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## BARRIERS

WORKING PAPER NO. 11/2016

### **Riders on the Storm.**

# **TSOs and the European Level of Governance – A Contested Terrain for TSOs!**

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This project has received funding from the European Union's Seventh Framework Programme (FP7) for research, technological development and demonstration under grant agreement no. 613034.



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Recommended citation information:

Zimmer, A. & Hoemke , P. (2016) “Riders on the Storm. TSOs and the European Level of Governance - Contested Terrain for TSOs!”, *TSI Working Paper No. 11*, Seventh Framework Programme (grant agreement 613034), European Union. Brussels: Third Sector Impact.

## TABLE OF CONTENTS

<b>1</b>	<b>Introduction</b>	<b>2</b>
<b>2</b>	<b>Harmonizing the Sector’s Legal Environment</b>	<b>3</b>
2.1	Contested Terrain	3
2.2	Lost in Transition with one Exception	4
2.2.1	The Statute for a European Association	4
2.2.2	The Statute for a European Cooperative Society	5
2.2.3	The European Foundation Statute	6
2.2.4	The Statute for a European Mutual Society	8
<b>3</b>	<b>The Rolling-Out of the TSO Community in Brussels</b>	<b>9</b>
3.1	The Commission in the Driver’s Seat	9
3.2	Stages of Development	11
3.2.1	Non-action	11
3.2.2	Enthusiasm	11
3.2.3	Disillusionment	15
<b>4</b>	<b>Impressions from the Field</b>	<b>18</b>
4.1	TSO Infrastructure	18
4.2	Bricolage of Opinions	19
4.2.1	EU-Funding and Modes of Financing	20
4.2.2	Accessibility and Representation	21
<b>5</b>	<b>Summary</b>	<b>22</b>
	References	25
	EU Sources	28
	Interviews and Focus Groups	29
	Attachment: Exemplary presentation of TSO platforms	31
	Policy Field “Social Services”	31
	Policy Field “Sports”	33



# 1 Introduction

In a variety of policy fields, the European level of policy-making has significantly gained importance in the last decades. Against this background, it is most likely that the third sector is following this path by trying to influence Brussels' policy machine. Third sector organizations (TSOs) are present all over Europe providing central avenues for citizen participation in public life; in the area of social service provision, they are central economic players and of particular relevance for the labour market in many countries. In almost all European countries and specifically in the areas of sports as well as arts and culture, TSOs are core institutions for attracting, organizing and affiliating volunteers. And finally, many TSOs are campaigning or lobbying in attempts to influence policy and politics at home. As illustrated by this summary of TSO's fields of action, the third sector constitutes a multi-faceted and highly diverse sector. However, many of these fields – such as social services, sports or the arts and culture – are still more or less thoroughly under the auspices of the member states according to the EU subsidiarity rule.

Hence, how important is the Brussels policy machinery for the wellbeing of TSOs in the member states? Were and are there legal initiatives which aim at remedying disabling factors that either hinder pan-European activities of TSOs or that restrict the organizations to live up to their potentials in the member states? Harmonizing the diverse legal environments of TSOs in Europe might be a decisive instrument for improving their working conditions in the member states. And does the EU provide avenues enabling TSOs to contribute to the European policy process? The following report which is part of work package five of the EU-funded research network “Third Sector Impact” (TSI) begins to engage with these questions. The report draws heavily on the outcomes and publications of previous EU-funded research (Kendall et al. 2009), especially the Third Sector European Policy project. Based on the results of interviews and focus groups recently conducted in Brussels under the framework of the current project TSI, it also provides a tentative assessment of how representatives of TSOs and policy experts located in Brussels perceive the European policy machinery today.

The report is organized into three chapters. It begins with a discussion of legal initiatives that have instigated a discussion of the potential for the “homogenization” of legal forms relevant for third sector activities in Europe; more specifically, the Statutes for a European Association, a European Foundation and a European Cooperative Society. Secondly from a top-down perspective and referring to three distinctive periods of development of a “third sector policy community” identified by previous research (Kendall et al. 2009), it is discussed why the European policy machinery and in particular



the Commission began to liaise with and to integrate TSOs successively into the policy process. Finally, the third chapter provides an impression and assessment of how TSOs operating at the European level of governance currently perceive and assess potentials and hurdles to influence the policy process; and more precisely whether they see themselves in a position in which they are able to remove obstacles that hinder TSOs at the grass root level in the member states.

