to understand the mechanism of interest advocacy within the EU is to consider it in the context of one of the main models: pluralist and neo-corporatist (Schmitter 1981; Lehmbruch, Schmitter, 1982). One possible argument for seeing the EU as a system with a pluralistic model of relations between interest groups and political parties and actors in the decision-making process is that the method of approach by interest groups toward EU institutions is mostly open, displays elements of external adaptability, and over the entire broad spectrum is not strongly hierarchical. Between the majority of actors an element of competition exists that is actually supported on the part of Union institutions.

Despite this it is demonstrable that the EU exhibits significant neo-corporatist, or trilateral (government, employers, employees) neo-corporatist traits<sup>4</sup>. Labor and employer business umbrella associations are required to consult the European Commission (Commission), which has a monopoly on legislative initiative in the EU. This remains

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<sup>4</sup> The EU shows to a significant degree the characteristics of neo-corporatism as defined by Blanka Říchová: 1) growth and strengthening of centralized interest organizations with a monopoly on representation (in the case of the EU the growing influence of the Euro-federations); 2) the highest bodies within these organizations enjoy privileged access to the government, and this practice is generally accepted by society (the so-called social dialogue has become one of the key words of integration, and continues to be developed and strengthened in correspondence with the opinions of the EP); social partnership in the form of trilateralism, the aim of which is to eliminate possible conflicts within groups (access by employees and employers to decision-making is guaranteed by primary law) (Říchová 2000: 186 – 187).

consultative, and does not constitute guaranteed representation of the interests of labor and employers.

The interests of employers and employees are represented in the European Economic and Social Committee (EESC)<sup>5</sup>, which in the modern development of the EU has begun to grow beyond its role as a passive advisory body. Above all, however, the processes of interest representation take on added importance as integration progresses. The interests represented within the framework of social dialogue<sup>6</sup> that has developed since 1985 within the so-called Val Duchesse Process under the leadership of former Commission President Delors (Fiala, Pitrová 2003: 465-467), jointly produced principles for Social Dialogue which later became the impulse for the writing of the Charter of Fundamental Social Rights in 1989. Even before that, however, in the SEA communication between employers and employees had moved beyond primary law in the form of new article 118 B in the EEC Treaty: “The Commission shall endeavour to develop the dialogue between management and labor at European level which could, if the two sides consider it desirable, lead to relations based on agreement (Art. 22 of the Single European Act).

Beginning with the EU Treaty there was in the appendix a protocol on social policy in which the Commission was given the task to support social dialogue and broadly consult on proposals in the area of social policy with both employers and representatives of labor (Art. 3, 4 of the Agreement on Social Policy signed by the member states of the EC with the exception of Great Britain and Northern Ireland in the annex to the EU Treaty). However, Great Britain refused to sign on to the agreement, which led to the emergence of a two-track institutional mechanism.

The tripartite framework of the EU treaty was reinforced by the Treaty of Amsterdam, which overcame the disagreement of Great Britain with the supra-national development of this agenda. The original Agreement on Social Policy became a direct part of the treaty, and the treaty also directly referred to the 1989 charter (Art. 136 of the EU Treaty, revised by the

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<sup>5</sup> Of course we will ignore due to the specific situation the representation of public interests, which have been represented in the EU since 1993 by the Committee of Regions. The significance of both institutions is limited in practice, because they enter the legislative process late, and then only in the form of an opinion, without real influence on the content of the legislation. More than as a platform for applying influence, then, it serves as sounding board for feedback and exchange of experience.

<sup>6</sup> Social dialogue today takes place within the framework of the tripartite, but also within the framework of the committees of the individual branches. The responsible coordinator is the Directorate-General for Employment, Social Affairs, and Equal Opportunity of the Commission).

Treaty of Amsterdam). In the treaty social dialogue was affected first by new articles on employment, and second by a new version of Chapter 1 – Social Provisions. In the case of employment, the treaty set forth the obligation to consult with the social partners of the Committee on Employment (Art. 130 of the EU Treaty revised by the Treaty of Amsterdam). In the general agenda it formally strengthened the European Union's obligation to consult on upcoming legislation beforehand (Art. 138 and 139 of the EU Treaty revised by the Treaty of Amsterdam). In addition, European institutions and social partners were tied together by a new protocol in which the Commission must “except in cases of particular urgency or confidentiality, consult widely before proposing legislation, and wherever appropriate, publish consultation documents” (Art. 9 of the Protocol on the application of the principles of subsidiarity and proportionality in the annex to the Treaty of Amsterdam).

With this, social dialogue was set as the fundamental and obligatory instrument for negotiation in a certain area of integration. The relations between actors in the social dialogue within the EU were further intensified after 2001, when the rules for the social summits were set. The result has been the acceptance of agreements, but also of action and orientation frameworks, positions and declarations, which may become part of community law. The Treaty of Nice expanded the realm in which the community accompanies the activities of the member states in the social sphere, and further strengthens the right of collective defense of the interests of employers and labor (Art. 137 Treaty on the European Community revised by the Treaty of Nice).

### **1. 3 The EU's open door**

The impact of interests and their involvement at the EU level is not only guaranteed by treaty, but is broadly welcomed as well. Although the system of European institutions is equipped with consulting bodies, and despite the efforts expended, the EU structure remains informationally isolated. Interest groups are able to bring the needed information to the EU center and mitigate the weakness of the Union's “adolescent bureaucracy”, which would otherwise find independent action difficult (Mazey, Richardson 2006: 248). Cooperation between European institutions and interest groups is therefore beneficial not only in the phase of legislative initiative, but during the process of implementation, when the absence of implementation and monitoring capacity at the EU level becomes a problem.<sup>7</sup> Interest groups

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<sup>7</sup> In this context we speak of the phenomenon of “whistle blowing”, where individual actors (in our case interest groups and their membership bases) monitor a certain area and warn the Commission of failures to observe the rules (Grant 2000: 28).

contribute to the EU not only in the form of analysis and information monitoring in a given sector, but at the same time serve as instruments for implementation, and in many cases play a role in monitoring the implementation of European legislation (Grant 2000: 28). Interest groups make it possible to alleviate the “dependency” of European institutions on the outside world, compensate for the negative effects of the geographic isolation of EU organs from the member countries, and contribute to the stability of the entire system (Mazey, Richardson 2000: 21).

Besides contributing so much necessary information, interest groups and professional lobbyists also offer their services and membership in advisory boards for suitable financial conditions (Schendelen 2004b: 28). Acquiring information from interest groups is financially more manageable for the EU than employing extra personnel over such a broad spectrum, especially considering that European institutions are being accused of over-bureaucratization.

Since the beginning the Commission has maintained an “open door” policy towards interest groups (Daltrop 1986: 185), but in the long term has not been able to acknowledge its “dependence” on interest groups, nor the fact that it has been suffering from informational isolation. From the beginning it has been important to the EU to preserve its independent status, and have the possibility of determining whether Commission officials or members of the European Parliament use the information, studies, and analyses provided by interest groups. At the same time the Commission’s pragmatic display of openness and at the same time independence has served as something of an alibi. The proclaimed political vision of a demonstrably united establishment, and thus the diction of EU documents, often speaks of ties between actors, citizens, and European institutions, despite the enormous geographic size of the EU and the differences between member states. Maintaining contact with interest groups thus serves to document the existence of such communications, secure the exchange of information between the center and the public, and ties among actors on the shared market as well (see Goehring 2002: 118 – 137).

## **2. The mechanism of representing interests within the EU**

### **2. 1 Lobbying in the EU**

The mechanism of representing interests, which has earned itself the name of lobbying<sup>8</sup>, has always been a part of the structure of the EU under the founders' neo-functional paradigm, based on the spillover effect, the independence of supra-national authority, and the network so important for lobbying (Schmitter 2004: 45-70). European lobbying was regarded as a prerequisite for the functioning of a multi-level bureaucratic system (Jachtenfuchs, Kohler-Koch 2004: 101-105, Chrysochoou 2001: 104-112), especially during the era of the foundation of the EHS, when there was no anchoring point for today's social dialogue (Fiala, Pitrová 2003: 14 – 17, Schmitter 2004: 45 – 70). The mechanism of representing interests has thus been part of the Union design from the very beginning, unlike the domestic arenas which show certain unique characteristics. Among them is the “newness” of the entire process, which results in a weak degree of regulation, unclear delineations of the arenas for representing interests, and unique methods developing from the nature of European integration.

The advancement of interests on the level of the EEC and then the EU can be seen as a relatively very new phenomenon that dates back only to the 1980s, or from the SEA (Mazey, Richardson 2000: 4-9; Greenwood, Grote, Ronit: 1994: 8 – 10). The main formalized channel for presentation of interest groups – the European Economic and Social Committee – was founded back in the 1950s, and during that same era the first interest groups on a supra-national level were formed. However, it was the SEA that incorporated the EP into the decision-making process (Art 6 of the Single European Act), restored a common market (Art. 13 of the Single European Act), renewed voting by a qualified majority of the Council (Art. 14, 16, 18 of the Single European Act), and expanded the original agenda to other areas of the Community's interest. These were the environment, science and development, and regional policy (Art. 23 - 25 of the Single European Act). This resulted in a change in the EU rules and expanded room for representation of interests. Countries stopped managing their main economic sectors on protectionist principles, and a qualified majority voting, applied in the Council, resulted in a gradual reorientation of interest groups towards the supra-national level. However, until the early 1990s there was no major effort made to regulate this activity. On the

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<sup>8</sup> The European Commission, in an effort to avoid the negative connotations of the word “lobbying”, prefers the term “management of public affairs”, creating ties to “civil society”, and the maintenance of “social dialogue”. However, Euro-lobbying is the official term used by the EP, for example.

contrary, firm ties between actors and institutions became a tradition. The mechanism of negotiation stabilized at a very high level of non-transparency. The debate over regulation was opened gradually around the turn of the century, with differing approaches among the individual organs of the EU.

The EU's multi-level concept of institutional structure, together with the weak delineation of the Union arena, shaped a second unique trait of lobbying in the EU. In representing interests, the EU offers two main levels: domestic and supra-national. We must also add the international level, which often serves as an effective complement to negotiations within the EU, which has its international commitments. The Union arena offers a number of advantages, and has sometimes been seen, compared to the domestic frameworks, as a "lobbying paradise" (Guéguen 2007: 96). Lobbying in the EU is not yet strongly regulated over the entire area; EU institutions are in a state of dependence on the actors, and in fact support them. Depending on the particular issue it must be considered whether actors from the domestic political level are allies of the lobbyists, or their rivals. The state remains a strong opponent only in those sectors where treaties do not limit the sovereignty of the member countries. A seemingly impossible item on the national level with a limited number of inputs can, at the supra-national level, be achieved with the help of coalitions of other member countries, or through the influence of international organizations. The supra-national structure can also help to resolve seemingly stalemated situations in which a particular group has fallen out of favor on a national level (Greenwood 1997: 11 – 13). Likewise a particular interest may be in opposition to the will of most of the interests within the EU, which can be an insurmountable barrier. In any case, the number of possible tactical approaches and partners is much greater than on the domestic scene.

The final characteristic of interest representation in the Union environment are the methods of mutual interaction themselves, which tend to be so different from domestic customs. While European lobbying is predominantly technical, national lobbying is fundamentally political (Guéguen 2007: 96).

## **2. 2 Methods of representing interests in the EU**

The possibilities for representing interests within the EU have been developing gradually. Daniel Guéguen distinguishes three gradual phases of transformation of relations among interest groups and umbrella organizations on the European level. The classic method of the 1970s – 1980s was the exclusive historical representation of interests at first through

domestic and then through European associations. European associations thus gained something of a monopoly over the representation of interest on the European level (Guéguen 2007: 16). Receivers of information in the form of the European Commission or Parliament thus became somewhat dependant on European umbrella associations.

In the 1990s the “stakes” in the area of the common market, which was planned to be completed in 1992, rose considerably. For individual firms and important sector actors in the domestic arenas, dependence on the common European stance of their association was no longer acceptable, and they attempted to compensate for the consequences by pushing for the lowest common denominator on the supra-national level. The sector associations and the actors themselves began to intervene directly with the European institutions. The monopoly of the associations was threatened from within by the actions of the actors (Guéguen 2007: 17). This destabilized the system to some extent; interest groups swallowed up the existing network, and the process became less transparent. Only some of the classic actors were able to deal with this process through their own reorganization.<sup>9</sup>

Finally, new lobbying structures were formed in the period after 2000 according to Guéguen (Guéguen 2007: 17). The principle of cooperation and formation of coalitions is no longer according to sector, but ability to work together on specific projects.<sup>10</sup> Naturally this behavior is motivated by greater effectiveness in achieving concrete goals, but also corresponds to the effort of the Commission to motivate interests to work together. Thus conflicts between interests are resolved before they reach the level of the Commission. Thus the Commission is ever more receptive to the interest groups.

The choice of strategies by interest groups naturally changes with the development of the integration process and the transformation of the institutional structure of the EU. The goal of European organizations representing interest groups from member countries on the supra-national level is to create pan-European strategies for the development of the given sectors or interest, and thus to offer unified concepts for EU institutions. The goal of the associations is therefore not just to achieve large member bases, but also the ability to act. In the case of insufficient resources an association can only react to the impulse given by the Commission, and lacks sufficient capacity to form its own positions (Grant 2000: 31).

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<sup>9</sup> An example of reform of a long-time actor is the transformation of BUSINESSSEUROPE, which at the beginning of the 1990s introduced the possibility of direct representation by firms as part of their membership. This gave larger actors greater influence and responsibility, while maintaining the group’s integrity.

<sup>10</sup> As part of a specific legislative package, even theoretically opposing interests such as consumers and producers could find themselves together in the same coalition.

The preliminary steps to creating one's own strategy is for example the application of so-called arena analysis in the form of evaluation of conditions, time frames, coalition potential, and other factors affecting the successful representation of interests (Schendelen 2004a: 131 – 167). A prerequisite is sufficient potential of the interest group in the form of high-quality, verified information, knowledge of the system, and proper timing (see Greenwood 1997: 28). A similar method of building a suitable strategy is the so-called 3-P meta-game, defined again by van Schedelen. Those engaging in this process strive to reach the most suitable persons, the best positions, and achieve the best procedures (Schendelen 2002: 105 - 109). Both strategies correspond to the intentions of the so-called Brussels path, following the entry points of the European institutions, and the so-called national path, which even today can play a role in pursuing some agendas.

For lobbying on the supra-national level, actors can take advantage of three basic paths for representing interests, which can very often be combined. The first and most publicly visible channel for representation is membership in a European association (Euro-federation). Overseeing interests is a feature that corresponds to the expectations of the Commission of Association of Interests, and is also based on strategies common on the national level.

A second possibility is to hire professional lobbyists through a contract with a PR agency or attorney's office. However, the Commission favors representation in the form of a Euro-federation, because this type of contact features the necessary direct involvement of civil society, corresponds to the spirit of the treaty, and guarantees the detailed knowledge so necessary for the European administration (Greenwood 1997: 6). Therefore, depending on the nature of the interests this tends to be not the main avenue, but an accompanying one.

The third alternative is to open an independent office, so-called direct representation. To maintain a representative Brussels office near to Union institutions entails significant financial cost, but allows for full realization of the possibilities for direct lobbying. It is mainly effective for large firms and corporations the interests of which tend to be drowned out and neglected within the Euro-federations.<sup>11</sup> Other actors do also undertake efforts to undertake direct lobbying from a Brussels office. These arise out of the situation where a specific actor is not sufficiently represented within some association, and the joint position of

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<sup>11</sup> These offices have from 2 – 12 persons (with an average of 5). They are especially important in times of crisis and important changes, as they are better able to process information. A company has two possibilities: to send an expert on a product and the company itself, who must know his way around Brussels; or to send or a specialist on lobbying, who may however find it more difficult to understand the firm's agenda (Guéguen 2007: 64).

the Euro-association does not correspond to its goals. In most cases this constitutes an alternative strategy.

Interests can make use of so-called direct lobbying, or else indirect lobbying; or lobbying through a third party, which however is not often done within the EU<sup>12</sup> (Schendelen 2004a: 227- 234). In any case actors can select among negative, defensive, reactive, and pro-active strategies (Guéguen 2007: 117 - 127). The Union's atmosphere of partnership and shared responsibility in preparing legislation naturally corresponds to the use of the instruments of direct lobbying and pro-active strategies, where the actor works over the long-term and follows the European style of lobbying.<sup>13</sup>

Generally it is possible to sum up the following conditions for successful activity by interest groups. The starting point is a clear strategy, built on high-quality, open information. The natural prerequisite is knowledge of the inputs in the system, its procedural rules, and the concrete factors involved in solving a problem (see Greenwood 1997: 28). Satisfactory results can be obtained only by maintaining long-term cooperation, in which a group presents itself as a reputable actor. This should include brief and lucid argumentation backed up by position documents that reflect the existence of possible opposing arguments. The final accent should show awareness of the cultural differences that must be respected (Greenwood 1997: 8, Guéguen 2007, van Schendelen 2004a, Hull 2000: 87).

On the basis of existing conditions for lobbying at the supra-national level, some concrete parameters can be arrived at to help interests achieve an established position in the eyes of supra-national institutions. Justin Greenwood distinguishes eight conditions for having a positive effect . These are:

- (1.) access to information and expertise,
- (2.) economic potential of the group,
- (3.) having appropriate status,
- (4.) strength in implementation,
- (5.) a non-competitive format of representing interests,

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<sup>12</sup> The tactic of using a third hidden party does not allow a group to take sufficient advantage of the opportunity to make a specific interest into a European-wide interest and emphasize its importance to the entire integration process. It is seen as undesirable.

<sup>13</sup> The European style differs from the American style, which is regarded in Brussels as unacceptable, akin to gangsterism, and too ad hoc.<sup>13</sup> (Gardner 1991: 63) The openness and pragmatism of lobbying in the USA contrasts with the Union's custom of seeking long-term partnership and sharing of information as part of the common project of European integration.

(6.) having a coherent and viable organizational structure,

(7.) having the ability to help the Commission in fulfilling tasks related to individual policies

(8.) having the capability of influencing one's own membership base (Greenwood: 1997: 18 - 20).

These categories of so-called negotiating potential can be summed up as the need of the group to have the best possible position, appropriate status, information, financial resources, and power of implementation. Involvement of interest groups in Union lobbying naturally requires a maximalization of negotiating potential, and being prepared to assume the best possible position among lobbying actors. Naturally, the degree of fulfillment among the individual groups varies.<sup>14</sup>

## **2. 3 Entry points for the representation of interests**

One basis for success is the selection of a specific entry point, as each of the EU's organs offers different possibilities. Within the time schedule of the legislative process there are the European Commission, European Parliament, and the Council. Also effective may be approach routes through cooperation with international organizations, the diplomatic structures of the individual member states, or other so-called hidden windows into the system (Gardner 1991: 111 – 114). The Court of Justice or the standards (developing) agencies may be suitable channels on certain issues (Mazey, Richardson 2000: 15-17). In any case, however, the entry point selected must be the most effective one possible, and offer an advantageous ratio of expended effort versus expected gain.

For this reason, the primary target of lobbyists is the European Commission, where the legislative bill is formed. Another target is the EP, which unlike the Council of the EU (Council) is a relatively accessible platform. The ability of the EP and the Council to propose amendments to the budget is limited, and in the event these changes conflict with the position of the Commission, is practically zero. Naturally it is assumed that the main purpose in selecting another point than the European Commission is to support a particular piece of legislation, or to block it. Actors can try to create a blocking minority in the Council, or form a coalition to support a particular item in the Council or in Parliament. In such cases it may be

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<sup>14</sup> Some actors may have access to financial resources, but may not have acceptable status as a Euro-federation.

suitable to work through both bodies, of course with a view to the particular voting quorum in the agreements<sup>15</sup>.

### **2. 3. 1 The European Commission: collector of information**

The Commission introduces legislation, and in the context of the directorates-general it guides the search for a suitable technical solution. The Commission sees to the quality of the legislative proposal, and submits it to the Council and the EP for approval. The Commission is an attractive target for lobbyists because of the high potential impact of the effort. This is due to the Commission's monopoly on introducing legislative initiatives, thus lobbyists have the chance to influence the process from the very start.

The Commission is active in many areas, making it important for the entire spectrum of interest groups. In individual interest sectors in the context of consultation committees, round tables, and informal consultation, it works together with the responsible officials in the directorates-general, and thus provides the Commission with an information base for the legislative process. The higher in the Commission structure we climb, the more political influence becomes apparent. From the sharing of technical information and analyses on the level of units at level of the directorates-general, to political arguments at the level of the so-called cabinets of commissioners. During the course of the entire process the Commission acquires not only data, but feedback about the acceptability and effectiveness of the given measures within the framework of the EU, and the promise of implementation support for the next phases (Grant 2000: 28).

The interest groups bring to the Commission their analyses, information monitoring, and other proffered services at a reasonable cost considering the effort. Maintaining contacts with the interests, organizing round tables and other discussion platforms, all require a certain expense. But this is miniscule compared to the cost of hiring new personnel in order to cover the new developing agendas of the EU (Van Schendelen 2002: 67). In addition, this cooperation with interest groups insures direct contact with the practical sphere, and the ability to conduct policy in the field across the entire geography of the EU.

Besides non-transparency of the structure, interest groups working through with the Commission must deal with a series of phenomena that make it more difficult for them to

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<sup>15</sup> In view of the weak position of the EU's advisory organs, they will not be dealt with for purposes of this text. We also assume that a classic case is the effort by actors to influence proposed legislation, although it is clear that the aim may also be another, so-called soft law, or an affirmation of priorities.

achieve their goals than on the domestic level. First of all, they must deal with the multi-national nature of the Commission's bureaucracy (Page 1997: 41 – 68). This characteristic of the European platform causes difficulties in terms of multiculturalism (Mazey, Richardson 1994: 175 – 177), the unique traits of bureaucratic styles imported from the individual member countries (Stevens, Stevens 2001: 116 – 134; Mazey, Richardson 2000: 23), and the natural existence of differing communications platforms – the so-called Euro-regions (Ramsay 2000).

The Commission does not behave as an integrated actor. Just as there are temporary alliances depending on the negotiated issue between the Commission, the EP, and the Council, there also exist rivalries within the administrative system of the Commission. In the structure of the directorates-general of the Commission there is mutual competition focused for example on to obtaining important positions in the supposed hierarchy. Three basic types of conflict can be distinguished: territorial, ideological, and conflicts over resources. While territorial conflicts (motivated by the desire to gain control over a specific agenda within the structure of the Commission) and ideological conflicts (growing out of differing positions by administrators on the solution to a problem) affect interests clearly and visibly, conflicts over resources play out against the background of relationships (Stevens, Stevens 2001: 196-205).

### **2. 3. 2 The European Parliament: the correct representation of political interests**

The EP was originally designed as a monitoring body. Nevertheless, today it is the decisive actor in the process of adopting legislation, despite the fact that it does not have the power of legislative initiative. Its willingness to listen to interest groups is relatively high. The reason is the EP's political responsibility for adopting legislation. Interest groups can contribute their capacities to Parliament, as they do to the Commission, and thus effectively expand the analytical resources available to the individual committees, political groups, and individual MEPs. The phenomenon of "mutual dependence", though to a lesser degree than in the case of the Commission, is visible here as well.

