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Research Paper no. 7/03

**The open method of co-ordination –
focussing on EU employment strategy**

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Research Papers from the Department of Social Sciences, Roskilde University, Denmark.

Working paper series

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Abstract

The first five years of the EU employment strategy, which was based on the Amsterdam Treaty and endorsed by the Luxembourg Summit, have come to an end, and an evaluation of the strategy based upon the national action plans, and a supranational comparison of the impact has been carried out by the Commission. The questions which arise in relation to the strategy, are twofold namely whether or not the employment strategies in the member states have been influenced by the supranational strategy in any way, and whether the use of the open method of coordination has added anything to policy-making.

The article will begin by briefly describing the enactment of the labour market strategy, and will continue by discussing if, and if so how, it is possible to measure the impact of an open method which is mainly based on peer pressure, best practice, and bench-marking. It then goes on to discuss, based upon recent experience, whether we are witnessing the open method of coordination (OMC) as being the first step towards policy convergence, as the Commission wish to see it, or whether it is merely a ball which will only be played when the national players wish. If it is not a ball, they will opt for the scapegoat approach as has been witnessed in the EMU discussion.

On the basis of the national action plans, and the supranational evaluations of them, some preliminary ideas will be presented of how and if the OMC is giving a new impetus to convergence, or it implies on that road.

Keywords: EU, Open-method of Coordination, Labour Market Policy

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TABLE OF CONTENTS

Introduction.....	6
OMC focussing on labour market policy.....	9
The method.....	9
The Employment strategy.....	10
The evaluation of the first five years employment strategy.....	15
Concluding remarks.....	22
Literature:.....	25

Introduction

In recent years, Europe's development has been one where the interaction between the national and supranational levels has been constantly changing. It has not been clear whether the various actors involved in European decision-making were about to increase or decrease their influence, or whether we were witnessing the continuously increasing centralisation of power at the supranational level, or an increase of intergovernmental collaboration using the EU system as a platform. One question that has been raised is: what has the influence of the European Parliament, the Commission, the social partners and national governments been on the development of a European employment strategy, particularly with respect to the discussion of a European social model? Part of the discussion concerns whether or not "the Luxembourg process has encouraged an emerging decentralized modernization of policy" (Adnett, 2001). This decentralisation can be seen as a contrast to the earlier approach of the 70' and 80's of trying to harmonize and increase power mainly at the supranational level.

This article's main aim will be to evaluate, analyse and discuss the first five years of the European employment strategy. A central hypothesis is that despite the intention of the Council of Ministers and the Commission, the strategy should be a new steering mechanism for the development of a common European labour market strategy. The strategy has turned out to be a device, the main impact of which has been that the national bureaucrats can write reports for other bureaucrats. This allows each country to claim that they are in line with Europe, and developments in Europe, especially if they find it appropriate. This is another way to put Falkner's (2000) question relating to whether there has been a sea-change or standstill in the development of Europe.

Testing the impact of the OMC strategy is not easy, and the analysis can therefore only be seen as an indication of how the situation has developed. It might be the case that "the big problem with the empirical assessment approach is that it is too early for conclusion on both the scope and the effectiveness of the Open Method" (Eberlein and Kerwer, 2002). Still, it seems that only empirical analysis, using various sources of data, can underpin and help in explaining and understanding the development of Europe.

The data used in this analysis will mainly be documents from the European Commission, an interpretation of the Commission's interpretations of the development of National Action Plans (NAPs) . This combined data will then be coupled with some macro-data relating to developments in the labour market. The use of the macro-data will help answer the question of whether there has been any tendency towards convergence or not. This is what one should expect if the supranational strategy leads to a common understanding of the social and labour market problems, the effectiveness of various policies, and to learning from others' experiences.

The analysis presented here concerns what has happened during and since the enactment of the EU labour market strategy in 1997. Thus, the article, as already suggested, questions whether or not the OMC will contribute to the trend towards convergence in labour market and social policy in Europe. The reason for this question further being, that convergence to a certain degree in the social area might

be a replacement for harmonisation being the goal as in the in early history of social policy of EU.

Another reason for convergence in relation to social and labour market policy could be that increased economic integration has changed the member states ability “to realize self-defined socio-political goals” (Scharpf, 2002). If the member states are not able to have their own goals, given both the economic constrains, and the seeming hegemony of economic policy over social policy, then it would this would imply a tendency towards convergence. Testing the convergence hypothesis is also a way of testing the argument that there has been an impact from the policy at the supranational level on the decisions in national labour market and social policy.

In this article, I will understand convergence in terms of outcomes, combined with present and future changes in policy.

Two central issues are raised in the analysis:

1. Is there a link between the employment strategy and the social security strategy? (employment as a tool to reduce pressure on public expenditure)
2. Has there been an impact of supranational policy on national labour market policy? And, is it enough that countries speak about the same themes – for example activation in the labour market policy – to argue that there has been an impact?

The article begins with a short description of the OMC concentrating on its relation to labour market policy. This is followed by a critical analysis of the Commission’s interpretation of the outcomes of the first five years of the initiative. A longer section will then elaborate on, and discuss, the first five years of NAPs in relation to labour market policy, this will be undertaken mainly with the aim of discussing the possible relation between supranational and national labour market policy. Finally, some conclusions relating to the issues raised will be presented.