## 2 Harmonizing the Sector's Legal Environment

### 2.1 Contested Terrain

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Initiatives to enact European legal stipulations for TSOs with the twofold goal of harmonizing the legal environment and facilitating cross-border activities of the organizations have proved to be very difficult, time consuming and by and large unsuccessful. Drawing on previous research that undertook an in-depth investigation of the reasons why the initiative of the European Statute of Associations finally failed after more than ten years of trial and error (Kendall/Fraisse 2009), the following key features hindering the enactment of European legal statutes relevant for TSOs can be summarized: First, there is a lack of interest and hence support from the TSO communities in the member state to strive for a unification of legal regulations. Legal issues are perceived as complex and difficult to communicate, as compared to other issues which are linked to specific constituencies such as persons with disabilities, women, workers, or refugees (Heuberger 2015: 127). Consequently, it is difficult for TSO umbrella organizations which support an initiative to join forces with others. This hinders the building of “advocacy coalitions” of TSOs based in Brussels which are active in different sectors.

Secondly, the member states tend to be very reluctant regarding the harmonization of legal issues which are not clearly, directly and unambiguously connected with the consolidation of the internal market. The key argument against legal harmonization is related to the concept of subsidiarity and translates into a protection of the status quo. The different conceptualizations of the third sector and its organizations in the member states further impede easy consolidation and agreements. Finally, the feasibility of a straight-forward European regulation is often put into question by the community of legal experts arguing that legal harmonization should follow a two-step approach of which the first step consists of a stock-taking of the inherent characteristics of the existing legal



forms in Europe. Against this background, if and when sufficient clarity has been achieved, a second step should follow: consideration of the possibility of creating a new legal form which builds on this background information and expertise (Kendall/Fraisse 2009: 2019).

The evidence suggests that there are many hurdles to be taken in order to transform a legal initiative which aims at harmonizing the very diverse legal stipulations for TSOs and their activities in the member states into a European Statute. From a policy point of view, the procedure applied in Brussels for processing the issue is the Community Method which translates into a situation in which the Commission takes the initiative and all European institutions from the Parliament to the Council of Ministers have to agree with the proposal. The following short summary of the history of the different initiatives in favor of European Statutes, in particular legal forms for associations, foundations and co-operatives - shows that with one exception – the Statute for a European Cooperative Society (SCE) – to date, they have all failed on their way through the European institutions. It also becomes clear that the Council of Ministers constitutes the most difficult barrier for a harmonization of legal forms related to TSO activities in Europe.

## **2.2 Lost in Transition with one Exception**

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### **2.2.1 The Statute for a European Association**

Already in 1984, the European Parliament addressed the Commission to initiate a proposal for a Statute for a European Association, defined as a “permanent grouping of natural or legal persons whose members pool their knowledge or activities either for a purpose in the general interest or in order to directly or indirectly promote the trade or professional interests of its members.”<sup>1</sup> As Kendall and Fraisse outline, the initiative was heavily supported by the French politician Nicole Fontaine, who was later to become the President of the European Parliament (1999-2002) and who joined forces with CEDAG – the European Council for Voluntary Organizations – which at that time was still operating from Paris. Indeed, the proposal was not restricted to a legal stipulation, but part of an encompassing package which was very much in line with the notion of the *économie sociale* (Kendall/Fraisse 2009: 211). The authors specifically draw attention to a far-reaching political program that was originally connected with the drafting of the statute. Associations were situated alongside cooperatives and mutuals, and “the European Statute of Associations (ESA) had become part of a voluminous package that included

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<sup>1</sup> European Commission, 2013

<sup>2</sup> EASEA, 2010.

<sup>3</sup> European Commission, 2003, Council Regulation (EC) No 1435/2003.