From the standpoint of technical changes, the most desirable target for interest groups are the EP committees. Here the rapporteurs are found, who are the main specialist partners of the interest groups. The committees are the main arena for negotiating changes in legislative proposals submitted to the Commission, and the committee meetings are public in most cases, allowing lobbyists to have access and press the rapporteurs, or committee members to propose

amendments.<sup>16</sup> At present there are 20 parliamentary committees, consisting of from 28 to 86 Members; they have a chairman, presidium, and secretariat. Their composition reflects the political composition of the Parliament.

Political influences affect in the first instance the parliamentary groups (fractions), according to which members of parliament are grouped. This structure is not a lobbying target so much for its political compactness (Van Schendelen 2004a: 62–63) as for the influence it has on the procedure of assigning rapporteurs and shadow rapporteurs to specific legislative proposals. The formation of political groups falls under the rules for the number of associated Members of Parliament and represented countries, and is formalized at the level of the leadership of the EP and in the Official Journal of the EU (Dočkal, Kaniok, Závěšický 2007: 64-66). Although there are a total of 7 political groups in the EP (in 2009), the most important targets for lobbyists are the largest: the European People's Party – European Democrats (EPP-ED), the PES, the Alliance of Liberals and Democrats for Europe (ALDE), and the Union of a Europe of Nations (UEN) (see Fiala, Mareš, Sokol 2007).

A mix of politics and expert opinions is provided by the so-called intergroups<sup>17</sup>, which formally do not belong to the EP, but coexist with it in practice. This is a platform in which members of parliament meet across the party spectrum within their committee assignments. In the intergroups, contact with interest groups is informal and highly effective communications, which for the interest groups can substitute for the EP committees to a certain degree (Corbett et al. 2000: 158-159).

Although it is the individual MEPs that are at the center of attention for the interest groups, many ties are realized via the various structures of political, expert, and administrative character. The latter in particular, despite their secondary nature, play an important role. The secretariat, the chairmanship of the EP, the Conference of Presidents<sup>18</sup>, and the collegium of

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<sup>16</sup> An amendment may be submitted to the plenum by the committee responsible, a political group, or at least forty MEPs, which limits the power of members outside their committee (Rule 150 of the Rules of Procedure of the EP 2007)

<sup>17</sup> Although the intergroups are not part of the EP structure, they have been developing since 1979. Of a total of 80 of them, their numbers were gradually reduced to 23 officially registered. The reason for the decline was the tightening of conditions for the intergroups' functioning in 1995 and 1999 (Pitrová, Gala 2008: 116-117).

<sup>18</sup> The Conference of Presidents is chaired by the President of the EP and the Presidents of the political groups. The Conference organizes the work of Parliament and decides all questions dealing with planning legislative work.

Quaestors<sup>19</sup>, on a fundamental level all affect the bringing in of other actors into the meetings of the plenum, and organize the distribution of the legislative proposals to the individual committees. Last but not least, they make decisions on security matters, and form the rules of access by interest groups to the EP.

### **2. 3. 3 The Council: last-minute intervention**

Depending on the specific agenda, the Council can also be the venue for participation by the national minister to propose changes in or blockage of a proposal. The participation of the minister is usually the result of good ties with the interest groups on the national level, but at the same time it is a risky tactic. In the case of a qualified-majority voting of the Council, the chances of success (in blocking unwanted legislation) are usually good only if a broad coalition of Council ministers is assembled. Not only can a country be outvoted, but in the formation of packages to be voted on it can be forced into a position where its interests must be completely abandoned (Mazey, Richardson 2000: 29).

Serving on the Council means not only distributing information to the ministers, but having contact with lower structures such as the Committee of Permanent Representatives, other committees and working groups, and last but not least maintenance of strong ties with the presiding country of the EU. The basis for having influence on the Council is maintaining informal contacts and overcoming the barriers presented by the closed nature of the Council to the public. Thus the Council presents only minor opportunities for lobbyists in terms of return on investment.

## **3. Regulation of lobbying in the EU**

### **3. 1 Critique of the system of interest representation**

The arena of the EU suffers from a number of flaws that follow from the conditions described above. With the growing volume of the Union agenda, and the growing number of EU member states, the demand naturally increases for the setting of clear Euro-lobbying rules. The attention of non-governmental organizations, associations, and other actors pushing to

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<sup>19</sup> The Collegium of Quaestors consists of five members, who are directly elected by the members of the EP to two-and-a-half-year terms. They are entrusted with administrative and financial affairs which directly affect members, and implementation of the rules for the activities of interest groups in the EP, including the mechanism of accreditation for entry (Rules 15, 16, 25 and annexes I and IX of the Rules of Procedure of the EP 2007)

make the process of interest representation more transparent naturally focuses on the EU's main lobbying centers: the Commission and the Parliament. Although these two institutions have begun to address lobbying issues, a number of problems persist.

Characteristic of the EU is a difference between formal rules and the real process of negotiation. The character of European institutions and the informal principles of their operation are further complicated by specific rules, which work to make the political agenda unpredictable (Mazey, Richardson 2000: 10). In the EU not only the secondary, but the primary law is constantly changing. Tracking the dynamic of the EU is absolutely necessary, but it is also a very difficult task. A prerequisite for good orientation is to follow the legislative plan of the European Commission, or its green and white papers, and the initiatives of the European Commission and the Council. The transparency of the situation is complicated by the use of diverse managerial and diplomatic instruments by the presiding countries<sup>20</sup>, and also the ability of the Commission to withdraw legislation in case of dispute and thus prevent direct confrontation between countries during the voting. Also important is intervention by the general secretariat of the Commission, the EP, and especially the Council (Christiansen 2003: 80-97). These elements can moderate the speed of voting, provide information about it, and steer negotiations on it towards other items.

The importance of the supporting structures of European institutions is so much the greater the more closed the negotiations within individual institutions and the less information is provided to the public. Although the Council has opened up its procedures when it comes to legislation (Fiala, Pitrová 2003: 199), it still does not provide lobbyists with sufficient information. The legislative process is likewise criticized for being unreasonably long, with difficult hurdles such as the conditions for conference hearings, reading schedules, and observing the terminology of the Commission's consultation process.

A relatively fundamental characteristic on the EU level is the unbalanced and crowded nature of the arena. Lobbying networks are in the majority of cases overcrowded, and overwhelmingly dominated by certain types of actors, mostly business interests. The Commission is seeking to improve balance, bring actors together<sup>21</sup>, and support weaker interest groups.<sup>22</sup> Nevertheless the Commission itself is heavily overloaded in some sectors,

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<sup>20</sup> Examples include the so-called indication vote, tour de table, question time, etc. (Westlake 1995:113- 120).

<sup>21</sup> The Commission prefers to shop in the "general store", meaning maximum association among actors from different countries (Greenwood 1997: 19).

<sup>22</sup> Among them are grant support, rental, and the commissioning of studies.

or overwhelmed with information of which it is difficult to filter the important from the unimportant (Greenwood 1997: 80).

### **3. 2 The European Parliament's active approach to the regulation of lobbying**

The EP saw increased interest on the part of lobbyists after the adoption of SEA, and this change in the focus of interest meant a clear demand for clearer rules. The aim of the EP was to create the conditions for cooperation between lobbyists and MEPs that make the legislative process more effective while not causing Parliament to be discredited. In the case of the EP, however, the search for rules was complicated by the concept of institutional openness toward the citizens of the EU. In regulating the right of access to the parliament, careful distinctions had to be made in maintaining the right of citizens to enter the parliament building, and limiting access by persons such as lobbyists.

The first attempt to monitor the uncontrolled activities of interest groups in the EP was the initiative of EP member Alman Metten in 1989. Metten opened up a debate over what kind of registration instituted for access to the EP, which until then had been entirely open without limitations (Pitrová, Gala 2008: 117). The debate continued to develop with a specific proposal by Marc Galle in 1991 to create a register of interest groups and create rules for their activities in the form of a code of conduct (European Parliament 1992). However, the regulation project had long-term difficulty defining the term lobbyist (Greenwood 1997: 82) and finally ran aground against opposition from both right-wing and left-wing fractions of the EP (Lehman 2003: 37).

In 1994 the issue was raised again in the EP, in the form of the so-called Ford Report. The debate over the document again centered on the definition of lobbyist, the code of conduct, information policy, and access to the Parliament building. In the end the Ford Report was adopted, and led to the passage of a new version of Rule 9 of the Rules of Procedure of the European Parliament. Annex IX to the EP Rules of Procedure dealt with how the code of conduct was to be applied.<sup>23</sup> Subsequently the EP opened a register in which those desiring admittance had to sign in, pay an annual fee, and fill out a statement about their activities. An important part of the Ford report was the requirement to reveal financial benefits, gifts, or

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<sup>23</sup> The limitations apply not only to interest groups, but also to members, who were limited to two accredited assistants. The rest were classified as lobbyists, and were required to register.

services provided to MEPs, officials, or parliamentary assistants over the amount of 1000 ECU (European Parliament 1995)

A related measure was the so-called Nordmann Report, which called for revealing the interests of MEPs including their financial situation. Members of parliament were required to announce any gifts they received at the same price levels as lobbyists (European Parliament 1996b). In 1996 after 7 years of debate the Nordmann and Ford Reports were combined into a single text, which after the discussion procedures was approved by the plenum in July 1996. Added to Rule 9 of the Rules of Procedure of Parliament was a new IXth Annex dealing with the activities of interest groups at the European Parliament (Pitrová, Gala 2008: 120-121). With the passage of the measure, each MEP was required to present a detailed overview of his activities to the public register (European Parliament 1996a). Annex IX of the Rules of Procedure of Parliament also authorized quaestors to issue entry passes to frequent visitors.<sup>24</sup> The current version of Annex IX of the Rules of Procedure of the European Parliament is given in table no. 9.

*Table no. 9: Lobbying in Parliament - Code of conduct*

In the context of their relations with Parliament, the persons whose names appear in the register provided for in Rule 9(4) shall:
(a) comply with the provisions of Rule 9 and this Annex;
(b) state the interest or interests they represent in contacts with Members of Parliament, their staff or officials of Parliament;
(c) refrain from any action designed to obtain information dishonestly;
(d) not claim any formal relationship with Parliament in any dealings with third parties;
(e) not circulate for a profit to third parties copies of documents obtained from Parliament;
(f) comply strictly with the provisions of Annex I, Article 2, second paragraph;
(g) satisfy themselves that any assistance provided in accordance with the provision of Annex I, Article 2 is declared in the appropriate register;
(h) comply, when recruiting former officials of the institutions, with the provisions of the Staff Regulations;
(i) observe any rules laid down by Parliament on the rights and responsibilities of former Members;
(j) in order to avoid possible conflicts of interest, obtain the prior consent of the Member or Members concerned as regards any contractual relationship with or employment of a Member's assistant, and subsequently satisfy themselves that this is declared in the register provided for in Rule 9(4).
2. Any breach of this Code of Conduct may lead to the withdrawal of the pass issued to the persons concerned

<sup>24</sup> Passes – payment cards bore photographs, name, firm, or the person whom the visitor was representing, and is color coded for various groups. The pass is authorization to enter the EP when public meetings are being held. They can be renewed, but also confiscated (Rules of Procedure of the EP 2007, Annex IX).

and, if appropriate, their firms.

*Source: Pitrová, Gala 2008: 121, European Parliament 2007: annex IX, art. 3.*

Further attempts to improve transparency of lobbying, which from the beginning were the subject of intense debate among both the left and the right in the EP (Greenwood 1997: 97) included a report on the rules of honorable and open behavior of lobbyists, issued in May 1997 (European Parliament 1997). The activities of the EP on this issue culminated in 2003 with the publishing of a list of lobbyists and members' assistants on the Parliament's web pages (European Parliament 2003).

### **3. 3 Self-regulation by the EK**

The European Commission has been an active and key participant in the process of representing interests since the beginning of the integration process, and therefore its stance on these matters has been decisive. However, for a long time the Commission did not react to these impulses. The turning point came in 1992, when the Commission published a document entitled *An open and structured dialogue between the Commission and interest groups* (European Commission 1992). Although this document did not result in any important direct measures, it was a historic shift in the Commission's approach to this set of problems.

The significance of the 1992 document is the declaration of the mutual interdependence between interest groups and the work of the Commission. The Commission acknowledges that lobbying exists, and that the Commission as the source of legislative initiative is dependent upon lobbying for information. At the same time the Commission declares the principles of communication with the interest groups: the openness of Union administration, equality of access by interests regardless of their size or type, the necessity of identification of actors, and the independence of the activities of the Commission on other EU institutions. It promised to implement solutions that would allow for effective use of financial and personnel resources by the Commission. To this day the document is referred to for one other reason, this being the disputed but often-used distinction between interests "for profit" (professionals, PR agencies, law offices) and "non-profit" (non-government organizations, associations, etc.).<sup>25</sup>

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<sup>25</sup> The Commission prefers contact with non-profit actors. However, their classification does not include the so-called in-house lobbyists. Persons who as part of a firm engage in lobbying, but do so as employees of the firm and not for-profit individuals. For example various departments of external relations, public affairs, PR, press departments, etc.

In the 1992 document the Commission supports the position of the EP on regulation, but distances itself from strong measures. The Commission's initial moves were entirely formal. The Commission did not resolve outstanding issues, but only declared its cooperation with the interest groups. It clearly supported the concept of self-regulation, which it left in the hands of the lobbyists<sup>26</sup> (Greenwood 1997: 85–86). Other than this it dealt only with “professional lobbyists”, and thus most of the actors remained unaffected by the Code of conduct.

After Roman Prodi<sup>27</sup> assumed the post of the Commission President, the code of Good Administrative Behavior (European Commission 2000) and the White Paper on European Governance (European Commission 2001) were adopted. The Commission addressed reform primarily through its White Paper, which defined the basic principles of European governance such as openness, accountability, participation, effectiveness, and coherence (European Commission 2001: 8). The White Paper declared the need to secure the participation of broader civil society, and strengthen ties with non-governmental organizations outside the EU. It further emphasized the necessity to set basic consultation standards and thus make the process of communication between the EU and interest groups more transparent (European Commission 2001: 14, 31)

The consultation standards that had previously been different for the relatively autonomous directorates and the department of the Commission were first harmonized by the document Towards a reinforced culture of consultation and dialogue (European Commission 2002). The rules dictated a unified approach in consultation on important policy proposals set forth in the working plan of the Commission and in the Green and White Papers. In 2003 uniform procedures were successfully introduced, and the concept of a unified entry point began to be applied. Minimum periods were defined for submitting opinions<sup>28</sup> and the

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<sup>26</sup> The Commission required lobbyists to comply with the following principles: honesty, submission of correct information and prohibition on offering benefits to the other side, prohibition on misuse of logos, symbols, and other possible false identification, honorable professional communication without conflict of interest, revelation of previous contacts related to the Commission, and prohibition on hiring its employees. This also includes prohibition on distributing Commission materials for the purpose of gain, and other issues of honorable and professional behavior (European Commission 1992: 7)

<sup>27</sup> The impulse for this activity was doubtless the resignation of the Commission headed by Jacques Santer in 1999. The Commission was accused of mishandling its finances and of corruption, which led to greater pressure for transparency.

<sup>28</sup> The period is 8 weeks for a written reaction and 20 working days for delivery of information on a committee meeting.

principles for publishing articles on the internet through a unified entry point (European Commission 2002: 7-8). These principles<sup>29</sup>, which also included the right to appropriate feedback from the side of the Commission, were however too general in outline, referred only to the above forms of consultation, and were legally non-binding.<sup>30</sup> Even so, consultation can be regarded as a limited form of progress, a step easing orientation within the arena.

### **3. 4 Initiative for transparency: hope for interest groups in the EU**

A breakthrough in the development of the concept of regulation at the European Union took place in 2005, when Commissioner Siim Kallas presented the Commission's plan Initiative for Transparency. The initiative, launched November 9, 2005 (European Commission 2005) was a forerunner to the Green Paper on the European Transparency Initiative (ETI) published May 3, 2006. (European Commission 2006). The Green Paper focuses on reform of consultation mechanisms and release of information about actors. It also addresses better monitoring of financial resources from EU funds, access to EU information and documents, and professional ethics for Commission employees.<sup>31</sup> In it the Commission also addresses the definition of lobbying<sup>32</sup>, and unfair practices such as the giving of distorted information by lobbyists, misuse of modern communications techniques, financial inequality

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<sup>29</sup>In practice these proceeded along several lines. In the area of communications, the information service Europe Direct was strengthened, and the Eur-lex portal was created, as well as the website Your Voice in Europe, which as part of an initiative for the interactive shaping of policy (IPM Interactive Policy Making Initiative) was designed to aid consultation with interested parties by means of an internet questionnaire. It also launched the database CONNECS (Consultation, European Commission and Civil Society) for the exchange of data between interest groups. This is a voluntary database of active parties that, when entering the Commission, may request basic information on the identity of an actor. If the information is not provided, the items in the database are to be considered the contributions of individuals (European Commission 2003: 17)

<sup>30</sup> The motto in practice was "better regulation", a motto meant to demonstrate an improved process of shaping European legislation, including its evaluation, simplification, and informativeness (European Commission 2002).

<sup>31</sup> Within the framework of public consultation open until 31 August 2006, the agenda was divided into three main points: (1.) transparency of represented interests, (2.) acquiring feedback through the mechanisms of consultation, and (3.) release of information about EU fund finances. Besides regulation, the ETI also took up the question of revealing the recipients of financial subsidies, and the issue of consultation standards (European Commission 2006: 3).

<sup>32</sup> Among other things the text provides a definition of the term lobbying. It reads "all activities carried out with the objective of influencing the policy formulation and decision-making processes of the European institutions" (European Commission 2006: 5).

of represented interests, and the consequences of the unclear status of non-governmental organizations (European Commission 2006: 5)

The main instrument<sup>33</sup> of the Green Paper is the observance of rules for honesty in the code of conduct (European Commission 2006:10). Application of the code of conduct for lobbyists would remove the currently one-sided measures under which employees of European institutions must observe the Staff Regulations, article 213 of the EC Treaty, and in the case of the Commission's administration the Code of Good Administrative Behavior. At the same time the Commission ruled out the idea of mandatory registration, and continued to proclaim the doctrine of self-regulation.

### **3. 4. 1 Acceptance of the ETI concept**

The publication of the Green Paper met with great interest on the part of the interest groups, EU institutions, non-governmental "non-profit" organizations, and professional "for-profit" actors. The part of the ETI that dealt with regulation of lobbying became the object of further consideration by the Commission, and drew more than 160 commentaries on the part of the interest groups, which were published in accordance with the new initiative. Nevertheless it can generally be said that the Commission was roundly criticized, except by the professional actors. The measures proposed in the ETI were seen as insufficient, short-sighted, and the self-regulatory concept as non-functional.

In light of its experience the debate was naturally dominated by the EP, which praised the improved professional ethic of the Commission, but criticized the method of filling the Commission's consultation committees and the limited access to documents. The Parliament called for the creation of a code of conduct for all actors that receive funds from the Community budget, according to its own accreditation model.<sup>34</sup> (European Parliament 2006)

The Economic and Social Committee and the Committee of the Regions criticized the insufficiently defined statutes for lobbyists and their activities. They also commented on the long-established categorization of interest groups, which placed the organizations of civil

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<sup>33</sup> A pre-requisite for success is monitoring observation of the rules, or the strength of the incentives to observe the rules in the absence of sanctions. According to the Commission the incentives are sufficient if invitations to consult on upcoming legislation are given out in exchange for providing information as part of the registration process. Those who do not provide information will not automatically be consulted.

<sup>34</sup> The EP did not refuse, but expressed skepticism towards efforts to form a common code of conduct for European institutions. The main reason was the fear that in the search for a common model the concepts of the individual institutions might be blurred (European Parliament 2006)

society at a disadvantage. The advisory bodies affirmed the necessity of a code of conduct, and supported mandatory registration of actors.<sup>35</sup> (European Economic and Social Committee 2006).

Another part of the consultation was the reaction by non-governmental organizations and “non-profit” actors, of which one example was the Alliance for Lobbying Transparency and Ethics Regulation ALTER-EU.<sup>36</sup> This coalition of non-governmental entities criticized the complete absence of sanctions and instruments, describing the initiative as “an important, but too-limited step forward”, a “waste of time”, and a “bad choice” (ALTER-EU 2007). It pointed out that the Commission did not uncover the financing of lobbyists, and did not provide for sanctions if the code of conduct was broken. It argued that measures must be even-handed, and not be limited only to lobbyists<sup>37</sup> (ALTER-EU 2006, Zelený kruh 2006). The opinion of the likewise-oriented EU Civil Contact group<sup>38</sup> was practically identical to that of ALTER-EU, as it also called for a distinction between for-profit and non-profit actors, and defined criteria for access to information, etc. (EU Civil Contact Group 2006).

The Commission’s stance was supported by the professional lobbyists, to whom the principle of self-regulation gave much more leeway. The Commission’s reform was supported by the European Public Affairs Consultancies Association<sup>39</sup>, as well as the Society of European Affairs Professionals<sup>40</sup> (EPACA 2005, Euractiv 2006). These groups proposed a number of changes such as reorganization of briefings, publication of a list of consulted bodies, as well as posting the planned code of ethics at the Commission itself. The Association of Accredited Lobbyists at the European Parliament (AALEP)<sup>41</sup> even sent the Vice-President of the Commission directly their proposed version of the code of conduct for lobbyists.

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<sup>35</sup> Including name and headquarters of organization, name of persons, status, and disclosure of financial accounts.

<sup>36</sup> ALTER-EU is a coalition of more than 140 non-governmental entities with the mission of improving transparency of Union lobbying.

<sup>37</sup> It criticized the absence of rules for accepting gifts for departing officials, and the methods of preventing employment of EU personnel by private entities – in Euro-jargon the revolving door.

<sup>38</sup> The EU Civil Contact group is an organization of non-governmental organizations.

<sup>39</sup> The EPACA was founded in 2005, and consisted of 34 firms in the field of public relations.

<sup>40</sup> The SEAP contains some 150 active lobbyists.

<sup>41</sup> The AALEP is an umbrella group consisting of 19 organizations from all sectors.

## **4. Actors from the CR at the EU**

The research project Political Actors in the Process of Europeanization (Ministry of Labor and Social Affairs) examined political actors and interest groups<sup>42</sup>. Attention is devoted to political actors working at the EP in the period 2004 – 2009. Interest groups were studied on the basis of a definitive selection from 2004. These were the most important actors from among the employers, labor, chambers of commerce, skilled trade unions, and social interest groups. With both categories studied, the effects of joining supra-national structures have been similar (Pitrová 2007). These include newly-defined principles for cooperation, and transformation as part of becoming involved in the supra-national aspect of the EU. This includes not only changes in goals, policy, and structure, but also has an impact on the formation of ties between domestic and supra-national actors, which serve not only as “allies”, but also as channels for the representation of interests.

### **4. 1 Ties between Czech parties and the EU**

In the elections to the EP in 2004<sup>43</sup> the CR had 24 seats reserved for it, originally based the protocol to the Treaty of Nice, and then the accession treaty (Art. 11 of the Act Concerning the Conditions of Accession). Of a total of 32 registered ballots in the first European elections in the CR, 17 were formed directly for elections to the EP. Only 9 of the ballots were submitted by parties taking part not only in the European elections but in domestic elections as well during the period 1996 to 2004.