This article will not use or build upon the traditional approaches to the studies concerning the development of the EU, i.e. neo-functionalism, neo-federalism, realism, neo-realism, liberal intergovernmentalism, governance or fusion (Wessels, in Wessels and Monar (ed.2001)). Instead, the article assumes a muddling-through perspective as being the relevant description of the Lissabon process employing the open method of co-ordination. This reflects that we can expect actors to use various approaches, and that no clear pathway is being used. Further that the impact of OMC might change over time depending on the overall macro-economic situation, the variation in political willingness to reduce unemployment, and the general emphasis on labour market policy in Europe. Labour market and social policy has had, comparatively speaking, less of a supranational dimension with binding elements than other areas in the development of the EU. A core reason for this naturally being that the competences in these areas are rather weak at the supranational level. The development of the OMC might be seen in the light of weak competences at the supranational level.

One way of understanding this more blurred picture is to use the approach taken by liberal inter-governmentalism, especially if one understands this as a bargaining process where the different actors will have a varying degree of influence, at different times, on the decisions made, and, also that no clearly formulated goal of

increasing the impact of the supranational level. This has as impact a risk of a joint-decision trap which is a deadlock in the ability to develop and take decisions in an area (Rosamond, 2000).

The joint-decision trap might explain the slowness in decision-making, i. e. a deliberative approach that might and can explain the development of the OMC, as OMC at the same time makes it possible to have a role for the Commission, accept national autonomy and subsidiarity, while at the same time have an open end for at a later stage perhaps reducing national sovereignty.

It might be argued that the OMC process is most in line with neo-functional thinking if the policy outcome is expected to imply a spill-over into policy making through the use of best practices and peer-pressure. However, the development we see taking place, as argued in more detailed later, suggests more a pendulum between diffusion and fusion (Wallace, Helen in Wallace and Wallace, 1996). Diffusion is sometimes seen in a strengthening of the national level, and at other times fusion by increasing power at the supranational level.

The theoretical understanding of the OMC processes in particular, which implies an impact of the European Employment Strategy (EES) on national policy, can be found in either new institutionalism's argument concerning path-dependency (Pierson, 1996), or by the expectation of learning effects, which will "alter the beliefs, practices and expectations of domestic actors" (Knill and Lehmkuhl, 1999).

But beliefs and practices are it also difficult to analytically pinpoint and measure. Further, given the critique and difficulty in finding one approach to, and understanding of the development of Europe is also an indicator of that in a sense mainly empirically grounded analysis based upon an understanding of the processes, actors and history can be able to at least partially describe the development in a satisfactory way.

It seems obvious that there is a theoretical connection between welfare regimes and labour market policy (Gallie and Paugam, 2000, Greve, 2001). The Scandinavian model having more emphasis on state involvement and activation, the liberal with more use of the market and the corporatist by integrating the social partners in decision-making. Furthermore, it seems that when comparing and using the various approaches and intentions with various labour market policies, there is also a connection between the employment guidelines and typologies of welfare regimes (cf. Raveaud 2000). A more narrow understanding of the EES-process (Scharpf, 2002) are mainly linking the four pillars and guidelines to a supply side policy in a neo-liberal understanding with equal treatment being the only exception. This understanding is, however, not argued further, and, given the very broad formulation and many expressions of elements in the strategy, this seems an over exaggeration.

It seems to be more likely than Scharpf's understanding of the case that the many guidelines makes it possible for each country to find something which is in line with their tradition. This is clearly a muddling-through perspective by in the bargaining and formulation to ensure that all countries have something they can point to as a national success.

The influence of many types of regimes and ideologies on the formulation of the employment guidelines can also be a reason why it will be possible both for member-states and for the Commission to indicate a link between the employment strategy and the national labour market policy and changes therein. Given that the formulation of the guidelines is already influenced by member states, and, by integrating various approaches, it would be strange not to expect that at least certain elements of the guidelines will, in various countries, be seen as being fulfilled. This is an argument for that we can expect a patchy fulfilment and implementation of the supranational formulated strategies, and, if this is also what we see, it implies that the supranational impact due to the OMC must be limited.

OMC focussing on labour market policy

Different approaches to the understanding of decision-making on the supranational level can be found. Within the institutional approach, it is possible to distinguish between the following six different approaches: the institutional mode, the intergovernmental mode, supranational/hierarchical mode, joint-decision mode, open coordination, and mutual adjustment (Sharpf (2001).

In the area of employment and in relation to social inclusion, the open method of coordination is the most central. The question is, whether this type of decision-making can be effective in solving supranational problems. This question remains even if the open method of coordination is able to break the risk of deadlock attached to decision-making where there is a need for a majority (Sharpf, 2001).

For the time being, the open method of coordination has been used especially in areas where the competences of the EU have been relatively weak, and where attempts to harmonize policy at the supranational level and change the division of competences have been unsuccessful. This fact might then imply that the EU will fall into what has been labelled the competency trap, implying that the individual member states can and will only improve on areas they already know they can do better in (Eberlein and Kerwer, 2002).

The method

The open method of coordination can be seen as part of the soft-law approach, which includes types as recommendation, bench-marking, communications, opinions etc. (De la Porte, 1999). As suggested by its name, “soft-law”, it has a limited ability to steer developments at the national level.

The open method of coordination can be described as a four-stage process (Casas and Pochet, 2001):

- A. Fixing guidelines
- B. Establishing indicators
- C. Translating guidelines into national and regional practice
- D. Monitoring, evaluation and comparison as mutual learning process.

These were also the elements emphasised by the Portuguese Presidency (Council of the European Union, 2000).