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regulations, as well as accompanying directives on worker participation” (Kendall/Fraisse 2009: 211). Met with resistance from various actors in Brussels and particularly in the member states, the proposal was finally withdrawn by the Commission in 2005 “in the name of administrative simplification of its work program”.<sup>2</sup> Apparently, it was expected that such a statute would not reach the relevant majority in the Council: Member state governments were not willing to agree to a legal stipulation bypassing regulations on associations in the member states. Such a statute at least had to be in compliance with the regulations in the different countries (Charrad 2014: 194). This accordance is difficult to achieve, as associations throughout Europe have different functions, carry out different tasks and are governed in significantly different ways. However, the package was not thoroughly abandoned; the Swedish Presidency decided early in the 2000s to continue with the stipulations for co-operatives and mutuals.

### **2.2.2 The Statute for a European Cooperative Society**

In July 2003, the Statute for a European Cooperative Society (SCE)<sup>3</sup> was approved. According to a definition issued by the Commission, “co-operatives are autonomous associations made up of persons coming together voluntarily to meet their common economic, social and cultural aspirations and needs, through the means of a company owned collectively and where the power is democratically exercised”.<sup>4</sup> It is hoped that the European Statute might facilitate “equal terms of competition between cooperative societies and capital companies”<sup>5</sup>. Furthermore “the development of cross-border activities of cooperative societies”<sup>6</sup> should be facilitated. There is even reference to “administrative and legal barriers that should not exist in a common market”<sup>7</sup> which are successfully addressed by the new statute. However, the Statute is not widely used in the member states. At the same time, even if it were implemented throughout Europe, the Statute might be too complex and difficult for small co-operatives.<sup>8</sup> Despite this caveat it is worth mentioning that the inauguration of a European Statute for Co-operatives went in parallel with an upswing of the co-operative movement in Europe, particularly in areas

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2 EASEA, 2010.

3 European Commission, 2003, Council Regulation (EC) No 1435/2003.

4 Summaries of EU legislation: Statute for a European Cooperative Society, key terms.

5 Summaries of EU legislation: Statute for a European Cooperative Society, summary, sentence two.

6 Summaries of EU legislation: Statute for a European Cooperative Society, summary, sentence three.

7 Compare: Statute for a European Cooperative Society, p. 11.

8 Compare: Summaries of EU legislation: Statute for a European Cooperative Society, Related acts, Report from the Commission.



with a strong business component. In Italy, co-operatives have been a fast growing segment of the third sector in the new millennium (Ranci/Montagnini 2010); and in Germany, co-operatives have become popular in the so-called sector of green energy (Schröder/Walk 2014).

In general, the Statute for a European Cooperative Society appears to have been in line with the European Union's overall priorities, especially in terms of economic growth and development. Co-operatives are often seen as closer to the market logic and/or more 'economic' actors than associations and foundations. These characteristics, correlating more obviously with the core goal of market consolidation, may help explain why a pan-European model was perceived as more salient in this case, received higher support than its counterparts for associations and foundations and was finally adopted. In the light of internal market policies this statute aimed at the reduction of barriers for cross-border business activities within the Social Economy. Cooperatives were recognized as major players in this field whose development was limited by differing frameworks of national regulations. However, it seems that the pan-European model has until now not contributed significantly to a further advancement of cross-border activities (Interview 3, p. 24).

### **2.2.3 The European Foundation Statute**

It is striking how and why after an intensive process of consultations which involved the major European institutions and despite strong representation of the foundation sector – the European Foundation Center (EFC) – in Brussels, the initiative to establish a European Foundation Statute ultimately failed.<sup>9</sup>

The topic was first addressed by the Commission in 2003 alongside its Action Plan on Modernising Company Law and Enhancing Corporate Governance.<sup>10</sup> The Parliament supported the effort in 2006 by enacting the European Parliament's Resolution on recent developments and prospects in relation to company law, which advised the Commission to continue working on a European Foundation Statute.<sup>11</sup> In November 2007, the Commission launched a feasibility study analysing the importance of foundations for the European economy.<sup>12</sup> Supplementing the study, the Commission hosted a consultation in 2009<sup>13</sup> that served as a forum for the Company Law Expert Group (CLEG), consisting of

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<sup>9</sup> <http://epthinktank.eu/2012/11/23/a-statute-for-european-foundations-2/>

<sup>10</sup> Compare: Consultation on a Possible Statute for a European Foundation, 16.2.2009, p. 3.