Voter turnout on 11 -12.6.2004 in the CR’s historic first elections to the EP was 28.3 %. Of the political entities running in the EP elections in the single electoral district in the CR, six entities altogether made it over the 5 % mandate threshold to get into the EP. The winning parties are given in table no. 10.

*Table no. 10: Results of elections to EP in the CR in 2004*

Political party	Mandates	Vote (%)
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<sup>42</sup> Actors from the public interest arena such as regions, towns, etc. were not the object of study. Their activities are unique in many ways, and therefore the research did not include them.

<sup>43</sup> In the CR a proportional system is used for European elections, with a single electoral district, and a closed system of candidate ballots. Active voting rights are granted to those 18 years of age, passive 21 years of age. Elections are secret, direct, and equal. A 5 % mandate threshold applies for elections to the EP. Mandates are distributed by the D’Hondt method.

Civic Democratic Party (ODS)	9	37.50
Communist Party of Bohemia and Moravia (KSČM)	6	25.00
SNK Association of Independents and European Democrats (SNK-ED)	3	12.50
Christian Democratic Union - Czechoslovak People's Party (KDU-ČSL)	2	8.33
Czech Social Democratic Party (ČSSD)	2	8.33
INDEPENDENT (NEZ)	2	8.33

*Source: volby.cz*

The main task of the newly-elected European parliamentarians was to get down to work in the EP through their assignments to committees and political groups. As has been said, important to the EP from the standpoint of expertise are the committees. There are a total of 20 committees, and their composition matches that common in the domestic parliaments. From the political standpoint, however, what is important is the sorting of members into political groups, which are of strategic importance. It is the political groups that go over the expert opinions in the committees and assign shadow rapporteurs. At the conference of Presidents the groups have the chance to influence the drawing up of legislative programs, committee assignments, and delegations. The political groups share with the committees the right to question the Council, the Commission, and the European Central Bank. They also influence the composition of the committees, and are entitled to speak to the plenum (Dočkal, Kaniok, Závěšický 2007: 65). After the seating of the new parliament, therefore, the composition of the political groups is the dominating factor in the re-forming of the committees.

The decision of the political parties whether to become members of a larger political group, or to retreat to the sidelines, behind the two traditionally largest, the EPP-ED and the PES, is more than strategic. The two largest political groups are able to influence the election of the Commission's President<sup>44</sup>, make meaningful use of their powers under the EP rules of order, and above all draw funds from a number of supporting activities. Material advantages apply to all of the groups, but naturally the larger ones get the largest share. The sorting of specific political parties into the individual groups in the EP is, therefore, a decision that fundamentally affects the ability of a party to get its political vision across during the given

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<sup>44</sup> The influence of groups on the election of the Commission's President is not formalized, but factual. An example is 2004, when a group of the radical left, greens, and part of the PES refused to confirm Barroso as candidate for the post of President because of his right-wing profile. Support was expressed on 22.7.2004 by the groups EPP-ED and UEN (for 413 members, 251 against). The influence of political groups, especially the largest ones, is thus shown in these elections. (Senate, Parliament CR 2004)

electoral term. The distribution of parties into political groups is shown by the following table no. 11.

*Table no. 11: Assignment of members of parliament from the CR to groups within the EP (as of December 2008)*

Party	Number of members	Name of political group in the EP
ODS	9	Group EPP-ED
KSČM	6	Group Confederation of European United Left and Northern Green Left (GUE/NGL)
SNK-ED	3	Group EPP-ED
KDU-ČSL	2	Group EPP-ED
ČSSD	2	Group PES
NEZ	1	Group Independence/Democracy (IND/DEM) (Vladimír Železný)
NEZ	1	Non-attached Members (Jana Bobošíková)

*Source: author*

The majority of parties in the CR that won mandates in the first European elections were placed into the EP groups without problem, because the political programs of these parties corresponded clearly to the priorities of one or the other European groups. Several Czech political parties signaled which group they would join at the EP long before their entry through their cooperation with their counterparts from other countries and as part of their participation in domestic elections and preparations for EU entry.

The ČSSD worked closely with its future political group within the EP beginning in 2000, and closely during the debates over the treaty on a European constitution (ČTK 2000). Prior to elections the ČSSD began to work closely with the Austrian socialists, who were grooming candidates for the European Parliament according to the EU agenda (ČTK 2004b). The ČSSD also cooperated with the Slovak social democrats of SMER, the German Social Democrats, British Labour, and other parties. The cooperation continued after the EP elections, when the ČSSD called for closer ties among socialist parties.<sup>45</sup> The KSČM worked mainly with the Slovak communists (ČTK 2002b), the KDU-ČSL the Austrian People's

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<sup>45</sup> Intensive cooperation was especially evident in March of 2006, when a rotating meeting of the PES fraction was held in Prague (ČTK 2006a), and a meeting of the European Socialists as well. In 2006 the Czech and Slovak left called for more support on the part of the PES (Rádio Praha 2006).

Party. (ČTK 2002a).

The categorization of the ODS was relatively difficult. Although it won the European elections, it was long unable to present a clear profile in the EP. Because of its reserved stance toward the integration process, which was the EU's main topic at that time, part of the ODS went to the UEN, part of the EPP. Over the course of 2003 the ODS became affiliated with the Union for a Europe of Nations (ČTK 2002c), with which it sympathized due to its opposition to the so-called European constitution. Later, however, it indicated a determination to form a new group which the British Conservatives called New Europe (ČTK 2003).

After the CR's entry into the EU it was not clear for a time whether the EPP would accept the ODS because of its dissenting stance. In the end it was accepted after a change in the statutes of the political group, which allowed the ODS to take a differing position on the constitution and institutional matters (ČTK 2004c). The ODS, along with the KDU-ČSL and SNK-ED, became a member of the EPP-ED. The ODS fell into the group of the European Democrats, which gave it sufficient space for a more specific stance on the above issues. Even so, an intense debate went on in 2005 and 2006 about whether to found a new political group within the EP. The goal of the planned group was to better reflect the ODS's Euro-realist stance and the position of the British Conservatives. The chairman of the ODS even signed a joint agreement with the chairman of the British Conservatives David Cameron on the foundation of a new political group in the EP after the 2009 elections, with the planned name of Movement/Platform for European Reform (ČTK 2006b).

However, the ODS retreated from its intention to form an opposition faction after it entered the government after elections in the CR in June 2006, because it would have worsened relations with neighboring countries. In its report on the activities of the ODS club in the EP for 2006 it says that "both sides committed themselves in writing to a new political group in the next legislative period of 2009-2014" and that the political group would be a "leading political force in the formulation and achievement of the idea of a modern, non-federalistic, and flexible EU." (ODS 2007: 7).

The position of domestic political actors in the EP is to a large degree linked to the involvement of the parties in the so-called European political parties, which began to constitute themselves in the 1970s and 1980s, and continued to develop after the EU Treaty came into effect (Fiala, Mareš, Sokol 2007: 16-19). With the Treaty of Nice the path was opened to super-national financing of parties on the European level (Art. 191 of the EC Treaty revised by the Treaty of Nice). Thus the Euro-parties gained the chance to receive financial support from the EP budget (Fiala, Mareš, Sokol 2007: 20-21).

Although membership in a political party on the European level is not the same as membership in the EP parliamentary group, there are often strong ties between an EP political group and the corresponding Euro-party. In the case of the main EP actors these ties appear not only in the policy and material aspects, but in the strategic aspects as well. The sorting of the political parties into groups and then into European political parties is shown in table no. 12. The information includes the relevance of the faction as measured by the number of EP members it has. According to their numbers political parties are labeled from the strongest (class 1), which gives their member parties a greater share in controlling the EP's procedural instruments, down to the weakest (class 8).<sup>46</sup> Table no. 12 shows the importance of the positions of the representatives of the ODS, SNK-ED, KDU-ČSL, and ČSSD.

*Table no. 12: Membership of Czech parties in the Euro-parties and relevance of EP factions (as of December 2008)*

Party	Political group in EP	Status of group in the EP as of 2004	Euro-party
ODS	EPP-ED	1.	European Democratic Union/European Democrats <sup>47</sup>
KSČM	GUE/NGL	5.	Observer with the Party of the European Left (PEL)

<sup>46</sup> The data shows the number of Czech members of parliament and the total number of members from that political group as of 2004: EPP/ED (268/14), PSE (200/2), ALDE (88/0), Greens/EFA (42/0), GUE/NGL (41/6), IND/DEM (37/1), NI (29/1), UEN (27/0). (ENA 2004). In 2008: EPP/ED (288/14), PSE (217/2), ALDE (100/0), UEN (44/0), Greens/EFA (43/0), GUE/NGL (41/6), NI (30/1), IND/DEM (22/1). Therefore, the change is not so much between groups as it is in the proportion of the Czech representation to the size of the groups (European Parliament 2009).

<sup>47</sup> The ODS has been a member of the European Democratic Union (EDU) since 1992 (Fiala, Mareš, Sokol 2007: 64). "The EDU serves as a discussion and consultation forum at the highest level among participating member parties, but does not aspire to transform itself into a European political party in the sense of Art. 138a and 191 of the EC Treaty" (Mareš 2001: 120). Although the process of closer ties between the EDU and EPP was begun, and in 2000 their secretariats were merged, joint working groups formed, and the chairman of the EDU was invited into the EPP bodies, in the fall of 2002 the EDU ceased to exist as a legal entity (Fiala, Mareš, Sokol 2007: 55). Nevertheless the ODS is not a member of the EPP (Internet portal EPP), but only of the EDU (Internet portal EPP-ED).

SNK-ED	EPP-ED	1.	Candidate to the EPP <sup>48</sup>
KDU-ČSL	EPP-ED	1.	EPP <sup>49</sup>
ČSSD	PES	2.	PES <sup>50</sup>
NEZ	IND/DEM (Vladimír Železný)	6.	ADIE <sup>51</sup>
NEZ	Unaffiliated (Jana Bobošíková) <sup>52</sup>	7.	-

*Source: European Parliament 2009b, Fiala, Mareš, Sokol 2007.*

## 4. 2 Representation of Czech interest groups in the EU

As has been described above, the goal of the interest groups' activity is to be as effective as possible. Thus interest groups exchange and combine the strategies and approach channels of their representatives. Depending on their needs and financial capabilities they take part in the Euro-federations, make use of professional lobbying services, or open their own offices in Brussels. For many, involvement in the appropriate association is the first, irreplaceable step.

Historically the EU has been dominated by business interests (Greenwood 1997: 101). This group is seen as an umbrella term for the employer unions of small, medium-sized, and large business. The general Euro-federation of large industrial employers is *BUSINESSEUROPE*<sup>53</sup>, as well as the more specifically-targeted European Round Table (ERT).<sup>54</sup> The Union of European Chambers of Commerce (*EUROCHAMBRES*) and the European Association of Craft, Small and Medium-sized Enterprises (*UEAPME*) promote the interests of small and medium-sized businesses and the self-employed. The main framework

<sup>48</sup> However, it is not a member of the EPP according to EPP information (see Fiala, Mareš, Sokol 2007: 34).

<sup>49</sup> The KDU-ČSL is the only Czech political party that is a member of the EPP, which it has been since 2004 (Internet portal EPP)

<sup>50</sup> The ČSSD gained full membership in May 2003. (Internet portal PES)

<sup>51</sup> The Alliance of Independent Democrats in Europe was founded as a party on the European level in 2005.

<sup>52</sup> She ran as an independent in the EP elections of EP 2004 for the Independent movement. In September 2004 she left the movement, and in 2006 she founded her own political party *Politika 21*, for which she intends to run in the next EP elections in June 2009. From the beginning she has been unaffiliated (Bobošíková 200400, in a temporary group of unaffiliated European parliamentarians.

<sup>53</sup> Prior to 2007 the Union of Industrial and Employers' Confederations of Europe (*UNICE*).

<sup>54</sup> ERT is based on individual membership, not company membership. Invitations therefore come to a particular individual. The ERT works through non-standard channels, mostly in the form of direct meetings with key political actors.

covering the employer unions is accompanied by sector associations. The most important is the Committee of Professional Agricultural Organizations in the EU (COPA) and the European Chemical Industry Council (CEFIC). On the periphery of the sector and public interests stand environmental actors such as the European Environmental Bureau (EEB), the European Union of Consumers, etc.

Labor unions and professional associations also have their representatives here. The main labor union actor is the European Trade Union Confederation (ETUC), and for the professional sector the CEC European Professional and Managerial Staff (EUROCADRES), which represent the interests of organized management personnel and professionals. These are accompanied by a number of other professional, sector, and other associations.

#### **4. 2. 1 Adaptation of actors in the CR to the rules of the Union arena**

The tables below show information about the main representatives of the actors studied under the Ministry of Labor and Social Affairs project. The primary issue is whether the studied groups have direct membership in the appropriate supra-national structure, or whether membership in the supra-national organization and their behavior corresponds to the strategy of the ideal comprehensive participation in the EU. Where the interest groups do not have direct membership in the supra-national entity, their representation can sometimes be found on a secondary level, such as interest representation through an organization that is a member of a supra-national association headquartered in Brussels.

The second item studied was evaluation of the decision by the entity to establish an office directly at the headquarters of the Brussels institution, where it is possible to gain information, process it quickly and effectively, and pass it on to the domestic office. Naturally, this direct representation is generally seen as the most effective. But following this strategy is not only a question of selecting tactics; it also requires a great deal of financial capital.

The question naturally following from this, although secondary from the standpoint of evaluating the effectiveness of the strategies selected by Czech interest groups, is supra-national office location. The closer the headquarters is to the decision-making center of the Euro-federation, for example, the easier the access to information, and the more effective the office is.

##### **4. 2. 1. 1 Employer and employee organizations**

The list of employer and employee organizations shown in table 13 shows that far

from all the actors are actively involved in at the super-national centers or Euro-federations. Many of these entities concentrate purely on the domestic arena, while the supra-national aspect is secondary. They do not focus on the specifically Union aspect.<sup>55</sup> The list also shows that membership by actors in this category in supra-national entities is basically the only form of involvement commonly used at the Union level of interest representation, because the organizations have generally not opted for direct representation in Brussels. The only exception is the participation through CEBRE,<sup>56</sup> in which, however, except for the Union of Industry and Transportation, all other subjects are represented only at the secondary level, i.e. their participation is mediated by their membership in some of the organizations constituting CEBRE. There are also differences between the close ties among the labor structures, contrasted with the isolation in the area of employer groups. Of these, only the Union of Industry and Transportation is directly in Business Europe. The others do not combine their membership, but rely on representation through the Union of Industry and Transportation, unlike the unions, which are represented not only through their sector, but also through membership in the ETUC. Thus it is the labor unions that are more active in their representation.

*Table no. 13: Overview of interest groups of employers and employees and their membership in the super-national centers (selected according to project)*

Title	Direct representation in Brussels	Membership in central organization (year)	Central/eurofederation	Headquarters
Confederation of Industry of the Czech Republic	Yes, through CEBRE	1993	Business Europe	Brussels
Defense and Security Industry Association of the Czech Republic	no	Not given	AeroSpace and Defense Industries Association of Europe (ASD)	Brussels/Paris

<sup>55</sup> The table does not show the Union of Water Management CR and the Union of Transportation, Highway, and Auto Service Workers of Bohemia and Moravia, for which no ties can be documented. Also missing is the Union of Banking and Insurance Industry Workers, which is a member of ČMKOS, which is in the ETUC. Thus it has only secondary representation.

<sup>56</sup> CEBRE consists of the Chamber of Commerce, Union of Industry and Transportation CR, and the Confederation of Employer and Business Unions CR.

Association of Private Agriculture	no	Not given	COPA	Brussels
Association of Specialized Wholesalers	no	Not given	European Federation of Heating and Sanitary Wholesalers (FEST)	Hague
Association of Small and Medium-sized Enterprises and Crafts of the Czech Republic	No, member of the Confederation of Industry, and though it CEBRE	Not given	UEAPME	Brussels
Association of the Glass and Ceramic Industry of the Czech Republic	No, member of the of Confederation of Industry, and though it CEBRE	Not given	Standing Committee of the European Glass Industries (CPIV)	Brussels
Association of Textile – Clothing – Leather Industry of the CR	No, member of the of Confederation of Industry, and though it CEBRE	Not given	European Apparel and Textile Association (EURATEX)	Brussels
Czech Meat Processors' Association	No, member of the of Confederation of Industry, and though it CEBRE	Not given	European Meat Processors Association (CLITRAVI) <sup>57</sup> and European Livestock and Meat Trading Union (UECBV)	Brussels
HO.RE.KA. ČR. Association of Entrepreneurs in Hospitality and Tourism <sup>58</sup> (collectively a member of the Czech Confederation of Commerce and	no	Not given	Hotels, Restaurants, and Cafés (HOTREC)	Brussels

<sup>57</sup> This organization is also a member of the Confederation of the Food and Drink Industries of the European Union (CIAA).

<sup>58</sup> This is the new Czech Association of Hotels and Restaurants (AHRCR), which was created by merging HO.RE.KA CR Association of Entrepreneurs in Hospitality and Tourism, and the National Federation of Hotels and Restaurants Czech Republic, decided at the general assembly held on 25.10.2006 (AHRCR 2009).

Tourism, which is a member of Eurocommerce and the Union of Groups of Independent Retailers of Europe - UGAL)				
Association of Foundries of the Czech Republic (member of the Confederation of Industry, which has office in Brussels through CEBRE)	no	Not given	European Foundry Association (CAEF)	Düsseldorf
Confederation of Commerce and Tourism CR	no	Not given	Union of Groups of Independent Retailers EuroCommerce with associate member UGAL	Brussels
Czech Union of Meat and Livestock Traders	no	Not given	European Union of Meat and Livestock Traders	Brussels
Association of the Chemical Industry CR	No, member of the Union of Confederation of Industry, and through it of CEBRE	Not given	European Chemical Industry Council (EFIC) and the European Chemical Employers' Group (ECEG)	Brussels
Czech-Moravian Confederation of Trade Unions (ČMKOS)	no	1995	European Trade Union Confederation ETUC	Brussels
Trade Union of Workers in Mining, Geology, and the Oil Industry - (member of ČMKOS)	no	Not given	European Mine, Chemical, and Energy Workers' Federation (EMCEF), member of ETUC	Brussels
Union of Transportation Workers (member of ČMKOS)	no	Not given	European Transport Workers' Federation (ETF), member of ETUC	Brussels

Trade Union KOVO (member ČMKOS)	no	1995	European Metalworkers' Federation (EMF), member ETUC	Brussels
Union of Business Workers (member ČMKOS)	no	Not given	International Labor Network (UNI- Europa), member ETUC	Brussels
Trade Union STAVBA ČR (member ČMKOS)	no	Not given	European Federation of Building and Woodworkers (EFBWW), member ETUC	Brussels
Union of Lumber, Forestry, and Water Management Workers Czech Republic (member ČMKOS)	no	Not given	EFBWW and European Federation of Public Service Unions (EPSU), member ETUC	Brussels
Czech-Moravian Union of Education Workers (member ČMKOS)	no	Not given	European Trade Union Committee for Education (ETUCE), member ETUC)	Brussels
Federation of Railroad Engineers CR	no	Not given	Autonomous Train Drivers' Unions of Europe (ALE), member European Confederation of Independent Trade Unions - CESI	Frankfurt
Trade Union of Energy Workers. Now the Trade Union of Workers in Energy and Chemistry (ECHO) <sup>59</sup> (member ČMKOS)	no	Not given	EMCEF and EPSU	Brussels
Trade Union of Public Authorities and	no	Not given	European Federation of Public Service	Brussels

<sup>59</sup> In 2004 the Trade Union of Chemical Workers CR and the Trade Union of Energy Workers CR merged to form OS ECHO (OS ECHO 2007).

Organisations (member ČMKOS)			Unions (members ETUC)	
Trade Union of Textile, Clothing, and Leather Workers of Bohemia and Moravia (member ČMKOS)	no	Not given	European Trade Union Federation of Textiles, Clothing, and Leather (ETUF: TCL), member ETUC	Brussels
Trade Union of Health and Social Services CR (member ČMKOS)	no	Not given	EPSU	Brussels
Railroad Workers' Trade Union (member of Association of Free Unions (ASO))	no	Not given	European Transport Workers' Federation	Brussels

*Source: internet portals of organizations, and Business Info 2007.*

#### **4. 2. 1. 2 Professional Chambers**

In the case of the chambers shown in table no. 14 the situation is similar. Many professional chambers have not actively sought to become involved in the Union arena<sup>60</sup>, or else focused on the international aspect of cooperation. Their passive stance is also evident in the setting up of direct representation. The only chamber that has devoted attention and resources to direct representation in Brussels is the Agricultural Association of the Czech Republic. Another exception is the position of the Chamber of the Commerce CR, which is a founding member of CEBRE. The other chambers do not have direct representation in Brussels.

*Table no. 14: Overview of chambers and their membership in the super-national central organizations (selected according to project)*

Name	Direct representation in Brussels	Membership (year)	Centrale/Euro-federation	Headquarter s
Chamber of Auditors CR	no	Not given	Federation of European Accountants (FEE)	Brussels

<sup>60</sup> Missing from the table is the Chamber of Patent Attorneys CR and the Czech Association of Auctioneers, for which no ties can be documented. The Chamber of Executors of the Czech Republic has exclusively international ties, and since 2002 has been a member of the International Union of Judicial Officers (UIHJ).

Chamber of Authorized Engineers and Technicians in Civil Engineering	no	1995/not given/not given	European Federation of National Engineering Associations (FEANI) and European Council of Civil Engineers (ECCE) and European Council of Engineers' Chambers (ECEC)	Brussels/London/not given
Chamber of Tax Advisors CR	no	Not given	European Fiscal Conference (CFE)	Berlin, Brussels, Paris
Chamber of Veterinary Doctors	no	Not given	Member of Federation of Veterinarians of Europe (FVE) through the Union of European Veterinary Practitioners (UEVP)	Brussels
Chamber of Notaries CR	no	2004	Council of the Notaries of the EU (CNUE)	Brussels
Czech Chamber of Attorneys	no	Not given	Council of Bars and Law Societies of Europe (CCBE)	Brussels
Czech Chamber of Architects	no	2003	Architects' Council of Europe (ACE)	Brussels
Czech Chamber of Pharmacists	no	2004	Pharmaceutical Group EU (PGEU)	Brussels
Czech Medical Association	no	Not given	Standing Committee of European Doctors (CPME)	Brussels
Czech Dental Chamber	no	2004	Council of European Dentists (CED)	Brussels
Agricultural Association of the Czech Republic	yes	Not given	COPA, General Committee for Agricultural Cooperation in the EU (COGECA)	Brussels
Chamber of Commerce CR	yes, through CEBRE	1994/2003	EUROCHAMBRES, UEAPME	Brussels

*Source: internet portals of chambers, and Business Info 2007.*

#### 4. 2. 1. 2. 1 Skilled trades and professional organizations

Research on the sector of skilled trade-professional organizations summarized in table no. 15 yields similar conclusions. In many cases<sup>61</sup> the groups do not take

<sup>61</sup> The table shows only those entities that had direct ties to a European federation. The other entities studied do not, and are represented indirectly through intermediary entities. Therefore the Association of Czech Travel Agents, which is a member of the Czech Confederation of Commerce and Tourism (a member of

advantage of the opportunity to gain a super-national support framework and strengthen their domestic position with a super-national aspect, which however does not have such strength in Union negotiations. None of the organizations studied have direct representation, which in several cases can be excused by direct ties to the Association of Agriculture, which, as has been said, has its own direct representation. The representation of most entities is secondary or tertiary.