A question is whether the open method of coordination by being able to set up a reference or common understanding later will enable the Commission with options for and an ability to develop areas which can be moved from soft-law to hard-law, especially by pointing to that all have agreed upon the vague common objectives and policy-formulations.

The development of the OMC can be ascribed to the problems of defining and influencing social policy at the supranational level. It can also be presumed, by issuing directives, to be a predecessor to a more hard-law approach. It can, in this way, be used to develop mechanisms for co-ordination, but it can also be “grounds for expecting this to be a typical mode in future EU policy-making as an alternative to the formal reassignment of policy powers from the national to EU-level” (Wallace and Wallace, 2000).

Understood in this way, the whole process seems as though “contemporary decision-making in European Community (EC) social policy is characterized by the coexistence and entanglement of governmental negotiations and collective bargaining” (Falkner, 2001).

The Employment strategy

The Amsterdam treaty placed a greater focus on employment and job creation than was hitherto the case. Several articles in the treaty dealt specifically with these issues. In the Amsterdam treaty, the goal for the European Union was described as encompassing a high level of employment in addition to the traditional goals of sustainable economic and social progress. As article 2¹ states, “[it is desirable to have] a harmonious, balanced and sustainable development of economic activities, a high level of employment and of social protection...”. In article 109ⁿ the objectives of the strategy are described as follows, “developing a co-ordinated strategy for employment and particularly for promoting a skilled, trained and adaptable workforce”.

Employment thus became a central issue - at least in the formulation of objectives and principles. The development of these policies, as is emphasized in all policy documents, must respect national traditions (subsidiarity) and the competence of the individual member states.

¹ The numbers of the articles refers to the Amsterdam treaty

In addition to this, the Council was required to produce guidelines for national employment policies every year, and in relation to this present a yearly report on the progress that had been made. This implied a yearly cycle:

- Councils of ministers accepting the guidelines proposed by the Commission
- member states write national action plans
- The Commission evaluates and writes a joint-employment report. A peer-review process including member states is included
- Finally, the joint-employment report forms the basis for the Commission's proposal for action in member states and suggestions for revision of guidelines for the next period.

This joint employment report is weak in the sense that the EU has little power to take action against a country not fulfilling the aims and agreed objectives, in contrast to the OMC ? in the EMU process where a country not respecting the rules can be fined. Furthermore, it has to be seen how a potential conflict between the goals of the economic and monetary union on price stability, low public sector deficits, and stable monetary policy, and those of labour market policy will be solved.

In December 1997, the Council accepted the first guidelines for 1998. They contained the following four elements:

1. Improving employability
2. Developing entrepreneurship
3. Encouraging adaptability in business
4. Equal opportunities.

These four pillars, which contained 21 guidelines in all, have been, with some yearly amendments, the core element in the national action plans and the subsequent reports from the Commission. From 2001 these pillars have been coupled with horizontal objectives.

The emphasis in the guidelines was, in general, on a more active approach to employment policy, i.e. to reduce emphasis on passive labour market policy and increase it on active labour market policy. This should then be combined with a more partner based approach, a better combination of work and family life making it easier for people to return to the labour market. Still, these guidelines are, with a few exceptions, cf. below, very broad and they reflect the ongoing debate about how to manage and develop European labour market policy. The guidelines also reflected a classic compromise between various approaches to social and labour market policy (Ravaeud, 2000, Gallie and Paugam, 2000) so that the guidelines could be interpreted in a way that suites the various welfare regimes in Europe. Various approaches from Scandinavian more interventionist labour market policy to a more liberal non-interventionist, but also various approaches on regulation or deregulation of the labour markets can be found (Magnusson and Ottosson, 2002).

The broad and also rather vague character of the guidelines is underlined by the fact that only in guidelines' 1-3 have more concrete measures been presented. The first guideline sets the target that every young unemployed person should be offered - within the first six months of unemployment - training, retraining, work-

practice or other measures to increase employability. Guideline two sets the same target for adults over the age of 30, with the exception that the period is 12 months. Vocational guidance is also mentioned as an element here.

The third guideline emphasizes that at least 20 % of all unemployed people should be offered training or similar measures, and, that the member states should gradually achieve the average level in relation to the level of persons in training of the three best countries.

By having these more concrete measures and guidelines, the Commission seems to think that they gradually, with the support of the Council, will be able to make it possible to create a greater degree of pressure on member countries in order to have a more coherent and active labour market policy in all member states. It has been argued that - already at the beginning - the Commission had wanted these more concrete measures, but that the Council turned them down (Trubek and Mosher, 2001), but later on accepted them in order to make the NAPs more concrete. It can, cf. also later, be argued that these measures are not ambitious, but they indicate that concrete measures could be part of the strategy from the commission to make the OMC a pathway to increased influence on labour market policy from the supranational level. This is further underlined by that benchmarking has also received greater attention during the process.

An example of a more concrete setting of a benchmark is the agreement reached in 2001 that before the end of the year 2010, full employment should be achieved in all member states, and, the employment rate should be at least as high as 70 % for men and 60 % for women. The ambition being, already by 2005, to achieve a labour market participation rate of 67 % for men and 57 % for women.

The first evaluation of the different national action plans (Commission, 1998), already showed the delicate balance between the national and supranational level, and the difficulty for the Commission in its new role in relation to co-ordination of national plans. The Commission thus tried to achieve a balance between the positive elements in the plans and some of the doubts they had with the efficiency of the plans. The Commission raised, for example, as a point for discussion, the funding of the active labour market policies and the connection with the European Social Funds support. This also emphasised an area where the Commission could, in fact, do something, and, it reflects that the Commission tries to bridge the gap between inter-governmentalism and supranationalism. The social funds are part of the treaty, and, by linking the social partners to an area where the Commission has power this could, from the Commission's point of view, be a way of ensuring a higher status and impact from the NAP's.