<sup>11</sup> Compare: European Parliament, 4.7.2006, No. 34.

<sup>12</sup> Compare: Universität Heidelberg; Max Planck Institut, 2008, p. 20.

<sup>13</sup> Compare: Consultation on a Possible Statute for a European Foundation, 16.2.2009.





national experts, who collected information on legislation of foundations in the member states. The meetings of this group are well documented.<sup>14</sup> Additionally, thanks to the initiative of the European Parliament, the Commission made the feasibility study accessible; the study was included in the Commission's Resolution on Social Economy in February 2009.<sup>15</sup> Furthermore, the Commission continued to work on the topic by collecting more information and by hosting a "European Foundations Week" in June 2010.<sup>16</sup> In the same year, the European Economic and Social Committee (EESC) also supported the initiative by commenting the draft of the Statute.<sup>17</sup> Moreover in 2011, the Committee of the Regions supported the initiative.<sup>18</sup> In order to round up the positive response of the stakeholders, a public consultation was initiated by the Commission in the same year. And backed by the positive outcome of the consultation, the Commission again underlined the importance of a European Foundation Statute, in particular with respect to Europe's 2020 objectives.<sup>19</sup> The drafting of the statute was finalized in 2012.<sup>20</sup> The legal stipulations covered among others topics of how to establish and govern a foundation. Most importantly, equal tax treatment for donors was guaranteed throughout Europe and the transfer of funds from one member state to another was facilitated.<sup>21</sup> Again, the European Economic and Social Committee strongly supported the draft<sup>22</sup> by underlining the "contribution of foundations in numerous areas".<sup>23</sup> The Committee of the Regions asked for some changes to the draft but also endorsed the proposal for a European Foundation Statute in November 2012.<sup>24</sup> In 2013, the proposal was also strongly supported by the Parliament that suggested several modifications which

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14 Compare: European Commission, 8.2.2012, Proposal for a Council Regulation on the Statute for a European Foundation, p. 4.

15 Compare: European Parliament resolution on Social Economy, No. 11.

16 Compare: European Commission, 8.2.2012, Proposal for a Council Regulation on the Statute for a European Foundation, p. 4.

17 Compare: European Commission, 8.2.2012, Proposal for a Council Regulation on the Statute for a European Foundation, p. 3 and European Economic and Social Committee, 28.4.2010.

18 Committee of Regions, 31.3./1.4 2011, No. 16 and European Commission, 8.2.2012, Proposal for a Council Regulation on the Statute for a European Foundation, p. 3.

19 European Commission, 13.4.2011, p. 7.

20 European Commission, 8.2.2012, Proposal for a Council Regulation on the Statute for a European Foundation

21 Compare: European Commission, 8.2.2012, Proposal for a Council Regulation on the Statute for a European Foundation, p. 6-7.

22 Compare: European Economic and Social Committee, 16.9.2012, 1. Conclusion and recommendations, 1.1.

23 European Economic and Social Committee, 16.9.2012, 3 General comments, 3.1.

24 Committee of the Regions, 11.2012, passage 1-3.



aimed at guaranteeing sustainability, seriousness and viability of European foundations. All in all, nothing seemed to stand in the way of the endorsement of the statute. However, the new Commission under President Juncker withdrew the proposal in December 2014.<sup>25</sup> The central argument for the dismissal was that the proposal was not sufficiently supported by the Council of Ministers.<sup>26</sup> After coming a long way and despite the backing of several European institutions, the proposal was blocked by the Council of Ministers.

More research is needed to establish which national level actors were responsible for this stalled trajectory. But this example illustrates the complexity of EU policy making in terms of the great number of actors and underscores the continued importance of the Council as a superordinate institution in EU policy development (Naurin, David (2015):). Moreover, also the community of TSOs on the European level of governance is shaped by a great variety of organizations and platforms, which further complicates decision-making in matters concerning the Third Sector in Europe.