*Table no. 15: Overview of skilled trades interest groups and their membership in the supra-national central organizations (selection according to project)*

Name	Direct representation in Brussels	Membership (year)	Central organization/Euro-federation	Headquarters
Czech Food Producers' Chamber	No, through Agrarian Chamber	2004	CIAA	Brussels
Czech Beer and Malt Association	No, through Food Producers Chamber CR, which is part of Agricultural Association with direct representation	2006	European Brewers, member of CIAA	Brussels
Union of Pig Raisers in Bohemia and Moravia	No, through Agrarian Chamber CR	Not given	European Pork Producers (EPP*)	Frankfurt am Main
SVOL –	no	Not given	Organization of European Land	Brussels

EuroCommerce and the UGAL) is not shown in the table, as it does neither direct representation nor membership. Likewise the Association of Pension Funds, and the Association of Used Automobile Dealerships CR are not in the table, as they lack ties. Also lacking ties of secondary nature is the Car Importers' Association, which works with the Automobile Industry Association. This is a member of the European Automobile Manufacturers' Association (ACEA). Also not listed is Moravín – Union of Moravian Vintners, which is a member of the Union of Vintners CR, which is a member of the Agricultural Association CR. The PRO-BIO Union of Ecological Farmers (member of the Green Circle, which is a member of the EEB), which is a member of the International Federation of the Organic Agricultural Movement (IFOAM) has combined representation on the secondary level and international representation, but not European representation; and the Union of Holstein Cattle Raisers, which is a member of the World Holstein Friesian Federation (WHFF) and is represented in the EU through its membership in the Agricultural Association. Membership in the European Holstein and Red Holstein Conference (EHRC) cannot be documented.

Association of Owners of Public and Private Forests			Owners (ELO) and Confederation of European Forest Owners (CEPF)	
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Source: internet portals of organizations, and Business Info 2007.

#### 4. 2. 1. 3 Interest groups of socio-political nature

The situation in the sector representing interests of a socio-political nature has the weakest representation at the Union level. Of the groups studied, only three have direct membership in a European central organization. Of these, only one has direct representation in Brussels, through an international central organization. The other entities have not established direct membership, and work through secondary representation, or international cooperation.<sup>62</sup>

Table no. 16: Overview of interest groups of socio-political nature and their membership in super-national central organizations (selected according to project)

Name	Direct representation in Brussels	Membership (year)	Central organization/Euro-federation	Headquarters
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<sup>62</sup> The table shows only those entities that have direct, unmediated ties to the European federation. Other entities studied lack these ties, and are represented through other intermediary entities. The association Czech Mothers (member of the Green Circle, which is a member of the EEB), the South Bohemian Fathers (member of the Nuclear Society, which is a member of the European Nuclear Society (ENS), the Independent Social Ecological Movement NESEHNUTÍ – member of the sector platform Green Circle, which is a member of the EEB), the Association of Parents and Friends of Physically Handicapped Children of the CR is a member of the National Council for the Physically Handicapped, which since 2004 has been a member of the European Forum for the Physically Handicapped (EDF), and the Children of the Earth are a member of the Green Circle, which is a member of the EEB. The Union of Patients CR, which is a member of the International Alliance of Patients' Organizations (IAPO), and the Czech Union of Conservationists (Český svaz ochránců přírody) has been since 1990 a member of the International Union for the Conservation of Nature (IUCN), and concentrated on the international aspect of promoting their interests. The League of Ethnic Minorities has not direct membership or representation in Brussels.

Zelený kruh (Green Circle)	no	Not given	EEB	Brussels
Hnutí duha - Přátelé Země Česká republika (Rainbow Movement – Friends of the Earth Czech Republic) member of Green Circle, which is member of EEB)	no	1994 <sup>63</sup> / 1995	European Friends of the Earth (FOEE), CEE Bankwatch Network	Brussels / Prague
Transparency International ČR	no, only through TI central organization	2004	Transparency International (TI)	Berlin

*Source: internet portals of the chambers, and Business Info 2007.*

## **5. Conclusion: current status and capabilities of actors in the EU**

The EU is a unique, changing arena in which actors promote their interests. This mechanism, and thus the capabilities of Czech actors, are directly influenced by the changing parameters of dialogue conducted with the European institutions and other partners from among the interest groups. These changes include amendments to primary law, the development of secondary legislation, and during the last five years the European initiative for transparency. The significance of these reform initiatives, which are still developing, does not lie so much in changes to the way contacts are conducted and in increased transparency, but more in demonstrating the willingness of the European Commission to enter in the debate over further principles for regulation. The conditions for the operation of the interest groups can therefore not be considered stabilized for the immediate future.

It is clear that taking advantage of the opportunities given by the gradual opening of the area of Union lobbying and increasing transparency depends on knowledge of the mechanism of promoting interests in the EU, and awareness of the possibilities of such tactical expansion. The prerequisite for success is to fulfill of the basic parameters of successful strategy and to possess sufficient negotiating power. However, after nearly five years of membership, preceded by a long period of cooperation and gradual institutional harmonization, the interest groups in the CR have displayed only the basic elements of compatibility.

It has been shown that interest groups in the CR continue to focus mainly on events in the domestic sphere, and are insufficiently able to fulfill the conditions for promoting their

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<sup>63</sup> The year given relates to the membership of the Rainbow Movement in the organization International Friends of the Earth, while the FOEE is their regional organization.

interests in the EU. Individual groups of entities show a weak degree of involvement in terms of the studied indicators: representation on the super-national “Euro-federal” level, and direct representation in Brussels. Only a limited segment of the entities took part directly in super-national activities through their active membership in the super-national structure. Many of the subjects studied settled for secondary-level representation through intermediaries. Some of the entities displayed more of an international dimension of cooperation, which is good, but not as effective as a channel to the European super-national centers. In many cases this can be a direct participant and consultation partner, unlike international organizations, which represent a so-called hidden window into the system.

Most active in the mechanism of promoting interests on the European level is the group of employee organizations, then the employers, and the least active groups are those of socio-political character. The evident passivity of Czech interest groups in the social and political sphere is indicated not only by failure to maintain information offices, which is absolutely understandable for financial reasons, but the failure to take part in the European structures. We can describe the position of the labor groups as active, because they make an effort to work within their sector, and through the general labor unions on the European level. On the other hand, employers tend instead to prefer specialized associations in the sectors. With few exceptions, none of the entities took advantage of the opportunity to set up direct supporting representation at the center of the political process. Only CEBRE and the Association of Agriculture maintain direct representation in Brussels. The umbrella CEBRE and the agricultural Association of Agriculture serve as a secondary approach channel for many groups. But the result is that only the Association of Agriculture has direct individual representation, because CEBRE is a mixed representation of a number of groups.

The absence of direct representation for the majority of the entities is explainable by the high cost of maintaining an effective information channel in Brussels. Although this phenomenon is understandable in the case of groups of a socio-political character, with the employers this behavior must be faulted. The labor unions can be judged similarly, but in view of the fact that they follow an active strategy as described above, they have more possibilities. The tactics of the Association of Agriculture correspond to the available opportunities and high relevance of the agricultural issue within the EU. Nevertheless the interest groups are not striving to make a fundamental alliance that might lead to a sharing of costs.

There may be several reasons for this institutional passivity up to this point. These may include the short period of membership by the CR in the EU, and thus limited experience

with the process of consultation and negotiation on the EU level, insufficient knowledge of the strategy and tactics for activity in the European institutions, or limited financial and human resources.

## **Part B: Europeanization of interest groups in the Czech Republic**

*Vít Hloušek, Oldřich Krpec*

### **1. Europeanization of Czech Interest Groups**

In the following text we use a case study on Europeanization to examine the changes in Czech interest groups in the context of the process of European integration. These changes can have a whole number of dimensions, and can become apparent in various contexts. We will discuss selected areas in which it can be expected that they will be influenced by the realities of the integration processes. We will focus on possible changes in the organizational and regional structures of Czech interest groups, on changes in the circle of partners with which they cooperate, changes in mutual communications with key partners, changes in interest focus, in relations with the political representation of the Czech Republic, changes in the area of financing with a view towards resources from the European funds, and finally, possible changes in the self-identification and level of loyalty towards the European socio-cultural environment.<sup>64</sup>

In this context we must be aware that Czech interest groups face a number of challenges. These include, besides European integration, the economic and political transformation of Czech society after 1989, and the general trend towards globalization of the world economy. When identifying the transformation of Czech associations during the period from 1989 to the present, it must be remembered that these changes could represent the reaction by these organizations to any one of these three trends. The system of hundreds of state enterprises fell apart, and many tens of thousands of private firms rose in their place; this was also undoubtedly the impulse driving the transformation in the form and content of these associations' activities. Likewise, interest groups were forced to react to the influx of multi-

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<sup>64</sup> On the topic of research dealing with the concept of Europeanization see Dančák, Fiala, Hloušek 2005: 22-23. For analysis of Europeanization of interest groups in general see Fiala et al. 2006: 16-18.

national corporations into the Czech economy in the form of direct foreign investment, a phenomenon that is an expression of a world-wide global trend. The specific changes observed in the labor unions may have been only partly a manifestation of Europeanization; at the same time they could also have been a reaction to these other key changes affecting them at the same time (see Dančák, Fiala, Hloušek 2005: 17).

The fundamental question in the contexts mentioned above is whether Czech interest groups have adapted to the European challenge. Or, how are the European formal rules and procedures, the European “way of doing things”, and shared values (defined and consolidated within the shaping of EU decisions) incorporated into the logic of domestic political discourse and the formation of domestic policies (Radaelli 2000: 4).

Europeanization is a current and attractive area for research, and is being addressed at present by a number of theoreticians of European integration. The concept of Europeanization has been relatively broadly developed. The explanatory potential of the theoretical concept, however, can be verified only by empirical research. The aim of our research, then, is to make use of the theoretical definition of Europeanization and apply it to the Czech interest groups. Here it must be emphasized that as part of the research, attention is paid insofar as possible to all of the important aspects of Europeanization contained in the theoretical definitions – not just the few elements that can be regarded as a matter-of-course. These elements include for example membership by the interest groups in the European federations, or the drawing of European funds by the interest groups.

We consider the greatest research challenge in this context to be the “soft” parts of the definition of Europeanization: the perception of the EU as a natural environment for economic and social activity (not an environment external, foreign, against which the national state must defend), a positive and cooperative character of trans-national relations (not a conflict-filled character of strong rivalries led by “zero-sum” logic and relative advantage), a willingness to adopt the models of behavior from partners in the other member countries, loyalty and self-identification with the European environment (not the emphasis on exclusivity and otherness that prevents the application of European social, economic, and legal norms).

## ***2. Parameters of Europeanization of interest groups***

In formulating the hypotheses for research on the Europeanization of Czech interest groups, we have attempted to translate the theoretical definition of Europeanization into verifiable research theses. We have tried to define some of the empirical changes that

demonstrate that the process of Europeanization of Czech interest groups has actually taken place. We regard the following list of changes as relevant:

1. change in structure such it is more oriented towards the EU – ties to European interest group federations and internal organizational changes;
2. cooperation has begun with partners in the EU (not with the Euro-federations of interest groups); communication on the EU level has strengthened;
3. the EU level is regarded as a suitable place for the articulation and realization of interests; the EU as such is perceived positively and its approaches and procedures including valuation of partners from the EU is seen in a positive way;
4. there has been a change in communications with the representation of the CR such that it is oriented on the area of the EU;
5. interest groups have found new sources of financing and expert information.

The question of course remains whether all of these changes can be regarded as necessary conditions for us to be able to describe Czech interest groups as Europeanized, or whether we can label some changes as more important than others. The adoption of a double perspective on Europeanization and the concentration on political actors (or the sphere of *politics* in general) will allow us to rank the conditions for Europeanization in order of importance.

From this perspective we must regard especially conditions 2, 3, and 4 as necessary conditions for Europeanization, while changes in structure and the finding of new sources of information are secondary in this sense, albeit very important. The selection of priorities follows from the accepted perspective of Europeanization of political actors (see chapter 2), for which Europeanization is a possibility or an opportunity to expand the field of their activities, find new addressees for defended interests, and get around the limitations given on the level of the domestic political system, or develop a complete strategy for the defense of interests in a multi-level environment.

To conclude this part of the analysis, we can regard Czech interest groups as Europeanized if they have shifted their channels of communication in the direction of greater communication on the EU level, if they cooperate with partners on the EU level, and if they regard the EU level as an important platform for the realization of the interests they are defending. However, these interest groups will only be fully Europeanized when their

organizational structure has also changed (for example a greater role for experts on EU issues), and at the same time they are making use of financial or informational EU sources.

### ***3. How have the interest groups changed over the course of European integration?***

We understand European integration to be the continual process of bringing the Czech Republic closer to the EU, which culminated on 1.5.2004 with the CR's entry into the EU.

For Czech interest groups this process meant an important challenge, which carries opportunities and risks<sup>65</sup>. The interest groups became aware of the existence of this challenge relatively early. Their reaction, whether on the level of organizational changes, shifts in strategy, the formation of new relations with partners, or changes in the array or character of the interests they pursue, are the subject of this part of the text. In retrospect it can be said that the involvement of Czech interest groups in the European environment began back in the first half of the 1990s. By the second half of the decade it had taken on a concrete, partially institutionalized form.

#### **3.1 Unions**

The labor group ČMKOS<sup>66</sup> is a typical example of institutional changes as a result of becoming involved in the European environment as part of the process of Europeanization of the Czech labor organizations. ČMKOS began to monitor the potential impact of European integration efforts in its area of interest back in the early 1990s, when it became clear that the Czech Republic was headed towards joining the EC. It was largely on the initiative of ČMKOS that the European Integration Team was founded in 1996 as an independent structure

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<sup>65</sup> On changes in socio-economic conditions to which interest groups have had to react, see Sörries 1999: 49-66. According to Sörries these changes include (1) internationalization of the market, (2) Europeanization of monetary policy through the EMU and the euro, (3) structural changes in society, and (4) changes in the model of industrial relations. Sörries concerns himself exclusively with labor unions, but the changes in socio-economic conditions also affect employer associations, and to a lesser extent professional chambers as well.

<sup>66</sup> Originally the Bohemian-Moravian Chamber of the Czechoslovak Confederation of Labor Unions. In November 1992 it adopted the new name Bohemian-Moravian Chamber of Labor Unions; its latest name was adopted in 1998.

consisting of representatives of ČMKOS and of other labor unions. The task of this team was primary to disseminate information on European integration, and shape the formation of ČMKOS positions on individual issues concerning European integration that were relevant for the labor unions. From the beginning of the 1990s the consequences of the economic opening to the area of Western Europe began to be felt, and the main bulk of the CR's foreign trade swung in the direction of Western Europe and European associations. Among other things this was accompanied by an influx of foreign investment to the CR, and the presence of multinational corporations on its territory. The transfer of the original state-controlled enterprises, the founding of new enterprises by foreign investors, and the closing of many Czech firms as a result of growing competition, these were phenomena to which labor unions were forced to react quickly.<sup>67</sup> Parallel with the connection of the Czech economy onto the EC/EU area, there was and continues to be a reorientation of Czech attention and activity by Czech labor associations toward this area.

Real ties of a transnational character (see Císař 2005: 54-72) – the formation of ties between Czech labor associations and their European counterparts – followed relatively quickly. The most common form of these ties is membership by Czech labor organizations in individual European labor federations, and parallel communication between ČMKOS and ETUC (see Sörries 1999: 67-70).

By the time the Czech Republic definitively entered the EU, the major Czech labor unions had already been longtime members of the European labor federations. Czech labor associations became involved with the European federations either gradually, with the status of observers, or became full members. It was common that full membership including voting rights were gained by the Czech unions long before the CR entered the EU.<sup>68</sup> The involvement by the Czech Unions in the European confederations was practically in every case relatively active<sup>69</sup>, and basically all of the important labor unions regard them as a very valuable opportunity that has been very beneficial. In view of the intensive involvement

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<sup>67</sup> Officials of the union of steelworkers pointed out a marked change in conditions as a result of the entry of multi-national firms into the domestic market; the union of retail workers actively reacted to the dramatic change in the situation related to the privatization of Czech firms and the arrival of foreign capital.

<sup>68</sup> For example ČMKOS was originally an observer, becoming a member of the European Labor Confederation in the mid-1990s; Trade Union Stavba CR became a member of EFBWW on 1.7.2004, but had observer status since 1991. Trade Union Kovo became a member of EMF even before the signing of the association agreement.

<sup>69</sup> One example would be the function of vice-chairman of the European Mine, Chemical, and Energy Employees Federation (EMCEF) held by the chairman of Czech Union of Mine Workers.

with the European federations by their counterparts in the EU, the Czech labor unions were able to make use of a developed communication and service network, which actually meant a long-term presence in the environment of interest representation in the European area.<sup>70</sup>

When the CR joined the ER, therefore, the feeling prevailed among the leading labor associations that their involvement in the European area was sufficient, and there was no need for a major reaction to the entry.<sup>71</sup> Thus for the Czech unions the entry of the CR into the ER meant for example an increase in dues paid to the European federations, and a change in status from observer to member with full voting rights. As for the filling of specific functions under the European federations, this took place gradually, and in general the role and importance of the Czech labor organizations in the EU corresponded to the status and size of the Czech Republic in the European context.

Therefore there was no major change in organizational or regional structure of the Czech labor unions connected with the entry into the EU; no such changes were seen as necessary, and none planned for the future. As for the possibility of building of their own representative structures in the form of divisions or offices directly at the EU headquarters, the great majority of Czech labor associations have no such plans.<sup>72</sup> In view of the relatively limited personnel and material resources of the Czech labor associations, and above all because of the existing cooperation with the European federations, direct representation in Brussels is not necessary. On the contrary, officials of the Czech unions consider their membership in the European federations to constitute a sufficient and long-term presence in the EU.

### **3. 2 Professional chambers**

Likewise, the integration of the Czech professional chambers into the European area began back in the mid-1990s. Representatives of the chambers say that the chambers were sufficiently well-prepared for entry, and required practically no organizational changes. In most cases the structure of the chambers was roughly established during the early 1990s. From the mid-1990s there were efforts made towards integration by the professional

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<sup>70</sup> This opinion was expressed by officials of ČMKOS, and the unions of metalworkers, transportation workers, and employees in banking and insurance.

<sup>71</sup> Quality communication and long-term presence in the European structures were confirmed among others by officials of the metalworkers union, the transportation workers' union, and Trade Union Echo.

<sup>72</sup> Of the surveyed groups, only ČMKOS is considering creating forming its own structure in Brussels. Even its officials, however, do not regard the matter as especially urgent.

chambers in Europe in cooperation with other applicants to the EU.<sup>73</sup> Contacts with entities from the older member countries were intensive. The partners from the older member countries helped organizational matters and normative modification of a number of practices well before the CR's entry into the EU.<sup>74</sup>

After the actual entry of the CR into the EU, the organizational structure of the chambers remained basically unchanged, usually because these legal changes were already issued during the period of harmonization.<sup>75</sup> The appropriate national agencies also cooperated intensively on the formation of the related legal norms for the chambers.<sup>76</sup> In some cases officials of the chambers explicitly admitted that in this case it was a matter of selecting the best legal norms from other countries.<sup>77</sup> In some cases we could even say that modern norms were created unburdened by historic compromises.<sup>78</sup> If there were some changes in legal regulations made directly in the context of actual entry, these mostly concerned minor details.

Thus in the context of entry itself we cannot speak of changes in structure, but more of changes in the framework of the chambers' activities. Mainly these concerned increased ties to European organizations,<sup>79</sup> which further deepened contacts dating from the period before the CR entered the EU. However, there were changes related to other matters as well: the expert groups for foreign affairs were strengthened; some new activities and tasks were introduced (for example the founding of European cooperatives and capital associations, or

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<sup>73</sup> A problem-free preparation for entry was enjoyed for example by the Czech Dental Chamber (henceforth only stomatologists); cooperation with other prospective members was described by the Chamber of Authorized Engineers (henceforth only engineers), and the Chamber of Architects (henceforth only architects).

<sup>74</sup> Among the countries with which contacts were the closest were Germany and Austria; while the chamber of architects mentioned Great Britain. Especially the architects and engineers spoke of adopting a number of approaches and practices from the more experienced chambers in the original member countries.

<sup>75</sup> No major change can be reported among any of the studied groups; minor changes were observed by the lawyers in terms of an influx of foreign citizens.

<sup>76</sup> Intensive cooperation was reported especially by the chamber of engineers and architects.

<sup>77</sup> This was said explicitly by the chamber of pharmacists and the chamber of architects.

<sup>78</sup> The so-called "advantage of backwardness" was mentioned by officials from the chamber of architects.

<sup>79</sup> Among the most active in this respect are the chambers of stomatologists and architects.

the right to represent clients before the European bureaucracy).<sup>80</sup> Chamber officials often found the lack of financial resources to be a limiting factor on their activities.<sup>81</sup>

One important theme is the proper form of representation by the chambers to the EU structures directly in Brussels. The chambers agree clearly on the necessity of proper representation, but this usually does not mean building their own structures. Such a structure would be too costly, although in many cases it would be seen as potentially beneficial.<sup>82</sup> Close relations with foreign entities seem to be preferred instead, whether in the form of an agreement on cooperation, or participating in running the office of a foreign chamber.<sup>83</sup> Cooperation with the chambers from other member states is regarded as indispensable. Other chambers use the personnel of the foreign chambers<sup>84</sup>, official association with foreign chambers, or the stationing of interns<sup>85</sup>. Insufficient funds, sometimes potentially weakened position of the chamber on the domestic scene, or the relatively weaker position of the CR as such within the European Union, are all seen as reasons to intensify cooperation with strong foreign chambers.<sup>86</sup> Another role is played by the experience and tradition of chambers in other EU countries, even given the specific characteristics of the various regions.<sup>87</sup>

A key form of involvement in the European environment, and the basic instrument of representation of the chambers' interests in the EU, are the European associations and federations (Euro-federations). These organizations make it possible to follow developments in other countries; to gain inspiration and the opportunity to acquire a great deal of information. The European federations also give important assistance with adaptation of groups from the new member countries to European legislation, and organize regular

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<sup>80</sup> Expert groups are mentioned by the architects for example; new activities are also mentioned by officials of the notary chamber, which representation before the European organs is praised by the patent attorneys.

<sup>81</sup> The pharmaceutical chamber describes itself as quite limited by this lack of funds.

<sup>82</sup> This opinion is expressed for example by officials from the architects, pharmacists, civil engineers, and patent attorneys.

<sup>83</sup> An example of the first case is the agreement on cooperation between Czech and German stomatological chambers; in the second case the approach of the authorized engineers.

<sup>84</sup> The stomatologists in particular mention the use of employees from foreign chambers.

<sup>85</sup> Association with other chambers and the sending of interns abroad is mentioned by officials of the lawyers' chamber.

<sup>86</sup> This opinion is strongly expressed by the authorized engineers for example.