The shortcomings of the OMC were obvious from the beginning. As the Commission (Commission, 1998) pointed out already at that time, the national reports were vague, the resources allocated to actions were not specified, and, there was not a clear indication of appropriate indicators of the outcome of the plans.

Despite the criticism by the Commission of the national action plans, the guidelines were, in the following years, made along the same lines and in the same vein as the guidelines for 1998. The Commission and endorsed by the Council of ministers, by continuing on the same track, has thus simultaneously indicated that the emphasis on active labour market policy is still at the centre of policy development, but also

that it is very difficult to change even vague and not ambitious plans. This is an indicator of the difficulties facing a multi-level decision-making system when wishing to change track when first embarked upon one.

By 2001 (Council Decision of 19th January, 2001 on Guidelines for Member States Employment Policies for the year 2001), the four pillars had been linked with a horizontal roof - or overarching objective. Briefly, these objectives are: A) Enhanced job opportunities and incentives, B) A comprehensive and coherent strategy for lifelong learning, C) Comprehensive partnerships with social partners, D) Balanced priorities and E) Developing of common indicators

The new employment policy was first interpreted as open coordination in 2000 (Social Policy Agenda, COM (2000) 379 Final). This included the policy guidelines in the employment policy, setting benchmarks, such as the radar chart approach, concrete targets, such as the number of activated in the employment guidelines, and monitoring progress within the systems².

It was the expectation that this strategy would be complemented by legislation - especially if this is based upon the agreement of the social partners on a European level³. Social dialogue is thus still perceived as a central element in the development of a European employment policy and several agreements have been reached at the supranational level (Marginson and Sisson (2002)⁴. A very profound impact on the European labour market still has to be seen.

Reforms of the structural funds, including the social fund, are still seen as important strategically as a way of ensuring consistency and as the underpinning of the policy elements in the European strategies, but also, and perhaps more central, it is an area where the Commission can play a stronger role than in other areas. As the funds are part of the treaty, the Commission has thus a better opportunity to formulate elements of a labour market strategy, which can be used throughout Europe.

Targets, and ways of measuring and comparing outcomes across the member states have gradually been developed over the last five years. This might be used as an indicator of greater emphasis and impact from the supranational level of the way and developing of common set of understanding and use of policy measures throughout Europe. Still, this has to be seen against the agreed concrete targets, that is, for example, if they are only the lowest common denominators, which all countries are expected easily to reach.

The Commission is using recommendations as an element in the development of a common European employment strategy. The Commission also changes, with support from the Council, the recommendations from year to year, although only rather limited. At the same time, it keeps pressure on the member states by indicating what is good about the individual countries NAP's or where there is scope for improvement. In 2000 (COM (2000), yyy final: Recommendations for a

² Dubbing the NAPS' employment and other initiatives for OMC see for example De La Porte, 2000 A and 2000B, De la Porte et. Al. 2001, Hodson and Maher, 2001 and Mosher, 2000.

³ See Marginson and Sisson (2002) for an overview of a number of agreements

⁴ They refer to that 650 multinational companies by the end of 2001 had reached agreements, representing over one-third of those estimated to be eligible.

council's recommendation of member states employment policies) the Commission listed 58 new recommendations for changes in national labour market policy as a response to the national policy, in 1999 and 2001 there were 53 recommendations. The number of recommendations to the different countries has been more or less the same, cf. also later.

In general, the employment strategies have not been seen as sufficiently coherent strategies, tackling all issues, and including all aspects of labour market policy. The presentation of compliance tables has further been used by the Commission as an element in grading the quality of national action plans. But despite the fact that this has resulted in a huge variety in the degree of compliance with the criteria, the Commission argues that the national action plans have helped in ensuring a more consistent development of the labour market in Europe. This indicates that rhetoric is sometimes different from reality. The rhetoric being a high impact of the employment strategy on European labour market policies, the reality being, cf. also later, a presumably low impact.

As a new instrument, the European Union has also given recommendations for further action, and improvements to the national action plan. These recommendations are still rather vague in their criticisms of national plans, but this might indicate that the Commission has gradually tried to move forward to become a central player in relation to labour market policy. The Commission has thus also, it could be argued, continued to be able to at least set the agenda.

The development of measures, which can reveal the performance of a member state, and the EU as a whole, will place further pressure on those countries where the performance is lagging behind if one expects that peer-pressure from Europe will have an impact on national member-states' action. A clear problem for the EU Commission is that labour market policy in its direct application and choice of specific plans and instruments lies within the scope of domestic policy decisions.

Given these problems, it might be correct, as argued by Ashiabor (2001), that the Lisbon Council's (in 2000) success was its ability to integrate the various elements in the processes, and, further to have made "for the first time since Amsterdam, a positive and unambiguous link between social, employment and economic issues." Brussels Com(2000) 379 Final (28.6.2000)

Seen in this light, the development on the supranational level, although still not strong in its direct application, can either enforce a new strategy of a more coherent European nature, or it can be more limited in mainly describing what is already the common understanding. Consequently, it either enforces negative integration on the European social security systems by creating a more uniform type of system and a more active employment policy, or, it might be a process mainly used as a legitimising system for influence and decision at the supranational level.