#### **2.2.4 The Statute for a European Mutual Society**

Similar difficulties become apparent in the case of the aspired European mutual society. The European Commission presented a proposal for a Council Regulation on the Statute for a European mutual society already in 1991.<sup>27</sup> Following internal discussions between the EU institutions, including an approving opinion by the Economic and Social Committee<sup>28</sup>, amendments by the Parliament and the Council were included in the proposal. However, it never reached decision-making, even if a consultation launched by the Commission in the early 2000s demonstrated the need for a European mutual society.<sup>29</sup> Due to this lack of progress in the policy-making process, the Commission withdrew the proposal from the European agenda in 2005.<sup>30</sup>

However, “(t)his decision led to disappointment and dissatisfaction in the mutual sector” (AMICE/AIM 2008: 3.2), who found that “cross-border cooperation between mutual societies has been hampered within the European Union by legal and administrative

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<sup>25</sup> Compare: European Commission, 2015 B, Justice, Consumers and Gender Equality .

<sup>26</sup> House of Commons, 11 February 2015 , 4 A Statute for a European Foundation, 4.6.

<sup>27</sup> Compare [COM/1991/273](http://com(1991)/273)..

<sup>28</sup> Compare Opinion of the Economic and Social Committee on the proposal for a Council Regulation (EEC) on the Statute for a European Mutual Society, OJ C 223, 31.8.1992, p. 48–51.

<sup>29</sup> Compare <http://www.amice-eu.org/ems.aspx>.

<sup>30</sup> Compare Communication from the Commission to the Council and the European Parliament. Outcome of the screening of legislative proposals pending before the Legislator. COM(2005) 462 final.



difficulties which should be eliminated in a well operating internal market” (AMICE/AIM 2008: 1.2). Therefore, the Association of Mutual Insurers and Insurance Cooperatives in Europe (AMICE), together with the Association Internationale de la Mutualité (AIM), prepared a draft regulation in order to re-initiate the policy-making process. In the following, the topic was addressed only by the European Parliament, who supported the initiative and called repeatedly on the Commission to advance the proposal.<sup>31</sup> However, the proposal still stalled, until finally the Parliament adopted the resolution of 14 March 2013 with recommendations to the Commission on the Statute for a European mutual society (2012/2039(INL)), on the basis of an own-initiative report of Mr. Berlinguer MEP. In addition, the Parliament adopted an European Added Value Assessment (EAVA 1/2013), in which the benefits of a European mutual society are evaluated from a social, economic, and legal point of view. This was followed up by a consultation launched by the Commission, which was overall positive towards the creation of a European mutual society.<sup>32</sup> Following from this assessment, the Commission “is looking into the possibility of proposing a Regulation containing the rules on the creation of a European Mutual by enterprises from different EU countries”<sup>33</sup>. However, no progress seems to have been made in this regard so far, demonstrating the lengthy and apparently difficult policy processes.

## 3 The Rolling-Out of the TSO Community in Brussels

### 3.1 The Commission in the Driver’s Seat

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The fact that there is a third sector community, even a specific organizational field comprised of Civil Society Organizations (CSOs) or TSOs active in Brussels is not contested, even if the best way to characterize its boundaries and priorities continues to be a matter

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<sup>31</sup> Compare, among others, Declaration of the European Parliament of 10 March 2011 on establishing European statutes for mutual societies, associations and foundations, P7\_TA(2011)0101.

<sup>32</sup> Compare: Synthesis report on the comments on the open consultation on the measures proposed by a study financed by the Commission for the promotion of mutual societies in the EU and the necessity for a Status for a European Mutual Society. [http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item\\_id=7982](http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item_id=7982).