<sup>87</sup> Thus for example the Austrian notaries' chamber is regarded as a kind of information channel for Central Europe.

meetings for this purpose.<sup>88</sup> All of the representatives of the Czech professional chambers rated very highly the importance of membership and the benefits of cooperation with the European organizations. Although in many cases the professional chambers represent entities with special status in terms of their impact on the common market and their activities, the importance of the European federations are very apparent here as well – doctors, notaries<sup>89</sup>, and veterinarians all rely on their European federations. Negative opinions about them are practically not to be found, and criticism rare.<sup>90</sup>

As for changes in membership base, EU entry did not have a major impact. Potential changes in the number of members could be linked to the rise of service providers or professional practitioners from the EU to the CR.<sup>91</sup> Actual movement, however, is quantitatively negligible. The most frequent arrivals are from Slovakia, while Czech professionals move to other countries in the EU.<sup>92</sup>

### **3. 3 Associations**

The CR's preparation for joining the EU began with the Czech associations, also in the mid-1990s.<sup>93</sup> The key to adaptation to the European environment were laws dealing with the areas in which the individual associations worked. These were adopted during the period from 2001 to 2004, and formed the basis of harmonization with EC/EU law.<sup>94</sup> During the period before EU entry, changes took place in the organizational structure of some of the associations in reaction to the challenges of integration.<sup>95</sup> Generally it can be said, however,

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<sup>88</sup> The pharmacists' chamber points to its participation in conferences organized by the European federations.

<sup>89</sup> The notaries' chamber regards the role of the federation as irreplaceable, as it is able to "explain the nature of the notary profession" on the EU level, and get the notaries exempted from the array of standard services.

<sup>90</sup> Representatives of the patent attorneys' chamber are critical of some aspects of the current EU – the EU should not work only to defend the interests of the "old fifteen".

<sup>91</sup> This is the case with service providers such as architects, civil engineers, stomotologists, or veterinarians.

<sup>92</sup> For example, dozens of doctors have gone to Great Britain.

<sup>93</sup> The exact event or date of the beginning of adaptation to the EU environment varies among the associations – for example the Association of the Textile Industry gives the year 1993, the Association of Insurance Providers 1996, and the Union of Industry and Business was a member of BUSINESSSEUROPE from 1992.

<sup>94</sup> One example is the law on the insurance industry, a key point of which is the harmonization of the association of insurance providers.

<sup>95</sup> For example, under the Confederation of Industry a section for international organizations and the EU was created in 1998; the Agricultural Association created the position of expert on for foreign issues specializing in the EU; the Association of the Insurance Industry founded a working group for the unified market.

that the impact of integration on the organizational structure or size of membership of the associations has not been fundamental.<sup>96</sup>

As for representation in Brussels, the great majority of the associations do not have their own representation there.<sup>97</sup> The reason for the lack of direct representation is usually insufficient financing; many of the Czech organizations regret not having their own offices there.<sup>98</sup> However, all of the associations studied have a presence in Brussels, either through their membership in the European federations, representatives on the advisory committees of the European Commission<sup>99</sup>, in interest organizations such as Business Europe, or through the CR's functioning permanent business section and the embassy. The Czech associations emphasize that their presence in the EU through these channels is sufficient and effective.<sup>100</sup> A number of the associations declare that their membership in the European federations is an active and sufficient platform for representing the interests of their members.<sup>101</sup> From the responses by the officials of the Czech associations it is apparent that they regard the European federations as the most important element of their presence in the EU. Although the Czech associations have become gradually more and more involved since the mid-1990s, they have registered a clear increase in the weight of the European area since the CR joined the EU.<sup>102</sup> They receive information on events in the EU mainly through membership in the European federations. Officials of the Czech associations are pleased to say that they get

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<sup>96</sup> An exception might be the Association of Small and Medium-sized Businesses, which gives as an important change the fact that as a direct result of Union entry, interest in membership grew on the part of small firms which lacked information about the EU, and asked the association to help them obtain it; thus its membership base grew.

<sup>97</sup> An exception is the agriculture group. The Agricultural Association has its own representative in Brussels – its presence there is constant. The Association of Private Agriculture has a foreign secretary there; it closed its office because of high costs.

<sup>98</sup> This reason was given by a number of associations, including the Confederation of Industry, the Association of the Chemical Industry, and the Association of the Glass and Ceramic Industry; the Association of Private Agriculture closed its office, and the Defense and Security Industry Association has no office because of cost.

<sup>99</sup> For example the Agricultural Association.

<sup>100</sup> Officials of the Czech Beer and Malt Association say explicitly that they have no further needs.

<sup>101</sup> The Confederation of Commerce and Tourism is one example, or the Association of Small and Medium-sized Enterprises, which even holds the function of vice-president in their European federation.

<sup>102</sup> An example here is the Association of Small and Medium-sized Enterprises, or the Association of Insurance Providers; officials of the Union of Industry and Transportation say that there is a clear difference between the previous level of information and the current level consultation.

information in a timely manner, with high quality, have the opportunity to comment on it, and that their opinions are properly taken into account and acted upon.<sup>103</sup>

#### ***4. Partners of Czech interest groups, relationships with them, and the character of mutual communication***

One of the consequences of European integration for the Czech Republic is the linkage between of the domestic and European arenas of interest articulation, aggregation, and representation. From a geographic standpoint this includes not only the existing EU member countries, but in the broader sense (and to a certain degree) the other countries working towards EU membership, and in some aspects even countries with some form of association with the EU (see Dančák, Fiala, Hloušek 2005: 16). The connection to the unified internal market, limited exercise of some aspects of sovereignty on certain issues, and a significant increase in the intensity of trans-national relations (see Smekal 2005: 345-346), all these are significant factors to which the Czech interest groups have had to react.

In light of the fact that Czech interest groups have been connected to the European environment in some cases since the mid-1990s, it is interesting to pose the question of whether and how their circle of partners has changed, or whether and how in this contact the channels of communication with these partners have changed. Naturally we would expect that the number of partners with which the Czech interest groups have formed mutual ties has grown (see Valterová 2007).

##### **4. 1 Labor Unions**

Even before the CR joined the EU the Czech labor unions were communicating intensively with their counterparts from the EU member countries, mainly through the European labor federations. Partly thanks to the active role of these organizations, the Czech labor unions have gradually formed contacts with European institutions (European Commission, the individual directorates-general, EESC, the Committee for Social Dialogue, employer associations, committees for structural funds, etc.).

Joint positions by the individual umbrella labor organizations on specific problems are then presented by federation officials, mainly to the European Commission and the EP. A

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<sup>103</sup> This is the position of the Association of Small and Medium-sized Enterprises, for example.

closer look at the character and intensity of activities by Czech labor associations within the framework of these structures shows that at least since the CR's entry in the EU they have not been a passive recipient of information and norms, but have made efforts to take an appropriate part in the creation of these common positions. It is logical that the influence of the Czech labor organizations corresponds to the size and economic strength of the Czech Republic. It is interesting that officials of the labor associations consider their position among the unions from other countries (meaning mainly the countries of the original "fifteen") as very good.

The character of communication and the modus of cooperation are predominantly positive, with periodic exceptions in some specific sectors (agriculture, construction, and architecture).<sup>104</sup> The constructive and cooperative character of relations between Czech unions and those of other member countries (or unions and employers on the European level) is not disrupted even by such controversial topics as the transition period of limited free movement of persons. Czech labor associations rate very highly the information service they receive from their European labor federations. Comprehensive and focused information – in amounts and quality hitherto unseen – then allow information to be passed to the individual member organizations in the CR. Very closely related to this is the revolution in information technology (IT) and new standards in the degree and quality of its use. The previous gap in the degree of IT equipment, as well as IT and language literacy, is gradually narrowing.<sup>105</sup>

The constructive character of the work of representatives of Czech trade unions in the EU can also be illustrated by the importance Czech unions place on cross-border cooperation with neighboring countries.<sup>106</sup> Many labor associations have taken part in this cooperation; in a number of recent cases such relations have been institutionalized.<sup>107</sup> The most intensive cooperation is with Austria and Germany, despite the existence of several points of friction

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<sup>104</sup> Mode of cooperation was explicitly mentioned by officials of ČMKOS and other labor associations (Trade Union Kovo, Trade Union Obchod, Trade Union Doprava, Trade Union Hornictví a geologie, and others).

<sup>105</sup> A major growth in the use of the internet and e-mail is the most often-mentioned change in the field of communication during the European integration period.

<sup>106</sup> ČMKOS especially praises the existence and functionality of cooperation in three so-called interregional labor councils: Northern Bohemia – Saxony – Poland; West Bohemia – Bavaria; South Bohemia – Upper Austria.

<sup>107</sup> An example could be the meetings of chairmen of the construction labor unions in the CR, Slovakia, Hungary, and Poland, or the intensive cooperation between unions representing workers in mining, geology, and oil within the framework of the labor council North Bohemia – Saxony – Poland.

(work-related migration and the transition period; so-called “social dumping” of inexpensive labor, ecological issues, etc.).<sup>108</sup>

Officials of the unions that first became involved in the European structures appreciated the friendly reception these organizations received, and the help provided by labor officials from the “old” member countries. This especially consisted of introducing them to the mechanics of how positions are formed, how decisions consulted and made public, and involvement in the activities of labor and consultation organs. Czech labor now feels obliged to extend the same services to currently-entering and candidate countries. Communication with labor leaders in the Balkans (Bulgaria, Romania, Croatia) is especially intensive in this regard.<sup>109</sup>

## 4. 2 Professional chambers

As for Czech professional chambers, the structure of their partnerships has not significantly changed. Instead there has been a greater frequency and intensity of contacts with chambers in the member states, and with EU agencies.<sup>110</sup> A number of officials from the professional chambers also mention more intensive communications on European issues with ministry officials.<sup>111</sup> The more intense communication with European associations may however be merely the result of phenomena not directly linked to joining the EU such as globalization, or the oligopolization of some markets.<sup>112</sup> Generally, communication on a solid basis was begun before the CR’s entry into the EU; during the first years of membership it became more intensive and standardized. As for the formation and deepening of relations with the European partners it can also be noted that this process has been relatively weaker with

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<sup>108</sup> One possible explanation is the existence of a number of common interests between the unions in Germany and Austria on one hand, and in the CR and Poland on the other. The interest of the Czech unions, for example, is rapid growth of its members’ wages. The interest of the Austrian and German unions is a rapid equalization of living standards between the old and new countries, which might reduce the attraction of labor migration.

<sup>109</sup> Labor unionists from the original fifteen assisted in helping labor from the CR in becoming involved in the European structures and processes. Union members from the Czech Republic are likewise willing to aid trade unionists from the newly-entering countries. Explicit calls to limit the free migration of labor are the exception (officials from the construction union).

<sup>110</sup> Officials of the medical and veterinary chambers for example speak of a greater intensity of interaction.

<sup>111</sup> The stomatological chamber explicitly.

<sup>112</sup> Some of the changes observed are put into the context of globalization by officials of the pharmacists’ chamber for example.

the professional organizations that are partially responsible for aspects of the state administration, and their connection with the domestic environment and ties to the territory of the CR are more intensive.<sup>113</sup> A special case is the lawyers' chamber, which as a result of integration is tied to the European legal environment. Thus by definition the European Court, for example, or the Court of First Instance become the natural partners for Czech lawyers, as well as the European Commission itself.

The character of relations with European counterparts is thus rated as definitely or mostly cooperative.<sup>114</sup> Parochial interests were mentioned in almost none of the cases – on the contrary, Czech chambers have corresponding or very similar interests to those of their partners in other countries. Cooperation and a joint approach is thus the natural product of a convergence of interests.<sup>115</sup>

The most important benefit of membership and cooperation with partner entities in Europe is access to a great quantity of good-quality information, without which such cooperation would not be possible at all. Thus they are spared the cost of what would otherwise have to be spent to obtain this quality of information on the current problems in the sphere of interests of the CR's professional chambers. Communication with counterparts from other member countries is regarded as problem-free.<sup>116</sup> The Czech professional chambers, too, in some cases shared their experiences with integration in the European environment with their partners from Romania and Bulgaria.

As for cooperation with entities from other countries, the cooperation among the Visegrad countries can be singled out for praise; according to some chamber officials it actually prepared the ground for joining the EU.<sup>117</sup> Direct cooperation was begun especially with the German chambers, which are regarded as very influential and well-organized in terms of structure and staffing.<sup>118</sup>

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<sup>113</sup> This concerns especially the notary and patent officials' chambers, naturally.

<sup>114</sup> The medical association, chamber of veterinary doctors, and chamber of architects all speak of the cooperative character of mutual relations.

<sup>115</sup> Only the law chamber mentions an occasional conflict between national interests of some countries and the general interests of lawyers.

<sup>116</sup> Officials of the chamber of architects specifically say that it is often simpler to deal with the Directorates-general of the European Commission than with Czech politicians.

<sup>117</sup> The civil engineers in particular thus characterized the situation.

<sup>118</sup> This has been the experience of the members of the chamber of architects for example.

### 4. 3 Professional associations

While on the domestic level the relationships of Czech associations remained largely unaltered, in the context of the CR's integration into the EU there was a growth in cooperation between Czech associations and their foreign partners. The observer status of Czech associations in the European federations became full membership, and thus the Czech associations gained the chance to influence events on a European level. Trans-national cooperation with partner associations in the individual member countries also grew. Here one can observe two important phenomena. First, the emphasis placed on interaction with the associations from the major "old" member countries – the associations of these countries were considered the model for Czech interest groups.<sup>119</sup> The important position that Austria had for Czech groups is evidently due to geographic and historical factors, as well as its membership in the EU. Officials of the Czech associations frequently mention the formation or intensification of ties with the countries of the Visegrad four, especially coordination of joint positions, and initiatives for Central Europe.<sup>120</sup> From the reflections by Czech association officials on events after the CR's entry into the EU the impression is that mutual cooperation on the level of contact between domestic structures was strengthened as a result of the incorporation of the Visegrad countries onto the EU. This seems to be because of the fact that prior to EU entry these countries tended to protect their "strategic sectors" – which is not possible within the common EU market. Thus there was cooperation in the formulation of common interests, and their defense in the environment of intensified European competition.<sup>121</sup> Cooperation between Czech associations and partners from the new member countries is not limited to the Visegrad countries however – common interests can be found across the entire group of newly-joining countries. The Czech associations' relationship to those of the new countries is more or less that of a "senior" partner, which was well-prepared for EU entry and is now fresh from its first experience with the functioning of European

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<sup>119</sup> The Agricultural Association, the Confederation of Industry, and the Association of Small and Medium-sized Businesses, all proclaim a strong interest in cooperation especially with associations in Germany, France, and Austria. Officials of the Czech associations respect the strength and effectiveness of the associations in these countries. Officials of the Union of Industry and Transportation say for example that they are still learning, and are certainly not as far along as their German colleagues.

<sup>120</sup> The Agricultural Association and the Association of Small and Medium-sized Businesses emphasized coordination of procedures and positions; the Confederation of Industry emphasized joint initiatives.

<sup>121</sup> Cooperation with counterparts from the Visegrad countries was mentioned by representatives of the Czech Beer and Malt Association.

institutions. Also important is the solid degree of self-confidence among the Czech associations.<sup>122</sup> A very important observation in this context is that the joint approach of the new countries in the EU environment is not aimed against the older member countries as adversaries. Instead it is directed towards making use of the opportunities that the European environment provides. The statements by officials of the Czech associations often emphasize that competition among member states is not the predominant mechanism for events on the common market.<sup>123</sup> The mode of cooperation, then, predominates not only among the new member states, but among all the associations within the EU in general. Cooperation is institutionalized on the level of the European federations, which function to the full satisfaction of the Czech associations.<sup>124</sup> Thus the Czech associations tend to prefer contacts and representation between the European federations to representation within the Czech Republic.<sup>125</sup> From the statements by Czech association officials it appears that on every level of interaction (members – association; association – CR; association – European federation; Czech association – associations in other countries) cooperation predominates over competition. If tension exists, then it is found most often between associations and the state on the domestic and European levels.<sup>126</sup>

As for changes in the area of communication and communications channels, it can be observed that Czech associations experienced a number of changes as part of integration into the EU. Practically all the associations saw a sharp rise in member interest in EU events. At first demand was for basic information; now the member base has access to complete expert information services.<sup>127</sup> The quality and quantity of information has grown dramatically.

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<sup>122</sup> Officials of the Czech Beer and Malt Association say that they are the ones who explain to others what to do.

<sup>123</sup> Officials of the Confederation of Industry say that the business world is one, and without borders, with the same interests. The approaches of associations from various countries is pretty much unified in the vast majority of cases. For example the defense industry association says that competition is equivalent to throwing money uselessly away.

<sup>124</sup> Representatives of the Confederation of Commerce and Tourism say that there is no competition – employers stick together, mainly against the “apparatus of the state”.

<sup>125</sup> This stance is explicitly taken by representatives of the Association of the Glass and Ceramics Industry CR.

<sup>126</sup> By looking at the data we see the divisions as follows: employers against the state bureaucracy, business against the European bureaucracy (and against intervention by countries seeking exceptions to liberalizing initiatives). The supra-national European organs are seen more benignly. Skepticism towards the European parliament is also evident.

<sup>127</sup> Practically all the associations agree on this – the high quality of the information service is explicitly mentioned by the agricultural unions, the industrial union, the business union, and the insurance association.

Communications channels have also undergone changes – the internet is much more involved; websites have improved, electronic bulletins are being put out, special information portals created.<sup>128</sup> Although it cannot always be said that these changes are the direct result of integration, the activation of the membership base and interest in EU information services have undoubtedly contributed to improved quality of communications services.<sup>129</sup> A number of grants have been drawn upon in the area of information and communication. For example the associations continue to organize meetings and seminars focusing on European issues.<sup>130</sup> In the area of communication and providing of information, the cooperation with European federations is again very highly rated.<sup>131</sup>

## **5. Interest promotion and the strategies used by interest groups**

In the area of promotion of interests, significant changes have taken place among Czech interest groups in the context of European integration (see Kunc 2008: 85-87). The great majority of the bodies questioned declare that the traditional interests of their members will continue to be important in the future, but at the same time they admit that European integration presents new opportunities as well as new risks for their members. A number of new priorities related to the CR joining the European area are mentioned explicitly, and there is also the need for existing interests to work within the newly-opened space and become involved with interactive relations with a number of entities on the European level.

### **5.1 Labor Unions**

In the context of European integration we are following, all indications are that there has been no expansion of the set of interests defended by the Czech labor unions.<sup>132</sup> Jobs,

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<sup>128</sup> The spread of electronic communication is emphasized for example by the association of agriculture, the business association, the association of small and medium-sized business, and the chemical industry union.

<sup>129</sup> A significant growth in the number of actors turning to the associations since 2004 is confirmed by the business union for example.

<sup>130</sup> Among the most active are the association of agriculture and the union of industry.

<sup>131</sup> The very high-quality material provided by the European federations was praised for example by the Association of Specialized Wholesalers.

<sup>132</sup> There were no truly new interest priorities appearing in the context of European integration. Representatives of the professions spoke more of an expansion of existing topics – existing interests are defended in a new context (entrance of multi-national corporations, free trade, strong competition).

working conditions, and social security of employees are instead defended by transformed methods.

Nevertheless, the set of entities with which the Czech labor unions communicate and cooperate in their activities has expanded; new opportunities for defense of interests have appeared, and at the same time new risks for employees. Czech labor regards the continuity and stability of defended interests as a value in itself. Until the period of harmonization between European and Czech labor law, there was only one level of communication that was key for the Czech unions – the level of communication with the Czech state (the government of the CR) and Czech employers.

Entry into the EU, however, opened up new possibilities. Czech labor unions could now affect European labor law directly during the process of its creation; what's more, they could point to the customary positions and practices of the EU when making arguments on the domestic political scene. If the EU can be regarded as an environment where solidarity and well-protected interests of the workers are part of the social dimension of the united market, then the argumentation from the situation and standards of the EU (not only legal, but also extra-legal norms) becomes a valuable instrument in the hands of the unions for communication with officials in the CR, and to a certain extent with employer associations as well. Representatives of the Czech labor associations confirm that they make use of this type of argumentation quite often.<sup>133</sup>

In the context of the specific conditions of the Czech economic transformation, by the time of the CR's entry into the EU a certain level of influence had been attained by labor, along with a specific level of social-legal protection for employees. The harmonization of worker protection law was a necessary result of the material completion of European integration. Further raising of these standards was successfully achieved by the Czech labor unions on the European level by drawing upon the material, personnel, political, and historical resources of the German and French labor associations.<sup>134</sup> This was a great opportunity for the Czech unions that resulted directly from the process of European integration; at the same

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<sup>133</sup> This line of argumentation is used often, according to the representatives of practically all the labor associations. The European social model, and its environment for communication and negotiation, are compared to the Czech environment. The unions state clearly that in the majority of aspects the European model is preferred.

<sup>134</sup> A coordinated approach with the strong associations of the EU member states is seen as key by representatives of the Czech professional associations (this was expressed explicitly by representatives of ČMKOS, and the metalworkers', construction, and mine workers' unions).

time it is one of the reasons in favor of active participation by Czech labor unions in the European structures, and a positive commentary on the activities of partner organizations and the European labor federations.

## 5. 2 Professional chambers

After the CR entered the EU, the professional chambers were confronted with the opportunities and risks of the unified market. Officials from some of the chambers described as very important the pressure exerted by liberalizing tendencies on the common services market that accompanied the CR's entry into the EU. However, some spoke in this context of an attempt to liquidate the professional chambers, referring to proposals to lump some of the professional chambers together with regular interest groups, and redefined as services provided on the open market. In this context the chamber officials emphatically pointed out the special status of some of the professional chambers as representatives of the public interest, which are in some cases charged with carrying out aspects of public administration.<sup>135</sup> However, aside from the liberalizing tendencies on the unified market for services, to which officials of the Czech chambers had serious objections, the opinion prevailed among the representatives that there had been in the 1990s an "untrammelled liberalization", during which the role of the professional chambers was underappreciated and weakened in comparison with the European environment. Generally it can be said that in the effort to maintain the privileged status of the members of the chambers (in the context of efforts to liberalize the market in services), the Czech chambers in question mostly cooperated with the European federations and with their counterparts in the other member countries.<sup>136</sup>

Lobbying on the European level has become part of the everyday reality of the professional chambers. The EU institutions are not seen in the sense that they are intended to "make life easier" for the interest groups, but to create space for the effective representation of interests, and influence relevant policies in favor of the interests of the professional

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<sup>135</sup> For example, the notary association saw a fundamental threat in the proposal to open their profession to free access. In this context they spoke of their "successful defense of the principles of the notary profession" (*numerus clausus*, and limitations on the profession within the territory of the state).

<sup>136</sup> Even so, some exceptions appeared – for example the dentists' association opposed the pressure of the German dentists to exempt stomatology from liberalization measures. In this context officials of the dentists' association declared that free competition is a value that the Czech Republic should defend. The banning of amalgam as a material for dental fillings was proposed by the dental associations of some other countries, (for example), would harm Czech interests.

chambers. According to the Czech chambers, an active, precisely targeted, and effective representation of the interests of its members is a necessity. From the European environment comes a great quantity of impulses and pressures which must be promptly reacted to. European policies often have a “heavy impact”; for the interest groups they are a new impulse, requiring a well-structured “firm” platform in every member country.<sup>137</sup> The shaping of such structures in the professional chambers takes place under external pressure from the EU; however, the difference in the material and human resources of the chambers in the new and old member countries is very pronounced, according to Czech officials.<sup>138</sup> In this context the logical (new) interest on the part of members of the professional chambers and their representatives is active monitoring and precise analysis, interpretation, and amendment of European legislation.<sup>139</sup> This task is regarded as extremely demanding in terms of capacity, and would be impossible without intensive cooperation with (and sometimes the ability to draw on the resources of) the stronger chambers from other member states.<sup>140</sup>

A potentially important issue is the free movement of services on the common market, which brings up a number of topics for the professional chambers. These include the issue of the professional qualifications of service providers coming from other member states (and the issue of recognizing qualifications), improving the education of members of the Czech chambers who go to work in other countries, and the application of European work regulations.<sup>141</sup> Generally it can be said, however, that cross-border movement is not a fundamental topic for any of the Czech chambers (with only a few hundred leaving, and only dozens coming in).