The EU can, therefore, in this way be looked upon as a player, which might influence developments in the individual countries by putting certain issues on the European agenda. However, it must be remembered that influence on one country, which uses the EU as a scapegoat for national decisions, does not necessarily indicate an impact on all member states, or that there is a process towards a common understanding and a common policy.

The evaluation of the first five years employment strategy

The evaluation of the first five years' strategy has produced many reports⁵, which aim to understand the outcome of the first five years. These have been produced in addition to national reports evaluating the outcome of the first five years employment strategy. It is not possible to go through all areas mentioned in the reports, so the choice here has been to examine one specific area with a link to the broad area of economic policy and the EMU –namely that of taxation, and, at the more general level, examine the evaluation of the process and procedures. One reason for looking specifically at an area closely linked to the broad economic area is, as some would argue, “the precedence of the economic sphere over the employment sphere” (Porte and Pochet, 2002). Part of the evaluation will be to look into whether one can, on the spending side, see a trend towards convergence. Such a convergence would indicate an impact from the strategies formulated at the supranational level.

One should perhaps not have been too optimistic from the start concerning the possible impact of the work with the NAPS. In a paper published as early as 1998 (Tronti, 1998) a conclusion was that “subsequent national adjustment strategies (e.g. the NAPs) should not only refer to an explanation of such distances, but also take into account the nationally different pressures of labour market problems, as well as the political feasibility of alternative policy options and the interplay between economic policy and labour market policy”. This indicated how difficult it is to find solutions to the labour market problems, and also how difficult it would be methodologically to analyse the impact of the NAPS. Precisely this combination can it be difficult to find in the evaluation.

Methodologically, the evaluation of the first five years was made after a demand to organise it around 50 questions relating to 10 themes. The themes were all to deal with policy reforms, performance and impact. But the national reports mainly dealt with policy reforms, and to a lesser extent with performance and impact.

The whole discussion of the impact of the OMC will, presumably for a long time, be contested, given that methodologically it will be difficult to assess whether the OMC has an impact or not. Is it, just as one example, enough to say that it has an impact just because more countries write on the same issue and to a certain degree use the same words? Even when doing so is this then due to the OMC or due to reflections and the need for changes in national policy making?

A more detailed example can illustrate the issue. The question arises as to how, methodologically, it is possible to show that the increased employment rates and reduction in unemployment has anything to do with the guidelines in the OMC on labour market policy, and not merely attributable to the general positive economic development in Europe, and, finally, also a pressure from many women to enter the labour market. First, when having been through different economic cycles will

⁵ Cf. the www.eu.int/comm/employment_/empl&esf/ees_en.htm

some elements in a comparison be able to indicate whether we are witnessing any real change.

It seems that a real test of changes based upon OMC will be when, eventually, an agreement or policy are transformed from soft law to hard law. So, far we haven't seen anything resembling that kind of change.

Even the Commission when trying to depict the impact of the various types of OMC has difficulties in finding concrete examples, which can be attributed to the learning effect and peer-review built into the process. At the same time, it would be wrong not to assume that the learning aspects of the process have an impact.

Interviews with key actors (in Denmark and UK) involved in the making of and use of National Action Plan indicates that working with writing the plans and the plans in themselves only have a limited effect, and, the conclusion therefore is that "the influence of the EES practices largely depends on Member States willingness to take ownership of the strategy" (Rydbjerg and Kirk, 2003).

The Commission's own assessment of the implementation of the 2002 employment guidelines clearly shows that the picture is diverse, and success stories difficult to find (Commission, 2002 SEC(2002) 1204/2).

Even in the most successful area (the employment rates where many countries already fulfilled the target for 2010 (70 % for all, and at least 60 % for women) when agreeing upon the targets) countries like Greece, Spain and Italy are a long way from the goal. This is surprisingly in an area where the fulfilment should be relatively easy. The target for older workers (at least 50 % for those aged 55-64) is still on average only 38.5 % in 2001 and only three countries have reached the goal. Even the Commission needs to state that the development "seriously questions the ability of the EU to reach the target set for this group" (Commission, 2002).

Another core labour market area, especially due to the reduced room for manoeuvre in other areas, life-long learning has come on the agenda in most European member states and is also part of the employment strategy. The Commission notes that this has been a highly successful area by stating (2002 p.24) that the recommendations "have had a positive effect in triggering numerous policy responses". Yet, at the same time, a few page later the countries are clustered into four groups with a varied degree of compliance ranging from the commissions evaluation being full compliance to four countries who have "not yet developed overarching lifelong learning strategies (Germany, France, Belgium and Italy)".

Again the linkages and clear demonstration of that it is the European strategy, which has worked, cannot be proved. At the same time, the increase in convergence can be seen as part of the success story, but whether this would have happened anyway or are the consequence of a long-term learning and adaptation strategy in EES is less clear.

The relation between wording and policy implementation seems often to be very vague and less clear than could be wished for in the sense that many policy initiatives can only be implemented if and given that the necessary economic resources are available. Even the Commission recognises this (Commission, 2002

p. 32) by stating that the measures have “not been underpinned by budgetary appropriations”.

Using peer-review and bench-marking as steering mechanism requires that common indicators concerning are available. Despite that one of the horizontal objectives is to establish common indicators, in many areas this is still not done. The following list is an example of areas where it is not possible to have information on all 15-member states on a comparative basis:

- Disadvantaged groups
- Transition from non-employment to employment
- Care for children and elderly
- Quality of work
- Efficiency of active labour market policies
- Bottlenecks on the labour market

So this indicates that in very core areas of labour market policy a real comparison based upon common indicators, which can be the basis for a thorough analysis of whether developments has taken place, can't be found.