<sup>33</sup> Compare: [http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item\\_id=7982](http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item_id=7982) (Last update: 12/10/2015).



of considerable debate (Johansson/Kahn 2015: 9; Ruzza 2015: 23ff; Sanchez Salgado 2014). It is acknowledged that the European Commission has played a crucial role in the development of Brussels “organized civil society” community (Georgakakis 2015). However, it is also obvious that the Commission has not equally made use of the multi-functionality of TSOs. Very often, they are simultaneously providing avenues for civic participation, most prominently in the form of volunteering, acting as lobbyist on behalf of their constituencies or the general public. In addition, in many European countries they are highly engaged in the production of services, most prominently in the area of social services but also in sports or in the arts and culture (Evers/Zimmer 2010).

The TSI project distinguishes between different dimensions of “impact” which from a functional point of view TSOs bring about in certain environments (Simsa et al 2014: 27ff). Doubtlessly, many TSOs have an economic impact: As producers of social services and as employers of significant importance in many European countries – particularly in the social domain – TSOs are participating in the economy. But, depending on the political opportunity structure of the country and policy field, TSOs also participate in governance arrangements providing expertise and or acting as lobbyists on behalf of their constituencies or the wider public. Hence TSOs also have a political impact. And finally as membership organizations, TSOs contribute to the integration of citizens into the general public and the policy community at large. One of their classical “impacts” consists of serving as a “transmission belt” for demands and concerns of citizens and the political apparatus.

Initially, the European Commission has not considered these organizations ‘players’ in EU development processes. But since it has started to recognize them, the Commission has referred to their functions and impacts in what appears to be quite a selective and partial way, linked to the sometimes unpredictable direction of the EU’s overall approach to integration. Kendall et al. (2009: 346ff) retrospectively identified three different developmental phases of Brussels’ third sector community. Each of these phases was influenced by the European Commission referring to a certain rationale or theoretical concept. Moreover, approaches aiming at a stronger liaison of the Commission with a fairly established third sector community in Brussels were primarily initiated by members of the centre-left and not by Presidents of the Commissions representing the conservative party spectrum. But all in all, Brussels’ prime interest in TSOs has primarily, but not exclusively, been linked to the economic impact of the organizations; furthermore, in particular the TSO’s umbrella organisations have been perceived as “useful” for providing “a second opinion” and field-specific expertise that ties in with the



political impact of TSOs which time and again was indicated by members of Brussels third sector community (see part 4).

## **3.2 Stages of Development**

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### **3.2.1 Non-action**

The first phase, titled “prehistory” by Kendall et al. (2009: 346), was indeed a period of non-action, although it stretched for about half of the EU’s lifetime so far, ranging from the beginning of the European Community to the early 1980s. According to Kendall et al., the Rome Treaty made reference to non-profit-making companies, but it also mentioned that these are outside its relevance. Furthermore, the European Economic and Social Committee (EESC) was established in this time span, but its activities were not geared towards TSOs. The Committee was conceptualized as an advisor to other European institutions instead (Kendall et al. 2009: 347). Indeed, as a recent study summarizes: TSOs “have not been proactive in their process of adaptation to the EU. On the contrary, the adaptation of (T)SOs has mainly been EU-driven” (Sanchez Salgado 2014: 3).

### **3.2.2 Enthusiasm**

#### *TSOs strengthening the Union’s development*

Quite important for the development of a TSO community in Brussels was the presidency of Jacques Delors (1985-1995). Under his leadership, the process of European integration re-started successfully; furthermore, Delors had a mission and a vision regarding the role and function of TSOs in Europe (Delors 2004). His focus was clearly on the economic impact of the sector. Accordingly, he perceived TSOs as “an EU policy instrument for strengthening economic development, and also for coping with the employment problem” (Kendall et al. 2009: 348). In line with the French tradition, Delor’s promotion of TSOs’ presence in Brussels focused primarily on co-operatives and mutual societies as import economic actors. With support of the Commission, CEDAG – the European Council of Associations of General Interest – was founded in 1989 in Paris. At first, CEDAG served primarily as a prominent mouthpiece of the “social economy” that has a long history particularly in the Mediterranean countries. In parallel and following the Parliament’s Fontaine Reports (1987a, b), two legislative initiatives – the development of a European Statute of Associations and a Statute for a European Cooperative Society – were set in motion with very different outcomes. The first initiative failed while the second materialized in 2003 (see part 2).