Naturally there are a number of other phenomena appearing alongside the phenomenon of European integration that have an impact on the functioning of the professional chambers. One of these impulses is the ever-more-intensive use of information and telecommunications technology, which is strongly supported by many European policies

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<sup>137</sup> This was expressed by officials of the architects’ chamber. The need for precisely targeted and effective representation of members’ interests was also expressed by the lawyers and civil engineers.

<sup>138</sup> The Czech architects perhaps most emphasized the difference in the potential of the individual chambers from the old and new member states.

<sup>139</sup> Officials of the dentists association say that European legislation must be carefully monitored – what seems beneficial can bring serious negative consequences.

<sup>140</sup> This opinion was explicitly expressed by Czech doctors and dentists.

<sup>141</sup> These issues were emphasized especially by representatives of the medical, pharmacists, and veterinary associations.

and strategies. Thus there exists a link between the processes of adaptation to the European environment and demand for more rapid communications, the signing of agreements and business deals, posting of documents on the internet, etc.<sup>142</sup> All of this is magnified by the fact that the natural area of activity for some professions has expanded to the broad European market.<sup>143</sup> Besides the territorial expansion of the area of interest, there has been an expansion of technology and content as well.<sup>144</sup>

Strong competitive pressures – partly the result of liberalization in the field of services – have led the Czech chambers to emphasize the role of strengthening the expertise and life-long education of their members.<sup>145</sup>

The topic of protection against competitive pressures on the common market is not so important, according to officials of the Czech professional chambers. Although the issue of protecting the domestic market does sometimes come to the surface, the prevalent opinion in regard to protecting markets is that it “should not be done, and it’s futile anyway”.<sup>146</sup> The confrontational approach and argument on the basis of national interests is found very seldom; the vision of shared interests promoted by a united approach clearly predominates. An exception is the statement by the chamber of civil engineers, which points especially to the German (and Austrian) interest groups promoting their own work and protection of their own markets. The approach of the Czech chamber is thus “very hard-line”. In the area of construction there is still no real free movement of services, but liberalizing tendencies are visible here as well, and the topic of foreign qualifications is still quite important.

Representatives of the professional chambers acknowledge that they argue by calling attention to common EU procedures.<sup>147</sup> Arguments based on the situation in the EU are based

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<sup>142</sup> This link was mentioned in the responses by the notaries, architects, and patent attorneys.

<sup>143</sup> Representatives of the lawyers’ chamber speak of more opportunity to the west at present, and to the east in the future.

<sup>144</sup> For example officials from the lawyer’s association emphasize the necessity of focusing on the application of foreign law, the adjudication of the European Court of Law, interpretation of European norms, and in the future probably a greater role for the business aspect, all as a direct result of integration into the EU area. Another example is the patent attorneys, who for example now take part in EU patent and trademark hearings.

<sup>145</sup> The important role of education is spoken of in this context by representatives of the medical and lawyers’ associations.

<sup>146</sup> This stance is explicitly taken by officials of the chamber of architects, for example; it is also evident in the attitudes of officials of most of the chambers.

<sup>147</sup> This line of argumentation is most frequently used by officials of the notary, medical, veterinary, and architects’ associations.

on knowledge of the situation, for which the chambers have a great deal of material. The chambers especially point out what they say is the frequently incorrect interpretation of European norms. Even so, they have never felt neglected by representatives of the CR; thanks to integration into the EU they see more opportunities now to have an effect on public officials. Previously it was not common for a ministry to call on the chambers to comment on legislation – but now it happens often, for example during consultations on the plans of the European Commission.<sup>148</sup> Representatives of a number of the chambers believe, however, that Czech politicians pay little attention to arguments about the way things are done in the EU; in some cases this argument even brings out resistance.<sup>149</sup> The experience of officials from some of the chambers is interesting: they argue on the basis of how things are done in the EU; especially valuable is activity in Brussels. The chambers are then taken more seriously by domestic government organs. Thus they gain prestige through Brussels – the position of the chambers is significantly strengthened.<sup>150</sup> For the chambers, membership in the EU is often fundamental. A number of chamber officials declare that they want their activity to be at maximum level during the CR's Presidency of the Council.

### **5. 3 Associations**

The integration of the Czech Republic into the EU has brought a significant change in the environment in which Czech associations articulate, aggregate, and realize the interests of their members. A great majority of the officials of the associations say that there have been fundamental changes in a whole number of areas. Today new and different interests are being formulated; a new – European – dimension has appeared within which interests must be represented. There have been changes in the domestic level as well directly related to the CR's integration into the EU.

As for new interests, these differ depending on the character of the specific association. For the agricultural group, the most important themes were subsidies and compensation within the common agricultural policy; for associations active in the service

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<sup>148</sup> Incorrect interpretation of European norms is mentioned for example by the lawyers' association. Officials of the law association also mention calls by the ministries for commentary on European legislation.

<sup>149</sup> Such observations are found in the responses of the notaries' chamber and that of the patent attorneys.

<sup>150</sup> This has been the experience of the architects' association. The chamber hopes to take advantage of the CR's Presidency of the Council to promote and implement in the national environment policies that are normal in the EU countries.

sector it was the process of creating and implementing directives on services; for industry the dismantling of barriers within the unified market, support for export, and others. However, there are many interests that are to a certain degree new, related to integration, and officials also speak of an increasing number of Czech associations. One such interest very often mentioned was the need for sufficient quality information about what is happening in the EU. Interest in general information about the EU was soon replaced by interest in specific norms to be introduced that would have an impact on these associations' area of interest, and the course of the legislative process including subsequent discussions related to implementation.<sup>151</sup> It can also be said that the entire business sector welcomed the opportunities that the unified European market has to offer. The view of the common market as an opportunity was clearly prevalent; in a few instances the risks in the form of tough competition were mentioned as the price of this opportunity. The Czech associations actively and effectively make use of so-called simplified export, have accepted the loss of instruments for protecting the Czech market as a necessity, and regard the dismantling of the instruments of national protectionism as basically correct.<sup>152</sup> It is therefore logical that among the most important interests of the Czech associations is a favorable business environment within the common European market. This kind of environment should be free of barriers to economic activity; state intervention should be minimal, and bureaucratic procedures simplified as well. Criticism of bureaucracy and barriers to economic activity were leveled at both national and European structures. In the case of the Czech associations, however, criticism aimed at the national state was much stronger; the EU level is often regarded as relatively liberal and becoming more so. As such it is regarded as a possible avenue for achieving desired changes on the level of the CR.<sup>153</sup> The common trade policy and support for exports is logically the

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<sup>151</sup> Officials of the insurance association for example say that until EU entry the main theme was harmonization, and afterward information on EU events and mechanisms. At present the main topic is following the preparation of specific directives, and efforts to influence them. Similar experiences are reported by the business association and the chemical industry.

<sup>152</sup> Representatives of the chamber of commerce say that their purpose is to bring down all the barriers that remain in the EU. Representatives of the chemical industry say that there is only one chemical industry. An example of the shift in the demands of the citizens from the national state to the European level is the ambition of the textile association to influence Union policy in order to lessen the threat from Chinese imports.

<sup>153</sup> According to representatives of the chamber of commerce, its main interest has been a favorable business environment – equal and fair for all. According to the association, after the CR entered the EU bureaucracy grew, but the Czech ministry was said to be mainly at fault for this. Likewise, according to the association of private farmers their main interest is minimal interference by the state. The defense industry association calls for

object of significant attention on the part of the business sector. Support for export is an evergreen among business interests – and its move to a higher level within the EU is logical as well. This lies behind the reorganization of activities, where the realization of interests on the domestic level is accompanied by an effective and real European level. Thus representatives of the associations speak of two-track activities. The first track, via the ministries in the process of formulation of mandates and positions for negotiations with the EU, and the second via representatives and contacts in the European federations and their activities directly on the EU level in the relevant processes and competent institutions.<sup>154</sup> Among the interests most strongly emphasized by the Czech business associations were the possibility and capability of effectively influencing policy related to the social dialogue, social and labor rights, and environmental policy. In this context the Czech associations fully support the reform policy taking place in the EU (the so-called Lisbon Strategy); they wish to exert pressure for improving the competitiveness of the European economy, especially by eliminating barriers resulting from the European social model and progressive environmental policy.<sup>155</sup> Likewise we must not forget the area of financing from EU funds. Acquiring subsidies and preparing projects is understandably an important theme often mentioned by association representatives.<sup>156</sup> Most of the groups agree, however, that acquiring such resources involves an enormous administrative burden.<sup>157</sup> A very important set of problems, on which the Czech associations place extraordinary emphasis, is the implementation of European legislation by the Czech state. According to several of the important associations, the Czech state

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the removal of export barriers. And according to EU directives, such barriers need not exist. The association also complains of lack of involvement by the appropriate departments of the CR. Representatives of the Czech breweries declare that export was greatly simplified after entry, and that advantage was richly taken.

<sup>154</sup> The two-track nature of activities is seen in the responses of the industry association. They promote their interests via national structures (through the ministerial correlation groups and their instructions and mandates for negotiating in Brussels, and at the same time through the European federations and BUSINESS EUROPE). Their main interests are in common economic policy and export-promotion policy. At the same time they follow the issues of EU policy towards the multi-national trade mechanisms (WTO and the Doha round). In a number of problem areas the association has coordinated activities with the ministry of industry and trade. Similar statements were made by the glass and ceramics industry association.

<sup>155</sup> The Confederation of Industry labeled the environmental protection legislation as its priority, as did the Chamber of Commerce, officials of which describe the problems and conflicts in this area as acute. Similar opinions were expressed by the automobile importers' association.

<sup>156</sup> The association of small and medium-sized businesses put this issue at the top of their priority list. The Chamber of Commerce likewise emphasizes the acquisition of resources from the structural funds.

<sup>157</sup> The association of small and medium-sized businesses in particular complained about over-bureaucratization.

bureaucracy in the process of implementation has created a number of barriers, problems, and rigidities that are not justified and are basically unanchored in the original European acts.<sup>158</sup>

As for the legislative process, the great majority of the associations studied say that the role of the EU in the legislative area and in the influence of such legislation on the everyday function of the group has grown considerably. It is therefore necessary to carefully study this area, and assume an active role in the legislative process. Representatives of the Czech associations believe that the process of creating European legislation has a growing influence, whether on the level of the CR as a feedback area for the preparation of materials, positions, and mandates, or on the EU level via the federations, their representatives in the European structures, and the political and interest representation of the CR with which they maintain contacts.<sup>159</sup>

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<sup>158</sup> The Chamber of Commerce in particular calls on the Czech ministries not to burden Czech business with excessive and needless rules. The association of private farmers regards as a serious problem demands by the Czech ministries that are stricter than the European legislation. The automobile importers' association sees differing and excessive barriers as a Czech national trait. The association of private agriculture regards it as a policy priority to monitor the commitments of the CR towards the EU and point out where these exceed EU demands. The functioning of private agriculture in other countries is studied by members on field trips organized by the association.

<sup>159</sup> Representatives of the chemical industry say the legislative framework changed with entry into the EU; the volume of new regulations increased, and problems appeared that must be reacted to. Members are more critical of legislation than previously. The association takes active part in the legislative process. Members perceive that if something is neglected, it can have a major impact. The insurance association has a similar experience. Representatives of the textile industry say that the processes of promoting interests have changed significantly – on the new level (EU), legislation is difficult to follow. Many of the associations are aware that the great majority of legislation is created “in Brussels”. This corresponds to the increase in workload in this area. Association officials “explain” their interests to the public so they will be reflected in the legislative process. But the argument here is not one of national interest – again, the point of view of the sector predominates. In the period after entry, according to officials from the Chamber of Commerce it has not been a “snowstorm” of legislation, but rather a revision of the existing state of affairs. The pressure by members in this direction is intense. The association of small and medium-sized businesses tries to produce commentary on all acts of legislation. Again they emphasize the double focus on European and Czech norms, with emphasis on “oversight” of the process of harmonization and implementation. Almost all of the sector representatives are acutely aware of the growing weight of legislative activity by the EU.

In the institutional structure of the EU and the process of interest advocacy, the Czech associations are well oriented according to their representatives, and are able to be effective in this new environment in defending their interests.<sup>160</sup>

## **6. Relations with political officials in the Czech Republic**

A very important theme in the context of European integration is the development of relations between Czech interest groups and the political representation of the Czech Republic. It can be expected that Czech interest groups will cooperate with Czech political officials on matters of shared priority in promoting Czech interests in the EU; at the same time they will, arguing on the basis of custom and trend in the EU, attempt to influence Czech politicians to the advantage of their membership on matters where their positions diverge.

### **6. 1 Labor unions**

In regard to a joint approach by the Czech political representation and labor unions in respect to the EU, Czech labor union officials say for the most part that their communication and cooperation with the CR's representatives to the EU is somewhat limited.<sup>161</sup> Some labor officials praise the independence of the unions, and regard the limited degree of cooperation with political representatives as a plus.<sup>162</sup> At the same time Czech unions do not regard the political representation of the CR in the EU (especially the Czech representatives to the European Parliament) as competent, at least in matters that interest them.<sup>163</sup> Their overall assessment of the work of (especially) the Czech EP members is very mixed – Czech

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<sup>160</sup> According to officials of the textile industry, even in the complicated decision-making structure it is possible with concentration and well-organized pressure to achieve the desired result.

<sup>161</sup> Limited communication is admitted for example by the Trade Union of Workers in Mining, Geology, and the Oil Industry, the Union of Business Workers, the Union of Construction Workers, and the Union of Transportation Workers. ČMKOS and the Federation of Metalworkers say that they are making efforts towards communication, but the other side is not always interested. In no case is there any form of institutionalized communication (with the partial exception of the Federation of Metalworkers and possibly ČMKOS itself), or of working relations between the trade unions and personnel of the CR's embassy to the EU.

<sup>162</sup> This union is held by officials of ČMKOS and in places the metalworkers' union.

<sup>163</sup> Practically all the representatives of Czech trade unions say that Czech officials (especially Czech members of the European Parliament) do not help much; or that they try, but their knowledge of the issues and capacity to help solve them is limited.

members of parliament “neither help nor hinder”. Communication with Czech members is sporadic, and usually *ad hoc*; so far there has been no major institutionalization of relations, and the majority of labor unionists make no special attempt. Relationships are mostly on a personal level. A number of officials from Czech unions cited Richard Falbr (ČSSD) as an exception among the otherwise generally incompetent or uninvolved “Euro-MPs”.<sup>164</sup> It is understandably a question to what degree this is a function of the right-wing orientation of most of the current European MPs from the Czech Republic. It is equally possible that the EP is by nature an institution that is not at the center of interest for Czech labor unionists at present. Representatives of the Czech unions often say that the most important for them is communication with their labor counterparts in Germany or Austria. Communication with other entities is mediated by the European labor federations in the form of joint positions on specific issues (whether with the EESC or the Committee for European Social Dialogue).

## 6. 2 Professional chambers

Officials of the Czech professional chambers generally contend that the character and quality of communication with the Czech political representation did not change significantly in relation to the CR’s entry into the EU. The only difference may be the larger volume of information and better flow of information. Chambers also see more of how things work in other countries, and say they are better able to arrive at qualified positions.<sup>165</sup> As for communications platforms, interaction between the chamber and the agenda of the pertinent ministry of the CR predominates.

As for the CR’s representatives to the EU, communication is mostly of an informal character. Regular communication is limited to individual members of the EP and takes place mostly on the basis of personal relationships. On some occasions there are dinners with the CR’s members of the EP, with discussion exchanges and presentation of interests.<sup>166</sup> But officials of most of the chambers regard the CR’s Euro-MPs as to a certain degree incompetent and in some cases even unwilling to present the interests of the chambers.

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<sup>164</sup> The above-standard level of cooperation with Richard Falbr, and his competence (which is lacking among the CR’s other members of the European Parliament) was mentioned by the Trade Union Echo, and the construction, mining and geology, insurance, and business labor unions.

<sup>165</sup> A larger volume of better-quality information was praised by officials of the medical association, for example.

<sup>166</sup> Thus the interaction is with Czech representatives to the EU is described for example by officials of the Czech Chamber of Pharmacists.

Several of the chambers report bad experiences and insufficient communication.<sup>167</sup> Thus the chambers usually do not know how and whom to address of the CR's members of the European Parliament to make their efforts effective. Chamber officials often point out their relatively weak position versus the CR's representatives by comparing their position and the instruments at their disposal with those they imagine to be available to the chambers of other member countries.<sup>168</sup>

According to chamber officials, they are able to obtain information by themselves at present; their interest is in effective support for their particular interests. However if they do not wield a general (political) theme, then their situation is complicated, they say – therefore some of the chambers basically do not communicate with the CR's European MPs.<sup>169</sup> An institutionalized form of effective communication and operation on the European scene through the representatives of the CR is in most cases non-existent. In most cases there is nothing that could be called an institutionalized form of effective communications on the European scene through the representatives of the CR.<sup>170</sup> Nor is there regular, meaningful cooperation involved with the legislative process at the EU level. According to the chambers, they share few common topics with the CR's members of parliament. Therefore the chambers limit themselves to monitoring the activities of the CR's representatives to see that they “do no harm”. The country's representatives display no willingness or capacity to conduct detailed discussion of the chambers' issues. According to a number of statements by officials of the chambers, the country's representatives have all they can do to merely keep track (passively) of what is going on in the EU.<sup>171</sup> But the Czech chambers do have a meaningful interest in European legislation, its passage and subsequent implementation. In particular the implementation phase of legal norms involves intensive activities by the chambers with the Czech legislature and executive. Quite often it involves – according to the chamber officials –

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<sup>167</sup> This opinion was clearly expressed in the responses of the lawyers' and medical associations.

<sup>168</sup> A representative of the lawyers' association compared the position of the Czech chamber to that of its French counterpart. He wrote that the Czech chamber is not able to say what the French chamber can: that with the support of the government we have achieved success.

<sup>169</sup> The civil engineers and the architects, for example, had such an impression.

<sup>170</sup> Such forms of mutual communication are not enjoyed, as indicated by the responses of the architects, patent lawyers, doctors, and veterinarians.

<sup>171</sup> As said by officials of the medical and pharmacists' associations.

implementation beyond the framework of the “necessary harmonization”, and the chambers may thus have their interests harmed by the state.<sup>172</sup>

### 6. 3 Associations

The great majority of representatives of Czech associations state that they make efforts to cooperate with the Czech political representation on the domestic scene and in the EU. There are a number of other channels available to influence events on the European level in relation to the interests of the associations or their members. A great part of their activity is focused on the domestic ministries – position papers are sent, ministry working materials commented upon, and there is cooperation to form joint positions for the negotiation phase in the EU. The issue of relations between business associations and the state administration in relation to the implementation of European legislation is open to discussion.<sup>173</sup> Other channels for participation include interactive relations with CR members of the Euro-parliament, contacts through the Czech embassy to the EU, and alternatives as part of cooperation with the Euro-federations.

If we look at the European level it can be said that the Czech associations make relatively intensive efforts to work with the Czech EU representatives. Practically all of the associations communicate with and contact their EP representatives. However, the results of these activities are somewhat mixed. Most contacts are on the basis of personal acquaintance, and usually have a one-off character. Institutionalized cooperation is lacking.<sup>174</sup> Even so, there are associations that consider their relationships with Czech EP members as good.<sup>175</sup> It

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<sup>172</sup> Such opinions were expressed by the medical doctors and patent lawyers.

<sup>173</sup> Officials of the Association of Private Agriculture for example say that one of the problems that they deal with is the attitude of the ministries. The argument based on the way things are done in Europe is used, but the ministry is self-assured and its officials believe that they have the exclusive right to interpret EU directives, to which they add some of their own.

<sup>174</sup> For example officials of the Confederation of Industry say that they have turned a number of times to members of parliament; all of them responded in some way, but closer cooperation is lacking. The association initiated discussions with members of the EP, and intend to continue these meetings. The association wishes to strengthen this cooperation.

<sup>175</sup> Officials of the Association of Small and Medium-Sized Enterprises and Crafts praise this cooperation. Likewise, representatives of the insurance companies say that they are in active contact with members of parliament, keep them informed, and communicate their needs. The brewery and malterers' association reported very close cooperation.

must be said, however, that most of the associations have reservations about or are critical of their relationships with EP members. The opinion predominates that MPs are mostly uninterested in the associations' issues, are distant from the needs of the interest groups, and are more interested in the "big picture topics" (with broader political potential).<sup>176</sup> In comparing the benefits of cooperation with Czech Euro-parliamentarians and the benefits of cooperation with its embassy to the, it seems that the CR's embassy comes off better.<sup>177</sup> A significant observation in the statements by a number of officials from the important Czech associations is that there is much more effective and quality cooperation the European federations than with any element of the Czech political representation.<sup>178</sup>

As for the domestic level, cooperation with the ministries and state bureaucracy is considered a necessity and a matter of course. What is important is that compared to Czech institutions the EU is not generally seen as a source of regulations and barriers, but on the contrary (with a few exceptions) as a relatively liberal environment. Likewise, European legislation tends to be received positively. Standard EU procedures are the frequently-used argument in this context.<sup>179</sup> The great majority of the Czech associations say that as a result of European integration, their chances to bring effective pressure on the Czech bureaucracy to

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<sup>176</sup> For example representatives of the defense industry association say that they do not communicate with Czech members of the EP, and when they do, then only on an ad hoc basis. They also say that it would suffice if members "did no harm"; which according to the association's responses is so far not the case. Representatives of the automobile importers say that the CR's representatives to the EU are in the game for themselves and their parties. They do not defend the "interests of the CR", or else they deal with general problems. They show little interest in the issues that most closely concern the association. Representatives of the specialized wholesalers say that EP members are distant from the business world, and do not help much.

<sup>177</sup> The Association of Agriculture and the Confederation of Industry, for example, say explicitly that they communicate more with the CR's embassy than with the CR's EP members. The brewers' association also praises the cooperation of the embassy.

<sup>178</sup> Practically all the associations surveyed show a strong preference for cooperation with the European federations. The Association of Agriculture and the Chamber of Commerce for example make much more use of the European federations than they do the Czech political representation. Officials of the glass industry association for example say that they do not communicate with the CR's representatives in Brussels at all – everything goes through the federation.