Even when having data we see a blurred position. For example, in relation to the prevention of long-term unemployment (both for young below the age of 25 and those above 25), a huge discrepancy can be found. The contents of the NAP's seems to split the countries into four groups:

Denmark, Spain, Ireland and France with reduction in long-term, but few resources on prevention

Austria, Sweden, Finland, UK and Netherlands (for young people) fully comply, both with low level of inflow into long-term unemployment and measures for prevention

Greece, Italy and Netherlands (Adults) are not complying

Germany, Luxembourg, Portugal and Belgium have set money aside for the purpose of prevention, but not been successful yet (Commission, 2002).

This clearly indicates that the countries only to a very limited degree fulfil the common guidelines in one of the areas where it, given the economic development, should have seemed most simple to achieve the goals do not follow suit, and, also that the variation among the countries do not follow the traditional borderlines between countries.

Analysing not a specific area, but looking at recommendations could be another way to analysis compliance. Recommendations from the Commission, which can be seen as a steering device, to the individual countries have in all years been between 2 and 6 in number. These recommendations are even rather weak (COM 2000, 164, Com (2001) 64, COM (2002) 178. In relation to the employment reports 2002, the Commission put forward 57 recommendations, and, that also in areas seen by all member states as central for the policy development, as, for example, life-long learning. In box 1 an indicator of the vagueness of the recommendations quoted on life-long learning can be seen.

Box 1 Recommendations on life-long learning 2003

Country	Recommendation
Germany	Further develop and implement an overall lifelong learning strategy, addressing all levels of the educational system.
Greece	Complete and implement the comprehensive lifelong learning strategy ...
France	Pursue a comprehensive lifelong learning strategy, which accounts for the needs of initial training. ...
Ireland	Increase in-company training and expedite the implementation of a coherent lifelong learning strategy
Italy	Take action to implement the lifelong learning strategy ...
Luxembourg	Ensure effective implementation of the framework law on continuous training
The Netherlands	Target, in close co-operations with the social partners, life long learning policies to the demands ...
Austria	Continue to implement a comprehensive strategy for the development of lifelong learning
Portugal	Pursue the implementation of the national lifelong learning strategy ...

Source: Commission, 2003: Recommendation for a Council recommendation on the implementation of member state' employment policies. Brussels, xxx, Com(2003) yyy final.

The box clearly indicates the vagueness and rather cautious way of formulating recommendations. This is further an indication of that the Commission's position in integrating supranational elements in national decision making on labour market policy is not very strong, and might thus have only a limited impact.

This was confirmed in a Danish dissertation (Rydbjerg and Kirk, 2003), which included interviews carried out in the UK, Denmark and at the supranational level, and here analysed the European Employment Strategy and concluded that only a "limited influence" could be witnessed.

This limited influence seems also to be the case in relation to national follow up on the recommendations. In table 1 is indicated the willingness to follow the recommendations in the 2002 National action reports.

Table 1 Induced changes due to recommendations from the Commission

Significant policy changes	18
Policy change introduced impact still to be witnessed	44
Marginal or no changes	22

Note: This data is based upon Joint Employment Report, 2002 and the commissions own evaluation of whether a recommendation is followed and to what degree.

The table shows that of the 84 recommendations to member-states it is only in 18 cases that the Commission can report significant changes which must be expected to have a in general positive view on fulfilling the supranational recommendations. . They are at the same time mainly in an area where broad consensus has emerged also before the recommendations (life-long learning). This in an indication of that many of the changes are due to decisions already made in member states before the recommendations⁶.

The rather limited number of changes is also surprising given the, as described above, rather vague character of the recommendations.

The development in labour market expenditure could be an area indicating convergence, thus implicitly being an argument for that the EU guidelines and the formulations of the guidelines have had an impact.

In table 2, the development in the trends (measured as coefficient of variation) on spending on active and passive labour market policy since 1997 in EU-member states is shown.

Table 2 Development in the coefficient of variation for EU-member states in relation to spending on active and passive measures.all commas in this table should be full stops

	Active	Passive
1997	0.6	0.64
1998	0.47	0.61
1999	0.41	0.52
2000	0.39	0.52
2001	0.29	0.23

Source: Own calculations based upon OECD's Employment Outlook various years.

Note: It is not for all years that data for all 15-member states are available. Especially for 2001 this is a problem.

Table 2 seems to indicate a gradual convergence on spending both in relation to active and passive measures, even when not taking the data for 2001 into consideration. This can be interpreted as a success for the development of a European employment strategy especially as it points to a more common way of spending on active labour market policy as also envisaged in the Luxembourg

⁶ The number of recommendations has every varied between 2 and 6 recommendations pr. Country.

guidelines and in several recommendations later. The data for 2001 are not valid for comparison as that for many member states still not available.

But, and, that is a clear example, on the problems of comparing on the macro-level, that when looking at the specification of areas for spending money, as in table 3, the variations and approaches among the member states seem clear.