Already initiated by Delors, the conceptualization of TSOs as a tool for labour market policies gained particular momentum in the late 1990s. Increasingly, TSOs became linked to the discussions on economic development and the fight against unemployment and social exclusion. In close connection with the promotion of small and middle-sized enterprises and with a special eye to vulnerable groups such as disabled citizens, the potentials of TSOs for addressing labour market problems were increasingly stressed. In 1997 as a counterpart of CEDAG a special department – the Social Economy Unit – was established within the General Directorate 23 of the Commission that was at that time also responsible for small business and tourism. Kendall et al. (2009) in their highly informative book chapter come to the conclusion that more or less nothing came out of this phase of development which they, therefore, titled as the phase (1985-1997) of “frustrated policy engagement” (Kendall et al. 2009: 348). However, current EU discourses as well as investments in research are again influenced by the rationale of a sector whose organizations might provide more appropriate solutions to problems of social exclusion and unemployment than other actors of market economies (see InnoSi and EFESSEIS).<sup>34</sup>

In parallel but not interconnected with the conceptualization of TSOs as a part of the social economy, Commission activities unintentionally facilitated the growing importance of another major TSO umbrella organization in Brussels, the Social Platform which today aligns more than 40 TSOs working on social issues. However, a driving force for the further advancement of the Brussels TSO community active in the social domain was the vigorous critique of the Commission’s social economy approach. That critique was put forward by the powerful German Free Welfare Associations which perceived their position in the national and international welfare domain threatened by the Commission’s directive on Services of General Economic Interest (Zimmer et al. 2009: 33; Kendall et al. 2009: 358). In a nutshell: Originally, the directive was designed in such a way by the DG for Internal Market that any social service in the welfare domain was treated like a commodity and hence was to be subject to similar regulations than any other marketable goods. Thanks to the concerted lobby activities of the Welfare Associations in Germany and in Brussels via a diverse set of public affairs bureaus and umbrella organizations such as the ET Welfare and the Social Platform, the directive was finally watered down in such a way that the unique position of the Welfare Associations in the markets of social services were not thoroughly jeopardized in Germany and in other European countries – e.g. Spain, Poland - where particularly the Church affiliated Caritas

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<sup>34</sup> <http://www.fp7-efeseis.eu>; <http://innosi.eu>.



had started to make inroads. The TSO community of social service providers successfully argued that they are distinct from for-profit providers because they are working close to their communities, which is evidenced by the many volunteers who are engaged locally in the provision of social services delivered by TSOs. Accordingly almost through the backdoor, volunteering as a specificity closely affiliated with TSOs developed into a rationale or distinctive feature of TSOs which sets them apart from the business world. Although with very different intentions, both developments were closely linked to the economic impacts of TSOs and to their role and function as service providers and employers of significant importance all over Europe.

#### *TSOs addressing the “democratic deficit”*

The third phase of the proliferation of TSOs in Brussels was closely connected with the Presidency of Romano Prodi whose General Secretariat tried to address the chronic “democratic deficit” of European policy-making by advancing the integration of TSO umbrellas into the European policy process. Compared to its predecessors the Prodi Commission built on a very different understanding of the “impacts” of TSOs (Simsa et al. 2014: 32). During this period, expertise in certain domains, representing specific constituencies and giving voice to vulnerable groups and finally operating as a “transmission belt” that facilitates communication between different levels of EU-governance seemed to be making TSOs and in particular their umbrellas with links to a number of European countries interesting partners for the Commission. It also hoped that TSOs might function as a counterbalance to the strong representation of business interests in Brussels. How this was to be achieved can easily be traced by taking into account the various EU documents published in the early 2000s. Of particular importance are the Commission’s White Paper on European Governance of 2001 (COM/2001/428 final) and its Communication “Towards a Reinforced Culture of Consultation and Dialogue – General Principles and Minimum Standards for Consultation of Interested Parties” (COM/2002/704 final) of 2002. The White Paper highlighted the importance of TSOs as channels of communication between EU institutions and EU citizens by stressing their relevance for providing a “structured channel for feedback, criticism and protest” and for promoting democracy on the national level. The Communication of 2002 outlined how TSOs are envisaged to participate in the European multilevel governance arrangements. Precisely, the communication refers to the establishment of “civic dialogue” to which primarily those TSOs were eligible that “exist permanently at Community level, [...] have authority to represent and act at European level [...], have member organizations in most of the EU Member States [and] provide direct access to its member’s expertise” (COM 2002: 2. Footnote 15). Throughout the 2000s, the Commission undertook serious efforts