<sup>179</sup> Officials of the Association of Small and Medium-Sized Businesses say that they often resort to argument on the basis of European custom, especially in regard to the reform initiatives for improving the business environment. The associations also worked on the ministries that went to the Council. The CR's representatives are at least receptive to calls to reduce red tape; at least an effort can be seen, according to the associations' officials.

achieve their interests has increased significantly. The EU thus supplies a number of instruments, which the associations actively use, for the articulation, aggregation, and realization of interests.<sup>180</sup>

In any case the European dimension has meant a fundamental transformation of the environment for interest representation by Czech groups. The associations are well aware of the existence of two parallel levels, and changes in the field of tactics correspond to this. The interests are thus represented on the level of the CR during the formulation of joint positions, after which it is possible thanks to such positions to have an effect on the EU level (cooperation with the Czech state institutions for the purpose of influencing processes on the EU level). In the opposite direction, the associations are active in the federations, and through them have an effect on EU institutions (EC, EP, ECOSOC), and via these on the state of affairs in the CR. Some examples of successful achievement of goals via the EU level can indeed be found. From the responses by the representatives of Czech associations it can be seen that the existence of a European channel for interest representation has tended to strengthen their position vis-à-vis the organs of the Czech state.

## ***7. Access to resources, and drawing upon them***

An urgent topic for the Europeanization of Czech interest groups is adaptation by these bodies to the instruments and procedures for drawing upon EU resources. In this context we are interested in two kinds of resources: expert information (the process of acquiring it, and providing it) and of course financial resources provided from European funds by way of grants.

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<sup>180</sup> Confederation of Industry officials in particular said that they base their arguments on what is common in Europe; they assume that the European level can be useful in influencing the domestic level. One example is the issue over labor law in the context of the Green Book. The textile association, too, mentions cases in which it is easier to succeed on the EU level, then bring pressure to bear on the CR. Likewise, representatives of the defense industry say that thanks to the EU more can be done on the Czech level. The Association of Agriculture has a different outlook. So far it has not been able to use the EU to achieve things at home, although such pressure has been attempted. Even so, they make frequent use of arguments based on the EU system.

## 7. 1 Labor Unions

Czech labor associations do not draw major amounts of financial resources from the European funds.<sup>181</sup> The only area in which the labor unions have made significant use of these funds has been personnel training. Representatives of the majority of Czech labor unions say that they are aware of the existence and potential availability of certain funds from European sources, and intend to try and get access to these funds in the future. At present, however, the Czech trade unions lack the material and personnel capacity necessary (at least on the formal side) to carry out the very demanding process of seeking these funds.<sup>182</sup> In most of the cases there is no special section to deal with this set of problems; Czech labor associations are not making an effort to launch cooperation with external specialists in the field of gaining access to EU funds. Representatives of Czech labor often declare that the degree and nature of the specific conditions attached to the potentially-available funds are unwelcome. The concern is even expressed that funds available under these conditions are, at least for the interest groups of the new member countries, in practice inaccessible – besides the formal difficulty of access, it is often very difficult to meet the specified conditions.<sup>183</sup> For the unions, which get their funds from their own activities and from membership dues, financial independence is regarded as a positive factor guaranteeing their independence. From this it can be anticipated that for the near future, external sources will be used by Czech labor unions for covering incidental and accompanying activities, and the provider of such grant funds will mainly be the Czech government.

## 7. 2 Professional chambers

As for the drawing of EU grant funds by the professional chambers, in the past this concerned only a few projects, usually focusing on education. The majority of chambers say they are not drawing significant amounts of EU resources in the future.<sup>184</sup> A number of the groups expressed interest in trying to acquire EU resources. However, some have no such

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<sup>181</sup> Of the Czech trade union groups, only ČMKOS (and in one case the metalworkers' union) said that they have experience drawing on European funds. The other trade unions do not draw on European funds.

<sup>182</sup> Only the umbrella group ČMKOS and the metalworkers' union employ specialists for drawing European funds.

<sup>183</sup> A number of the trade union groups say that the available amount of funds was even limited (Trade Union Echo, and construction, transportation, mining and geology).

<sup>184</sup> The medical association, pharmacists, or the architects association do not draw funds either.

ambition during the next few years.<sup>185</sup> Representatives of some chambers literally say that cooperation on projects is an enormous administrative burden that is disproportionate to the potentially gained resources. Thus projects are often described from the financial and administrative perspective as “absolutely insupportable”.<sup>186</sup> Some of the chambers actually have no interest in drawing on European funds.<sup>187</sup> The use of fundraising specialist is not common among the Czech chambers at present.

On the other hand, the Czech professional groups are very strongly involved in acquiring expert information. The basic channel for getting information are the European federations, as has been mentioned above. The Czech chambers are quite active in this area.<sup>188</sup> The issue of becoming established in the information flow of European federations or European institutions (and to a certain extent in the network of ministries of the member states) is seen as key.<sup>189</sup> The chambers usually receive the information in good time, especially thanks to cooperation with the European federations, which began several years before the CR actually joined the EU. As part of the exchange of expert information, the Czech chambers gradually became much more active and visible than they were before entry. Officials of the chambers usually express satisfaction over the contacts they have been able to arrange, and expect that the influence of the chambers may grow in the future. As for becoming involved in the network of interaction, it is interesting to observe that Prague is seen as a suitable place for negotiation partly because the Czech Republic itself is seen as “neutral territory”.<sup>190</sup> At the present time the majority of the professional chambers have an expert or department for analysis of information from the EU.<sup>191</sup>

### **7. 3 Associations**

There is not a large volume of financial resources being drawn by the associations from EU funds. The Czech associations have drawn a minimum of project and grant

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<sup>185</sup> The notaries, patent lawyers, and veterinarians do mention such ambitions.

<sup>186</sup> For example the lawyers’ association says this.

<sup>187</sup> This opinion was expressed by the doctors, pharmacists, patent lawyers, architects, and veterinarians.

<sup>188</sup> A high degree of activity in the area is exhibited by the dentist’s chamber, the patent attorney’s chamber, the civil engineers, and the pharmacists.

<sup>189</sup> Officials of the civil engineers spoke in this way on the issue.

<sup>190</sup> According to the civil engineers, who cite their experience in this regard.

<sup>191</sup> The lawyers’ association has a department of this type; the architects, civil engineers, and medical association have experts in information analysis.

resources. Where such funds were drawn, the great majority were for programs aimed at education. The majority of association officials described the European projects as extremely difficult administratively, and the high degree of co-financing is frequently a problem as well.<sup>192</sup> Also evident is skepticism over the usability and acceptability of EU funds. The funds, according to the statements by representatives of the Czech associations, are not usually provided in accordance with the actual needs of the recipients. Therefore the associations continue to prefer subsidies from domestic institutions. Here the problem of the associations' limited administrative capacities is not acute.<sup>193</sup>

Like the chambers, the associations also emphasize the transfer of information. The main source of expert information for the Czech associations are the Euro-federations. According to the association officials, the services of the embassy and ministries can also be taken advantage of. Czech associations usually do not have experts on information gathering in the EU, but at the same time they do not regard the services they are providing to their members as insufficient. The great majority of association officials are satisfied with the accessibility and quality of the information they obtain and pass on to their members.

## **8. Loyalty and identification**

In discussing the influence of the process of European integration and the mechanisms by which the EU functions on Czech interest groups, it will be useful to make some remarks on the self-identification of Czech organized interests within the context of the EU.

### **8.1 Labor unions**

It might be assumed that the Czech labor unions would emphasize some of the interests of their members as national interests of the CR. However, this type of argumentation (at least at the level of Czech labor officials with experience with EU practice) is relatively rare. The prevailing opinion is that the traditional interests of the labor unions (job protection, work and social conditions of employees) are common to all of the labor

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<sup>192</sup> The enormous administrative difficulty, and the problem of co-financing, are mentioned by the majority of the associations surveyed, explicitly by the Agricultural Association, the Confederation of Industry, the Chamber of Commerce, the Association of Small and Medium-Sized Businesses, the glass and ceramics association, the insurance companies, the defense industry, the automobile importers, and others.

<sup>193</sup> Representatives of the textile industry association, unlike officials from the other associations, say that they do draw European funds, and have enough for now. It is also noteworthy that they are attempting to adopt their own needs to the structure of the sources.

unions throughout the EU. In this case, then it is really true that what unites the labor unions in the various countries of the EU is seen as more important than what divides them. A joint approach toward European institutions on concrete issues (for example the directive on services aspects of reform efforts within the framework of the Lisbon strategy), employer associations on a European level (for example multi-national corporations and the movement of investments, employee protection standards), or the initiatives and practices of particular member states (for example social, wage, and tax dumping) is more important for Czech unions than a hard-line approach on specific controversial themes on which opinions necessarily differ (typically including the transition period, or hidden forms of discrimination against employees from the new member countries). The joint position of labor negotiated within the EU environment is used by Czech unions domestically to put pressure on the Czech government. Meanwhile, a joint approach or close cooperation between Czech governments and the Czech labor unions is unusual – the position of the Czech government or the usual practice in the CR is not relied on as an argument by Czech unions when negotiating within the EU. Representatives of the Czech labor unions regard their experience with the practice in European structures as a “school of democracy”. They see themselves as full members of the EU, respect the environment there, and feel that Czech entities (the government, employers, and the labor unions) have much to learn from their EU counterparts. We even encounter arguments such as “let us behave like EU members”. On this basis we can say that expressions of “European” self-identification are found quite frequently.

## **8. 2 Chambers**

Officials of the Czech professional chambers say that the entry of the CR into the EUI has brought important changes. A number of the professional chambers were forced to adapt themselves to the common market with the free movement of services. On the other hand, because of the specific nature of the professional chambers, these groups are not subjected to such severe competitive pressures as in the case of the business interest groups. Even so it can be said that where there exists direct or indirect competition from the EU environment, this is not seen negatively but as a logical feature of the natural environment in which the chambers work. The European dimension, including its institutions and political processes, has merely complemented domestic institutions and processes. Cooperation with natural partners – similar organizations in the other member countries – is praised by the great majority of the Czech professional chambers. Representatives of the Czech groups praise the personnel and

material resources and experience of their counterparts. The German, Austrian, and French chambers are regarded as logical partners; cooperation with these clearly predominates over competition. On the other hand, the Czech groups are the ones sharing experience and advice with the new and candidate member countries. on how to manage the process to of adaptation to the EU environment.

National interests are cited only rarely; much more often the concept is rejected in principle as not corresponding to the reality of the current relations among groups from the various EU member countries. The European federations of chambers from the individual member states are highly praised as well-functioning platforms for the formulation of common interests in the fields in which the Czech chambers are engaged. The customs and standard procedures in the EU are often cited to the Czech authorities. The European way as it is perceived to exist is usually regarded as an arrangement that the CR should get closer to. In several contexts it was mentioned that pressure from the EU to change the state of affairs in the CR has been positive. Representatives of the Czech chambers criticized the competence and willingness of the CR's representatives to the EU to help their organizations to achieve their goals. It also must be said that the chambers welcome EU entry and usually say that European integration strengthens them in their dealings with the CR's ministries and bureaucracy, and generally within Czech society.

It can be said that the Czech professional chambers have established themselves in the European context successfully; they see the European environment positively, as the natural environment for their activities. The intensive and positive cooperation with European entities on one and, and an often critical stance towards the Czech state administration and Czech environment indicate that the Czech chambers are beginning to identify with the European environment.

### **8. 3 Associations**

The research data shows that Czech associations have adapted successfully to the European environment. The associations understand and actively operate in the institutional structure, in the political and legislative processes, and are evidently able to achieve appropriate influence on the European policies that affect them. The EU is not seen as an external or foreign environment. The Czech associations have established active cooperative relations with the entities that are their natural partners in the member countries (the corresponding associations) and with the Euro-federations that represent and implement the interests of similar associations on a European level. The quantity and quality of transnational

relations are on a solid level, and are very positively perceived by officials of the Czech associations. If we focus on the Czech business associations, the great majority welcome EU entry, see the common market as an opportunity, and usually consider the European environment as suitable for their activities. The associations agree with the EU's reform efforts; the data show that they support the deepening and to a significant extent even the expansion of the EU. The Czech Republic – the state administration and the political representation – is not seen by the Czech associations as a source of protection against the EU. In the data acquired from the Czech business associations we basically do not see arguments made on the basis of national interest; there are minimal demands on the Czech political representation in the sense of protection from the EU environment (in the sense of opposing the predominant trend of development in the EU). The European partners of Czech associations are characterized as strong, experienced, and able. The Czech associations are determined to learn from the European counterparts; they wish to take advantage from their abilities and experience. Argumentation on the basis of the way things are done in Europe vis-à-vis the CR is frequent and common. Czech associations have a tendency to promote many of their interests in the environment of the EU; some interests in their estimation can be more easily realized through the EU than through the apparatus of the CR. In the research there was basically no instance of a joint approach on the part of the associations and CR officials towards the institutions or interest groups of the EU. Legislation coming out of the EU is not fundamentally criticized; on the other hand, the behavior of the apparatus of the CR in their implementation is criticized strongly and often. Cooperation with the European federations is also clearly preferred over the effort to realize interests through the Czech representation to the EU. Last but not least, the agencies agree with the joint policies of the EU, regard them as products of legitimate political and legislative processes in which they have obtained appropriate room for active participation. It can be said, therefore, that there has occurred a rather clear identification by the Czech associations with the European environment.

## ***9. Degree of Europeanization of Czech interest groups***

As part of the research presented here I made use of the theoretical concept of Europeanization as described by the most frequently cited definitions. In the process of operationalizing the term we selected individual sub-concepts, which we wanted to verify by using data acquired through extensive empirical research. After sorting the data acquired in

the survey on the individual concepts within the theoretical concept of Europeanization, we have arrived at the following findings:

*Table no. 25: Selected concepts and analyzed data of research on the Europeanization of Czech interest groups*

Selected concepts	Analyzed data
<ul style="list-style-type: none"> <li>- Changes in the structure of interest group</li> <li>- Effort at representation in the EU</li> </ul>	<ul style="list-style-type: none"> <li>- Organizational and regional structures – minor changes have occurred as a result of entry</li> <li>- Form of interest group is the result of long-term preparation</li> <li>- Compatibility of Czech interest group with European standards as a result of adopting models from EU since the mid-1990s</li> <li>- Representation in the EU seen as a necessity by most groups</li> <li>- Own structure in Brussels is not a solution because of the high cost</li> <li>- Membership in the European federations is the predominant means of representation</li> <li>- Membership of CR in the EU is clearly welcomed and is seen as an opportunity; the resulting changes are accepted by the great majority as positive</li> </ul>
<ul style="list-style-type: none"> <li>- Change in methods of communication with members and partners</li> <li>- Cooperation with EF</li> <li>- Change in communication with representatives of the CR (EU)</li> <li>- New possibilities for achieving goals</li> <li>- New interests, changes in interests</li> </ul>	<ul style="list-style-type: none"> <li>- Communication has become more intensive, demand for information from EU has risen significantly</li> <li>- Degree of interaction between Czech int. groups and their counterparts in the EU has increased dramatically; more communication with EU institutions, and more communication with CR state institutions about EU affairs</li> <li>- Sharp rise in quality of information service from EU, which is accessible and seen as very beneficial</li> <li>- Use of modern IT greatly increased</li> <li>- Cooperation with European federations is excellent, EFs are seen as indispensable partner</li> <li>- Communication with CR representatives to the EU is limited, CR reps are not willing or able to effectively assist int. groups in achieving their goals</li> <li>- The EU environment is seen as an opportunity, providing new instruments to achieve int. groups' goals</li> </ul>

	<ul style="list-style-type: none"> <li>- In the context of integration into EU a number of new interests have arisen (tracking, monitoring, and influence of European legislative and political processes and policies, protection of specific elements of national character, making use of opportunities)</li> </ul>
<ul style="list-style-type: none"> <li>- Argumentation on the basis of standard EU procedures</li> <li>- Change in positions and goals of interest groups</li> <li>- Drawing EU funds</li> </ul>	<ul style="list-style-type: none"> <li>- Argumentation on the basis of EU procedure is used often by int. groups; it is a valuable instrument for influencing events on the domestic level</li> <li>- The position of the int. groups has improved in a number of cases; cooperation with counterparts in EU and EF increase the int. groups' weight</li> <li>- Int. groups had interest in drawing EU funds, but they do not consider the current framework as suitable for their needs and capacities</li> </ul>
<ul style="list-style-type: none"> <li>- Value orientation towards EU</li> <li>- Intensive and cooperative relations with EU partners</li> </ul>	<ul style="list-style-type: none"> <li>- Czech int. groups focus on European environment, see it as natural environment to achieve their goals</li> <li>- European structures and entities are often regarded as a closer (in terms of interests) partner than CR structures; the int. groups can use the EU to put pressure on CR</li> <li>- Relations with EU partners are, with a few exceptions, highly positive and cooperative</li> </ul>

Source: authors

It can be said, therefore, that in the data we selected and analyzed there appear a number of facts that can be reasonably linked to individual dimensions of Europeanization. In the great majority of issued studied, the Czech interest groups appear to have undergone or to be undergoing the process of Europeanization.

### **9. 1 Labor unions, chambers, associations – Europeanization of Czech interest groups from a comparative perspective**

In the case of the first studied parameter – institutional changes – the Europeanization of the labor unions and the associations may seem insufficient. The reason that change did not occur with the CR's entry into the EU is the fact that the internal union structures, as well as the full mechanisms of cooperation with partners from the EU countries, were in the case of these organizations formed in the 1990s, long before the country's entry. To use the term by Tanji Börzel, we can say that they felt practically zero adaptation pressure. A similar finding

can be applied to the chambers, where a strong source of pressure on domestic structures to harmonize with EU conditions was present in the period during which the Czech Republic was endeavoring to meet the requirements of the *acquis communautaire*. However, after the CR entered the EU the chambers significantly expanded their circle of activities, including building partnership relations with their corresponding Euro-federations. The Europeanization of the chamber in this case can be described as partial, but very intensive.

The second parameter tracked was the degree of intensity of communication with partners on the EU level, and their quality after entry in 2004. The labor unions rated this communication as very good and very intensive; Europeanization was clearly apparent on this level, and the unions built on the activities begun before the entry. In the case of the professional chambers there was no significant expansion in the circle of partners, but there was observed a growing intensity of communication with the EU environment. The most intensive growth was observed by the chamber of lawyers. Most of the chambers emphasized the very good quality of contacts and also the fact that the most intensive contacts went on within the Central European region (the Visegrad group, Germany).<sup>194</sup> A substantial qualitative change took place with the associations; these associations gained full membership with the country's EU entry, and could begin to influence events in the EU directly. Despite the theoretical differences in interests to be defended by associations of the "older" member states, the Czech associations describe their relations and communication as cooperative. Likewise the interest by the associations' member groups in the EU has sharply risen since entry.

The circle of defended interests changed little with the CR's entry into the EU; at most there has been a shift of emphasis or a clarification of positions. What has changed, however, is that Czech interest groups now more or less regard the EU level as a relevant and attractive avenue for defending their interests, partly because doing so directly on the European level in cooperation with partners from other member countries allows them to "get around" the limitations given by the structure of the domestic political channels for applying influence. The motive of direct application of influence on the EU level is strong especially with the chambers, the position of which has clearly strengthened thanks to direct activity in Brussels, while inspiration from the models and strategies that function in the EU and other member states has been influential with the labor organizations. The associations – according to their

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<sup>194</sup> This was found to be the case both with trade unions and the associations.

specific interests – have oriented themselves very well in the EU environment on both of the levels studied.

The above parameters of Europeanization show that one of the important consequences of the Europeanization of Czech interest groups has been a certain change in the relationship between them and the Czech political representation. Basically every surveyed interest group regards the practice and customs of the other member countries of the EU, or the models present on the EU level itself, as a strong argumentational instrument versus Czech political instruments. The majority of the interest groups surveyed also shared their criticism of the behavior of the Czech political representations in the dialogue with organized interests. There has been no change of a qualitative nature; relations between the Czech political representation and the interest groups are in many aspects unsystematic<sup>195</sup>; the political representation is very often seen as more of a problem than an ally in advancing interests on the European level, while the European environment is seen as more suitable when compared with the Czech version. However, there has been an intensification of the information flow between the Czech political representation and various interest groups as a direct result of the CR’s entry into the EU. Only in the case of the associations can it be said that they have increased the pressure on the Czech political representation as a direct result of entry, and to this they have adapted their strategy of defending their interests.

In the final parameter studied – the EU environment as a new and potentially important source of information and financing of the activities of Czech interest groups – two differing trends can be identified. While financial resources are drawn in small amounts, the EU level represents a key source of expert information both internally towards the members of the interest groups, as well as externally towards the public, the political representation, and other actors in the political process.

Table 26 presents an overview of the changes brought by Europeanization for the individual Czech actors in the process of advancing organized interests:

*Table no. 26: Overview of Europeanization changes of Czech interest groups*

	Change in structure	Communication on the EU level	Articulation of interests on the EU level, learning from EU experience	Change in communication with representation of CR	New sources of information and funding
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<sup>195</sup> Another exception is contacts by the Czech employers’ associations with Czech members of the EP.

Labor Unions	0	++	++	+	+
Chambers	+	+	++	+	+
Associations	0	++	++	++	+

Source: authors

Legend: ++ strong Europeanization, + partial Europeanization, 0 no change, - de-Europeanization, N no data available.

Comparing the individual type of actors in the process of defending organized interests, we see that there clearly was Europeanization after the Czech Republic joined the EU. The Europeanizing changes were observed not only in the key parameters of interest articulation in the EU level, communication on the EU level, and changes in communication with the Czech representation, but were also basically confirmed in other areas as well. These include a strong self-identification by the Czech interest groups with the EU environment, which corresponds not only to our concept of Europeanization of political actors, but to Radaelli's emphasis on Europeanization as the dissemination of values and identities. The degree of Europeanization of various types of Czech interest group differs over the individual parameters, but these are not qualitative differences. Moreover, a number of these differences relate either to the period of democratic transition and consolidation, or to the unique characteristics of some defended interests.

## 9. 2 Czech interest groups – quiet, successful Europeanization

If we sum up the above observations, we can say that Czech interest groups have gone through a process of relatively intensive Europeanization.<sup>196</sup> However, a number of the Europeanizing measures, especially in the area of structural changes and forming instructional cooperation with partners on the European level, were already undertaken back in the phase of transition of the Czech political system, under a combination of internal and external impulses during the transformation era of the 1990s, and during the period 2001-2004.

In the 1990s the Czech interest groups shaped themselves as instructions compatible with the EC/EU environment, or imitated the successful Western European models and patterns. It has been empirically determined that no significant institutional changes have

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<sup>196</sup> The interviews and other surveys also show that the officials of the interest groups themselves usually do not think at all in the category of changes related to Europeanization; they see the changes as a “natural” reaction to changing domestic and international conditions as a result of harmonization and entrance of the Czech Republic into the EU.

occurred as a *direct* consequence of the actual entry of the Czech Republic into the EU. In the period studied after 2004 Europeanization appears only partially, as part of the successful transition and consolidation within Czech politics.

There is, however, a clear confirmation of the strong Europeanization of Czech interest groups in terms of increased communication on the level of the EU, and establishing cooperation with partners within the EU. Czech interest groups have established connections to the European federations, their counterparts in the member countries, and to European institutions. Interactions between Czech interest groups and European entities are intensive, active and very cooperative.

The third postulated condition for the true Europeanization of Czech interest groups has likewise been fulfilled. The EU is seen as an area that strengthens the position of the Czech interest groups against the Czech political representation and the state administration.

In the area of communication on the domestic level – towards institutions of the political system of the Czech Republic – the results of our study of the Europeanization of Czech interest groups show that in a sense the Czech groups regard their counterparts from the other member countries as their models, especially in the area of negotiating with the domestic representation, and the social and political influence coming out of it. A similar role is played by the interest groups' Euro-federations. In criticizing the domestic political representation, Czech interest groups quite frequently resort to arguing on the basis of how things are done in the EU and other member states.