Table 3 Variations in labour market expenditures % of GDP in 6 different areas and the total on active in 1999

	Training	Job-rotation	Employment incentives	Integration disabled	Direct job	Start-up	Total
Austria	0.213	0	0.059	0.05	0.044	0.003	0,368
Belgium	0.155	0.1	0.156	0.117	0.495	0.002	1,026
Denmark	0.758	0.001	0.497	0.407	0.123	0.018	1,804
Germany	0.412	0	0.08	0.122	0.351	0.038	1,004
Greece	0.009	0	0.078	0.069	0	0.021	0,258
France	0.295	0	0.206	0.087	0.374	0.036	0,649
Spain	0.18	0.004	0.275	0.061	0.092	0.036	0,649
Ireland	0.194	0	0.051	0.028	0.458	0.047	0,779
Italy	0.147	0.002	0.178	0.003	0.072	0.013	0,415
Luxembourg	0	0	0.045	0.015	0	0.001	0.061
Netherlands	0,064	0	0.07	0.466	0.315	0	0.915
Portugal	0.129	0	0.043	0.013	0.052	0.011	0,247
Sweden	0.949	0.064	0.97	0.543	0.077	0.068	1,998
Finland	0.448	0.063	0.105	0.094	0.182	0.014	0,034
United Kingdom	0,046	0	0.006	0.023	0.014	0	0.089
EU-12/15	0.345	0.008	0.174	0.142	0.282	0.024	0,974
Standard deviation	0,27	0.03	0.25	0.18	0.17	0.02	0.60
Arithmetic average	0,27	0.02	0.19	0.14	0.18	0.02	0.69
Coefficient variation	1,03	2.06	1.33	1.27	0.98	0.99	0.87

Source: Public Expenditure on Labour Market Policies in 1999. Statistics in focus, theme 3, no. 12/2002. and own calculations.

The coefficient of variations is high in all areas, also higher than on the overall aggregate level. This is the classical risk of averaging out when making more aggregate data. The data in table 2 and 3 are not directly comparable, as they are made based on data from different international organisations (EU and OECD).

The tables 2 and 3 clearly show how at the same time one can argue for a movement toward a common understanding and developing of a European labour market policy, and witness a high degree of diversity in instruments used, and balance between different approaches reflecting that it might be possible to both talk about Europeanisation and respect for national diversity.

In relation to a more specific issue, that of taxation, which is also one of the guidelines, an emphasis on the EU countries trying to pursue a strategy which was more employment friendly was established already in the first round of national action plans. This should be achieved by increasing incentives for people to take up jobs, and, thus, implicitly, there is a recommendation to reducing taxes on labour.

The conclusion of the evaluation of the tax policy (Commission (2002)) argues that “The impact of the Employment Guidelines (EG) in this area [tax policies b.g.] has been rather limited thus far” Still it is argued that there will be a decline in taxes on labour and an overall decline in the tax burden. As an explanation for the lack of results, the evaluation states that some of the countries had already changed the tax system prior to 1997. This clearly shows the difficulty in finding out exactly what the role of the EU is, and what the national role is. This can be discussed as some national action plans just include what the countries already have done and with only vague economic commitments and targets for the future.

It has, so far, according to the Commission, not been possible to get the member states to present quantifiable data relating to the reduction of fiscal measures in relation to the cost of labour. This might be a sign that standardised indicators at the supranational level, at least for the time being, mainly will be in areas where they can be agreed upon without interrupting national priorities, and without being so tight that they reduce the scope of decision making at the national level.

The tax-report also provides an example to suggest that there might be a move from soft to hard law. In this case reduced VAT on labour-intensive services. It is argued (Commission, 2002) that “This type of measure has been tested in 8 member states and then gave rise to a European Directive (Directive EC/1999/85). A continued focus in the Employment guidelines was therefore unnecessary and it was removed without loss of impact.” But a closer reading of the directive shows that it is only for a limited time that this has been agreed (until the end of 2002), and that the areas are very few and not central to the labour market and economic development (small services of repairing, windows cleaning and cleaning in private households, domestic care services, and hairdressing). Only changes in taxation on renovation and repairing private dwellings could have an impact. Furthermore, in the directive it is argued that reducing VAT on certain items “Could have a negative impact on the smooth functioning of the internal market”, thus the directive emphasises that the internal market has a higher priority than the employment strategy.

Using the information from one of the overall evaluations of the national evaluation reports (EU-Commission (2002A)) and trying to systematize these, in relation to the guidelines, a picture emerges that many of the activities would have taken place anyhow, and that the impact of the EU employment strategy has only been of a more limited character.

Thus, for example, five countries have mentioned in their national reports that they had strategies “already in place” before the European Employment strategy. Five countries indicated (two only more limited) that they have been “Clearly inspired by the EES,” and for the other three reforms picked up after 2000. In relation to social inclusion, this has mainly had an impact in countries with a low level of unemployment (two cases), but also partly in two other countries. Lifelong learning

has had an impact in three countries, seemingly the most important being equal opportunities as mentioned by seven countries.

This might indicate that in areas where a harder EU law is already in place, the impact tends to be seen more clearly. However, one might question whether this is the impact of the Employment Strategy, or it is due to EU regulation already in place.

The overall evaluation of the impact of the EES (EMCO, 2002) seems very optimistic about the impact of the employment strategy, and, also the convergence developed through the reports, but at the same time, it recognises that “there is limited explicit recognition in the reports”. The examples mentioned for Denmark in EMCO 2002 (change in administration and changed role for social partners) are not in any way in the Danish debate coupled to the EU level. The change in administration was due to change in government, and, the regional integration of social partners has been there for a very long time. This raised doubts about the precise level of information in the evaluation.

Furthermore, it is a problem that concepts might be interpreted very differently. This is the case with the concept of a new start, which has been interpreted as “Ranging from intensive counselling to early enrolment into an intensive active measure.” (EU-Commission, 2002A). At the same time, the effectiveness of training measures for particular groups and subsidised employment shows mixed results.

Even in the areas where a very high impact of the national action plans seems most common, it is also so that despite that reconciliation of work and family life has become important policy in all Member States, still only few set national targets (5 countries and this especially for children younger than 3).

A further interesting element, looking specifically at the Danish case, is that despite a change of government in the autumn 2001, the NAP report for 2002 is in many ways written in the same way as the previous years reports. This indicates that the national reports to a very high degree have left the political level of decision-making, and, are developing into the administrative task of fulfilling and describing policies already at work in a given country, this process emphasises the current initiative as part of the pillars in the European process.

This might also be one of the reasons why the Commission, in collaboration with the member states, tries to streamline economic policy and employment strategies (COM 2002, 487 final).

Concluding remarks

The success or failure of the OMC method seems to a high degree to rely upon the ability readiness of the actors to accept the strengths and weaknesses of the OMC. This implies that accepting that the “OMC appears particular well adapted for identifying and pursuing broad common concerns while respecting national diversity, since it encourage convergence of objectives, performance, and (to some extent)

policy approaches, but not of specific programs, rules, or institutions” (Zeitling, 2002).

This also implies that the structure should be changed for the development of the labour market program, and for the OMCs in general. Zeitling (2002) thus, for example, argues that three types of reform of the OMC in the area of labour market policy are needed:

- open the process for a broader range of actors - and make it more transparent
- mainstream the NAPS into all areas
- strengthen the mechanism for promoting mutual learning

However, he does not discuss whether this would in fact weaken the process as a result of its broadening and that potential spill-over effects might be reduced by the very fact that broadening implies a risk of that everything which can be interpreted positive matters, cf. the already existing very broad interpretation of what is included in the national action plans.

It can, however, be argued that the ideas fit with that social policy is no longer just a two-level game. “The collective negotiations on EC social policy represent another arena where a second multi-faceted game is being played.” (Falkner, 2000). The argument thus being that the EU has gained importance and new structures seem to be developing. It can further be concluded that the “Concept of multiple “nested games” is a more appropriate metaphor for the multi-level and multi-actor negotiations in contemporary EC social policy.” (Tsebelis (1990))

In a way, it further seems to be in this direction as indicated by the commissions own reflection upon in what direction to be moving based upon the evaluation that we will see the development. Streamlining by increasing efficiency, improving coherence and wider commitment, and that ownership together with transparency is some of the key word (COM(2002)487 Final). Furthermore, it is argued that an integration of the various plans in relation to the labour market should be carried out (Broad Economic Policy Guidelines, NAPSempl, Internal Market programme) and combines this with shifting emphasis from policy strategies to implementation. A longer time-span is also envisaged. Whether this continues the greater emphasis on the economic policy than social policy is still to be seen.

But it is not discussed how such a change might have an impact on a risk of losing sight of the policy development. This might and can be a highly risky strategy especially with a view to an enlarged Europe. On the other hand, by linking employment to the BEPG, labour market policy in particular could be more central, as the economic guidelines implicitly have a higher priority and therefore are more central due to the coupling to the EMU strategy.

This can be linked to recent discussions on changes in OMC (Streamlining), which it has been argued are needed in order to put more emphasis on the output instead of the input and policy formulation.

The Commission in its plans for restructuring the employment guidelines (Commission, 2003) chose to call the guidelines for the 10 commandments, but within these 10 commandments and three overarching objectives in fact continues

to a high degree the emphasis from earlier, but with a higher stress on measuring outputs.

By focussing on output instead of input, processes and policy formulation, the steering and management can presumably be more easily done. Further, it is a way for the member states to both comply with the requirement, while keeping policy and decisions at the national level, i.e. a continuation of the subsidiarity principle. This is, what Atkinson also stresses: “the aim of the EU indicators is to measure social outcomes, not the means by which they are achieved” (Atkinson, 2002)

Or to formulate this in another way, would be to stress that “national welfare states remain the primary institutions of European social policy, but they do so in the context of an increasingly constraining multi-tiered polity” (Leipfried and Pierson, 2000). This also reflects that a possible reason for the wish to use OMC is that “this might help the European Social Model to survive” and that “the commonality of it will remain in its value basis and policy objectives, and not in its provision and welfare state systems” (Berghman and Begg, 2002). Still, and that is one of the problems with the OMC, so many areas overlap. The whole set-up on social exclusion, for example, has many elements in common with the employment policies. Four out of the 18 Laeken indicators on social exclusion thus relate to employment.

This is also confirmed in another area: that despite the intension to involve the social partners more in the EU-decision making process and the formulation and presentations of policies, involving the social partners is still mainly done in countries with a historical tradition therefore. At the same time, we are witnessing convergent trends in industrial relations, but also here as a multi-level system with both convergence and divergence can be seen (Marginson and Sisson, 2002). These authors further argue that a shift - as the OMC is - from hard to soft law seems inherent in a multi-level system.

The need for comparable data in order to analyse the ability and wishes for fulfilling the recommendations and common adopted guidelines is also stressed in the Joint Employment Report, 2002, for example, in the area of day care as it is “difficult to assess the effect of the initiatives because of the lack of appropriate and/or comparable data”.

One needs to have many trees to make it look like a forest, but sometimes one is not able to see the forest for trees.

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