The final level on which we studied the Europeanization of Czech interest groups showed again only partial Europeanization. For Czech interest groups the EU does not represent a meaningful source of financing, due especially to the difficult formal and procedural demands of European grants. On the other hand the EU is seen as a source of new expert information, which corresponds with the findings laid out in the previous paragraph.

Generally, then, our research has led us to the conclusion that in the key parameters the Czech interest groups have become strongly Europeanized. In the areas of associated indicators of Europeanization during the period studied, an intensive Europeanization has not occurred, which in the case of the institutional and structural changes can be explained by noting that the adaptation to the EC/EU models already took place during the democratic transition.

Research on the Europeanization of Czech interest groups also serves as a contribution to the discussion on the explanatory and predictive potential of the theoretical concept of

Europeanization. During the course of our research on the issue, we have successfully applied the theoretical concept to the Czech interest groups.

In a number of dimensions we found a strong degree of Europeanization of the Czech interest groups; especially interesting is the confirmation of Europeanization in the “soft aspects” of changes in tactics, adoption of models of behavior, self-identification, changes in loyalty, etc. The concept of Europeanization as it is defined, in confrontation with the empirical reality of the Czech interest groups, has proven to be useful. The predicted situation that we described during the research hypothesis, corresponds in its basic outline to the observed reality of the selected Czech interest groups. Europeanization thus seems to be a suitable concept for theoretical explanation of the changes undergone by Czech interest groups in the process of the Czech Republic’s integration into the European environment.

### ***10. In place of a conclusion: Is the Europeanization of Czech interest groups a model for interest groups in other countries?***

The data acquired for the Czech Republic can tell us a number of things about the degree and character of Europeanization of comparable interest groups in the new and other EU member countries, as well as the meaningfulness of the use of the theoretical concept of Europeanization for explaining and understanding the processes taking place during the period of European integration. The data acquired and conclusions arrived at would have such a descriptive value if the Czech Republic itself can be regarded as a country that does not stand out among the other member states with such characteristics closely related to the role, interests, and positions of the interest groups. The Czech Republic features a number of characteristics that speak for its “neutrality” in regard to the interest group studies, and thus for the applicability of the results to the other countries. Mainly these include convergence of the institutional, legal, and economic environment, which during recent years has accelerated even more, and which shows that the great majority of socio-economic indicators are comparable to standards in the EU. The Czech Republic has no obviously problematic characteristic or issue within the EU that would set it apart, or that would render Czech interest groups non-standard for the EU or for representatives of the CR.<sup>197</sup> On the other hand

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<sup>197</sup> Problematic profile issues may include high unemployment, a much lower per capita income than the EU average, significant underdevelopment of infrastructure, insufficient capital for investment, problems with inefficient sectors of the economy (agriculture, un-restructured industry), a differing foreign policy orientation, inability to promote exports, strong articulation of nationalist interests, and other contexts.

it can be argued whether the absence of some meaningful point of friction, some outstanding trait, or general nationally mobilizing theme does not itself set the CR apart; this might influence factors of the Europeanization of interest groups that have gone unmeasured in the CR. In this context we should like to emphasize that the research shows that the Czech interest groups (including those working in the area of business and strongly focused on the common market) do not think or behave in the category of national interests. In this sense they do not place tasks on CR officials, and do not press for defense of national positions within the European process of policy formation. How to explain such a fact? We believe that a partial explanation might be found in two issues. First – the CR underwent an extraordinarily rapid liberalization of foreign economic relationships back in the early 1990s. Restructuring of industry, reorientation on foreign trade, and economic reforms have been the standard features of the environment in which the Czech interest groups and their members have had to function for a long time. Current European reform efforts therefore do not stimulate the defense mechanisms of these interest groups. The dramatic reforms that took place in the 1990s have prepared Czech interest groups for the shock of connecting into the common market, and brought pressure in the form of individual measures taken to complete the process. For Czech business, entering the common market has meant new opportunities on a large, strong, stimulating market with excellent infrastructure. Employers have welcomed new opportunities that have arisen thanks to the dropping of national barriers; they have felt relatively self-confident within the framework of the shared market, and have reacted to the risks connected to the general trend of globalization in the world economy by working at the EU level through the European federations in the formulation of common economic policy. Groups that have traditionally had reservations towards a liberal economic environment (labor unions, agricultural associations) see the European economic environment as being open to compromise, and providing more support and protection than was available in the CR before it entered the EU. In both cases EU entry is seen as a positive; adoption of European procedures, strategies, and models is reinforced, and the motivations to work with the Czech state against the EU is weak.

The second set of problems is the level of institutions and administration. Generally, despite a number of critical comments, the Czech interest groups regard the European legal and institutional environment as superior to the Czech environment. The EU is criticized (and in a number of cases, though less explicitly, praised) as an environment that is highly bureaucratized, complex, and non-transparent. At the same time the interest groups see the particular pragmatism and instrumentality of its individual mechanisms, which (according to

the model of the stronger and more experienced counterparts from the other member countries) they are capable of making use of for their own benefit and that of their members. Although European legislation is far from being accepted unconditionally, it can be concluded that its prestige is greater than that of the national legislation. This is also true of the individual laws, and administrative decisions and measures.

It can be said, then, that for a number of historical and circumstantial reasons the Czech interest groups conform well to the EU, are competitive, have a positive attitude towards the current reform processes in the EU, and regard the European institutional and normative structure as a step in the right direction compared to the national level. All of this has had a major effect on the character and content of the responses given to this, our survey on the current degree and nature of the Europeanization of Czech interest groups.

## **Appendix: About the research**

Empirical research under the project *Political Actors in the Process of Europeanization and the Internationalization of the Political Environment in the Czech Republic*, financed by the Ministry of Labor and Social Affairs of the Czech Republic, was carried out by a research team from the Department of International Relations and European Studies at the Faculty of Social Studies, Masaryk University. An extensive archive of relevant data has been acquired through the collection of publicly available information, research in commercial databases, and above all through our own structured interviews with leading officials of the important Czech interest groups. The data and the observations from this research form an important part of the empirical base for the part of the publication that deals with Europeanization of interest groups in the Czech Republic.

## **Methodology and implementation of research**

To fulfill the goal of the research – which is to determine the degree of Europeanization of Czech interest groups, and verify the descriptive value of the theoretical concept of Europeanization – it was necessary to acquire a mass of empirical data that would be as representative as possible. Data of such character that would allow for solid answers to the formulated questions was not yet available. For this reason it was necessary to undertake an extensive, original empirical research on Czech interest groups.

The first step in the research was to select the size of the sample of actors, and select the instruments for determining the values of the variables in the dimensions examined. The

logical problem that this research had to deal with was the selection of the groups to be included in the sample. The selection had to be made so that the resulting sample would be sufficiently representative of the population. At the same time the analysis had to be manageable with the available resources. This problem was closely related to the choice of the proper instruments for studying the data from the interest groups.

During the first phase, a large number of groups (391) were evaluated as to their relevance for the study. Of these, a total of 64 interest groups were chosen so as to fulfill the criteria of importance and representativeness (see the list of research subjects: appendix 1). Subjects considered relevant for research in this stage were such interest groups as were found in connection with the studied topic (Europeanization in the broader sense of the term) in the specialized literature and on the internet. In view of the topic it seemed that the most relevant, most representative, and most influential were the employee and employer unions, professional chambers, and professional associations.

Included in the research were the majority of the important labor unions (15 subjects), all of the professional chambers (13 subjects), and a number of the most important employer (14 subjects) and professional associations (13 subjects). In order to completely cover the field of organized interests it was still necessary to find out whether the research topic was also relevant for interest groups of the social-political type. For this reason a preliminary survey was taken among the most visible and active groups (9 subjects). The assumption that for these actors European topics are not important (to the extent and intensity that would be indicative of “Europeanization”) was confirmed. This group of actors was discarded as the subject for further analysis, because of the weak descriptive value of data that was gained from public sources and during the interviews.

Therefore subjects were studied that were assumed to have potential for working within the interaction channels: Czech interest group – CR, interest group – interest group from other EU country, and interest group - EU<sup>198</sup>. The quantity and quality of such interactions and their comparison within the framework of individual channels then provided a solid foundation for focusing on the object of research.

The instruments used in the first phase were, especially, analysis of the publicly available sources (internet, specialized and periodical journals, program materials, press releases, etc.). During this stage an extensive data archive was created that mapped out all of

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<sup>198</sup> Here we mean both the institutions of the EU (Commission, Council, ECOSOC etc.) as well as the relevant European federations.

the contexts apparent from the studied materials between these subjects and the relevant topics.

In subsequent phases the focus of study was on communication with the groups themselves. The individual subjects were repeatedly contacted; via e-mail they obtained a description of the research, its purpose, main research questions, and sets of questions that the research team was most interested in. The pilot study determined that the large majority of the planned topics were interesting for the research subjects; that they regarded the topics as relevant, had the needed knowledge and attitudes, and were able and willing to take part in the research on them. In several cases it was possible to discover interesting themes which had not been included in the original concept. On the other hand some were discarded, because they did not prove to be supportable for the studied population. On the basis of this pilot research on selected subjects, the final materials were assembled for a partially structured interview (Interview structure: Annex 2).

An especially valuable source of observations were the partially structured interviews with important representatives of the studied groups. The interviews typically were held in two stages, within the period 2005-2007. On the basis of the data acquired, the first analysis of content was carried out, which gave rise to observations published in a number of academic articles. At the end of this phase of the interview the degree of participation of the interest groups being studied was evaluated, as well as the representativeness of the acquired data. Where it was appropriate (the data for the group was not complete, or its representativeness was in doubt), follow-up interviews were held. Thus in 2007 we were able to contact 21 subjects, of which 17 cooperated to a sufficient degree as to place the overall volume of data on a solid level, making it possible to come to preliminary conclusions, and make cautious generalizations about the entire array of Czech organized interests.

The part of the publication dealing with the Europeanization of Czech interest groups is therefore the result of a number of content analyses of all available materials, which provided sufficient representative empirical observations for analysis of the problem.

### **Problems and limitations of the research**

Empirical research on the Europeanization of Czech interest groups (as it was carried out) understandably suffers from a number of limitations and problems. The first of these is the somewhat intuitive assembly of a list of subjects; then the only partially empirically-based selections of the studied sample. In this sample, the subjects active for example on the internet and the mass media are naturally over-represented. The individual interest groups are not of

equal importance; in some cases the situation is even more complicated because it is necessary to examine not only the higher subjects but their individual members (typical case: ČMKOS and the individual labor unions).

Other distortions were caused by the partially structured interviews. Besides the usual problems that burden all sociological research projects, this project had its own specific problems: officials of the interest groups had different levels of awareness about problems; they could project their own perceptions of a problem onto the positions of their organizations. In view of the fact that these were persons who were responsible for the external relations of their groups, they could be more well-informed, and more aware of the European dimensions of their organization's activities than other members. Larger subjects (included in the research according to the criteria of their importance) have probably larger and more aware international horizons than the smaller and more local subjects. The marked degree of "Europeanization" measured with the Czech interest groups may have been influenced by the "freshness" of EU entry, as well as the character of the Czech economy (extremely open internationally) and some aspects of Czech foreign policy (small emphasis on parochial and national interests). Thus to generalize to all interest groups and over a longer time horizon is justified only to a certain degree. Application of conclusions to the other new member states of the EU (in the extreme case) for the larger countries of the EU 15 would be evidently very problematic.

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## Annexis:

### **Annex 1 – list of research subjects**

#### *PROFESSIONAL CHAMBERS*

Česká advokátní komora	Czech Chamber of Attorneys
Česká asociace dražebníků	Czech Association of Auctioneers
Česká komora architektů	Czech Chamber of Architects
Česká lékárnická komora	Czech Chamber of Pharmacists
Česká lékařská komora	Czech Medical Association

Česká stomatologická komora	Czech Dental Chamber
Exekutorská komora České republiky	Chamber of Executors, Czech Republic
Komora auditorů ČR	Chamber of Auditors, Czech Republic
Komora autorizovaných inženýrů a techniků činných ve výstavbě	Chamber of Authorized Engineers and Technicians in Civil Engineering
Komora daňových poradců ČR	Chamber of Tax Advisors, Czech Republic
Komora patentových zástupců ČR	Chamber of Patent Attorneys, Czech Republic
Komora veterinárních lékařů	Chamber of Veterinary Doctors, Czech Republic
Notářská komora ČR	Chamber of Notaries, Czech Republic

#### *LABOUR UNIONS*

Odborový svaz KOVO	Czech Metalworkers' Federation
Odborový svaz STAVBA ČR	Trade Union of Construction Workers CR
Odborový svaz pracovníků dřevozpracujících odvětví, lesního a vodního hospodářství v ČR	Trade Union Union of Lumber, Forestry, and Water Management Workers Czech Republic
Odborový svaz pracovníků	Trade Union of Textile, Clothing,

textilního, oděvního a kožedělného průmyslu Čech a Moravy	and Leather Workers of Bohemia and Moravia
Odborový svaz pracovníků obchodu	Union of Retail Workers
Odborový svaz pracovníků peněžnictví a pojišťovnictví	Trade Union of banking and insurance business' employees
Odborový svaz dopravy	Union of Transportation Workers
Odborový svaz státních orgánů a organizací	Union of Public Service Employees
Odborový svaz zdravotnictví a sociální péče ČR	Trade Union of Health and Social Services CR
Českomoravský Odborový svaz pracovníků školství	Czech-Moravian Union of Education Workers
Odborový svaz pracovníků hornictví, geologie a naftového průmyslu	Trade Union of Workers in Mining, Geology, and the Oil Industry
Federace strojířů ČR	Federation of Railroad Engineers CR
Odborový svaz Energetiků	Trade Union of Energy Workers
Odborový Svaz Železničářů	Railroad Workers' Trade Union
Odborový svaz pracovníků dopravy, silničního hospodářství a autoopraven Čech a Moravy	Trade Union of Transportation Industry, Road Construction, and Car Repair Services Workers of Bohemia and Moravia

*ASSOCIATIONS (employer, skilled trade and professional unions)*

Agrární komora ČR	Agricultural Association CR
Asociace autobazarů ČR	Association of Used Car Dealers of the Czech Republic
Asociace cestovních kanceláří ČR	Association of Travel Agencies of the Czech Republic
Asociace malých a středních podniků a živnostníků České republiky	Association of Small and Medium-Sized Enterprises and Crafts of the Czech Republic
Asociace obraného průmyslu ČR	Defense and Security Industry Association of the Czech Republic
Asociace odborných velkoobchodů	Association of Specialized Wholesalers
Asociace penzijních fondů	Association of Pension Funds of the Czech Republic
Asociace sklářského a keramického průmyslu ČR	Association of the Glass and Ceramic Industry of the Czech Republic
Asociace soukromého zemědělství ČR	Association of Private Agriculture
Asociace textilního, oděvního, kožedělného průmyslu	Association of Textile – Clothing – Leather Industry of the CR
Český svaz pivovarů a sladoven	Czech Beer and Malt Association
Český svaz zpracovatelů masa	Czech Meat Processors' Association
HO.RE.KA ČR Sdružení podnikatelů v pohostinství a cestovním ruchu	HO.RE.KA. ČR. Association of Entrepreneurs in Hospitality and Tourism

Moravín – Svaz moravských vinařů	Moravín – Union of Moravian Vintners
Potravinářská komora ČR	Federation of the Food and Drink Industries of the Czech Republic
PRO-BIO Svaz ekologických zemědělců	PRO-BIO Association of Ecological Farmers
Svaz českých obchodníků masem a dobyt看em	Czech Union of Meat and Livestock Traders
Svaz dovozců automobilů	Car Importers Association
Svaz chemického průmyslu ČR	Association of the Chemical Industry CR
Svaz chovatelů holštýnského skotu	Association of Holstein Cattle Breeders
Svaz chovatelů prasat v Čechách a na Moravě	Association of Swine Breeders in Bohemia and Moravia
Svaz obchodu a cestovního ruchu ČR	Confederation of Commerce and Tourism CR
Svaz průmyslu a dopravy	Confederation of Industry
Svaz sléváren České republiky	Association of Foundries of the Czech Republic
Svaz vodního hospodářství ČR	Water Management Association CR
SVOL – Sdružení vlastníků obecních a soukromých lesů	SVOL – The Association of Municipal and Private Forests Owners in the Czech Republic

*INTEREST GROUPS of socio-political character*

Asociace rodičů a přátel zdravotně postižených dětí ČR	Association of Parents and Friends of Physically Handicapped Children CR
Český svaz ochránců přírody	Czech Union for Nature Conservation
Děti Země	Children of the Earth
Hnutí DUHA – Přátelé Země Česká republika	Friends of the Earth Czech Republic
Jihočeské matky	Mothers of the Southern Bohemian Region
Nezávislé sociálně ekologické hnutí – NESEHNUTÍ	Independent Social Ecological Movement – NESEHNUTI
Transparency International	Transparency International
Svaz pacientů ČR	
Liga etnických menšin	League of Ethnic Minorities

***Annex 2 – structure of interviews with subjects (questionnaire)***

**CHANGES IN THE INTEREST GROUPS**

**Changes in organizational and regional structure related to EU entry.**

**1) Has the organizational or regional structure of the INTEREST GROUP changed?**

- 1.1) Have new specialized organizational units or new levels of hierarchy appeared?
- 1.2) Have new territorial units been created?
- 1.3) Have the changes been part of administrative reforms – the introduction of territorially autonomous units /regions.

**2) Are these changes directly related to the CR's entry into the EU?**

- 2.1) Are at least some of the changes a reaction to new conditions and opportunities?

2.1a) Which ones?

2.1b) Do you think that this puts your interest group nearer to the “European format”?

2.1c) Would you say that this is a reaction to competition in Europe?

2.2) Are these changes instead more of a reaction to other changes in the world and in Europe (*the phenomenon of globalization of the economy – everything is becoming international, competition and specialization is increasing, there are new opportunities and risks*) that do not relate directly to joining the EU?

### **3) Are you building or will you build a structure in “Brussels”?**

3.1) What form does/will this structure have?

### **4) Has there been a decline or growth in your interest group’s membership?**

4.1) Has there been a change during the time since the CR joined the EU?

4.1a) Do you think the change in the number of members is related to EU entry?

## **COMMUNICATION, TACTICS, PRIORITIES**

**How has communication changed between the interest group and its partners, and the interest group and the representation of the CR? How have its tactics and priorities changed in relation to the CR joining the EU?**

### **1) Has anything changed in the character of communication between your interest group and its members or its counterparts?**

1.1) Do you communicate with (*do you address, are you addressed by*) the same circle of subjects?

1.1a) Who has been added to this circle?

1.1b) Who has fallen out of this circle?

1.2) Has the way you address these subjects changed?

1.2a) In what way?

1.5) Has the network of the natural partners for your interest group changed, in your opinion? (*natural partner: that with whom it is logical to communicate and cooperate*)

1.5a) Do these “new” partners come from areas outside the CR?

1.7) What are relations with your partners like? Is it possible to cooperate with your partners? (*partners could be political parties / trade unions / professional chambers /*

*professional or interest representation of the CR in the EU/ interest groups from the CR in the same areas/ interest groups in the EU?)*

1.7a) Do some of the groups working in your area of interest seem to be more your competitors than your partners?

*(is there a relationship of cooperation or competition?)*

1.8) What manner of presentation of your own interests in the EU do you prefer? *(provided you are presenting interests in the EU)*

1.8a) Do you cooperate with some federation of interest groups in the EU?

1.8b) Do you rely on your own representatives?

1.8c) Do you maintain contacts for this purpose with other interest groups in the CR?

## **2) Have negotiation tactics changed towards the domestic and European political representation?**

*(if it has changed – how and in what area – this change may typically consist of the following)*

2.1) Do you communicate more than before with representatives of the CR?

2.1a) Has your relationship changed?

2.1b) In your negotiations (with representatives of the CR) do you use as an argument “this is the way things are done in the EU” ?

2.1c) Do you point out how the EU usually handles it?

2.1d) Do you point out changes in the position of your interest group as a result of joining?

2.2) Do you communicate with our representatives to the EU/ with members of the EP /?

2.2a) Do you have some established form of relations with the CR’s representatives to the EU?

2.3) Do the CR’s representatives help you to attain your goals on the EU level?

2.3a) Has cooperation with them become more intense since the CR joined the EU?

2.4) Do you feel that there is more of an opportunity to affect the representatives of the CR as a result of the CR joining the EU *(through argumentation on the basis of the way things are done in the European Union)?*

2.5) Has your activity in the area of legislation become more intense since joining the EU *(proposed laws and regulations, their consultation, and review)?*

## **3) Have the strategic priorities of your interest group changed in terms of extent and number of interests (as a result of the CR joining the EU)?**

- 3.1) Which interests have grown in importance?
- 3.2) Which interests have become less important?
- 3.3) Do you place the same weight on your traditional interests?
- 3.4) Which new interests does your interest group defend?
- 3.3) To what degree (in your opinion) do these changes relate to the CR's joining the EU?
- 3.4) Have the demands of your members changed in terms of defended interests?
- 3.4a) Have new interests been formulated?
- 3.4b) Have their priorities changed in terms of the existing set of defended interests?
- 3.4c) Do you think that these changes have taken place as a result of altered conditions after EU entry? (*better organization of interests, changes in competencies of organs, tougher competitive conditions as part of the unified market*)
- 3.5) Can any of the interests defended by your interest group be considered general Czech national interests (*national interests of the CR*)?
- 3.5a) Should the Czech representation defend these interests for this reason on the European level?

**4) Has the regional reach of your interest group expanded?**

- 4.1) Has the territory you are working in expanded (from local level to regional, national, European, multi-national)?
- 4.2) What would you say is the main reason for this change?

**RESOURCES**

**How have your interest group's resources changed (sources of expert information, financial resources)?**

**1) Has your method of acquiring expert information changed?**

*(expert information: analyses, selection of issues and their solution, legislative proposals, expert evaluations and estimates)*

- 1.1) Do you get it from someone else, or some other way (*than before EU entry*)?
- 1.1a) From whom?
- 1.1b) What is the character of the change?
- 1.1c) Do you call more frequently on expertise from this source?

- 1.4) Do you offer your consulting and expert services outside the circle of your members?
- 1.4a) To whom do you offer them?
- 1.4b) Why (what is your main motive)?
- 1.5) Does your interest group have an expert for analysis of information and information channels from the EU?
- 1.5a) What does he/she focus on, what kind of information does he/she look for?

**2) How do you draw grant funds or financial resources?**

- 2.1) Do you draw grant or financial resources from the EU?
- 2.1a) From which EU programs and sources?
- 2.2) Has the type and extent of these sources changed as a result of the CR entering the EU?
- 2.2a) Has the number of sources grown?
- 2.2b) Has there been an increase in the volume of resources drawn?
- 2.2c) Has the interest group adapted to changes in the type of sources, or changes in their volume? How?
- 2.3) Does your interest group have some kind of special department (experts) focusing on acquiring resources (*fundraising*) ?
- 2.3a) Is there some department or part of one focusing on acquiring resources from the EU?
- 2.3b) Do you cooperate with some other partner (in the CR or the EU) that specializes in this area?
- 2.4) Do any changes in the strategy and tactics of defending the interests of the interest group relate to changes in the sources of funding (*with the Europeanization of sources*)?