to further integrate representatives of the TSO community into its “consultation regime” (Quittkat/Kohler-Koch 2013: 47) which step by step moved into the direction of a participatory arrangement. The Commission in a way served as a role model for other European institutions. In this vein, the Council of the Regions tried to become a mouthpiece of TSOs active in Brussels by establishing a formalized “civic dialogue” modelled after the “social dialogue” (Zimmer/Freise 2008: 32). In summary, the period after the “White Paper on European Governance” was prime time for making claims about participatory democracy in the sense that first and foremost the Commission but also the other European institutions tried to touch base with TSOs in Brussels in formalized – dialogues – and informal ways. Research focused on TSOs’ participation in the European governance arrangement (Smismans 2006) with the aim of unveiling the potential contribution of TSOs “to the legitimation of European institutions and to the democratization of the EU polity” (Sanchez-Salgado 2014: 5f).

It is worth mentioning that this enthusiastic period of EU integration policy in which a significant enlargement of the EU and the introduction of the Euro also took place was accompanied by major EU-funded research projects that specifically evaluated whether and to what extent TSOs indeed contribute to the reduction of the so-called democratic deficit of European policy making by providing expertise, giving voice to otherwise unheard constituencies and first and foremost by bringing Brussels closer to the European people. The Networks of Excellence CONNEX – Connecting Excellence on European Governance<sup>35</sup> and CINEFOGO - Civil Society and New Forms of Governance in Europe: the Making of European Citizenship – were both dedicated to the analysis of efficient and democratic multilevel governance in Europe with the aim of enhancing “the understanding of social and democratic processes, citizenship and democratic participation in Europe”.<sup>36</sup> However, the outcomes of these two major research endeavours were rather disillusioning: The potential of TSOs operating in Brussels to keep in touch with their constituencies as well as with their parent organizations at home were widely overestimated. These organizations typically seemed to have insufficient capacity to achieve the sort of “transmission belt” functions expected of them in policy and research circles, often operating on relatively modest budgets and with underdeveloped cross-level infrastructure. Furthermore, research uncovered that the chorus of TSOs in Brussels is heavily biased with the effect that TSOs from smaller countries and new EU members were simply not present (Charrad 2010). Hence it was summarized that “the

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<sup>35</sup> [http://www.mzes.uni-mannheim.de/projekte/typo3/site/fileadmin/flyer/govlit\\_govdata\\_final.pdf](http://www.mzes.uni-mannheim.de/projekte/typo3/site/fileadmin/flyer/govlit_govdata_final.pdf)

<sup>36</sup> <http://mighealth.net/eu/images/0/01/Cine1.pdf>





European civil society is ... a magic word, used primarily by the European institutions to legitimize their institutional position and politics” (Georgakakis 2015: 234; Zimmer 2011; Kohler-Koch/Quittkat 2013; Sanchez Salgado 2014: 6). The research also unveiled “the Commission’s entrepreneurial role” (Johansson/Kalm 2015: 7) regarding the establishment of TSO umbrellas in Brussels, many of those the outcome of the Commission’s “remarkable bureaucratic activism” (Johansson/Kalm 2015: 8).

### **3.2.3 Disillusionment**

This brings us to the current phase which – as already indicated – could be characterized as disillusionment and pragmatism on both sides, the formal EU institutions on one hand, and Brussels’ TSOs and their networks and platforms on the other. Certainly, Brussels-based TSOs experience “business as usual” in terms of being contributors to the EU policy process. This includes multiple involvements in routinized consultation procedures as well as more informal relationship building.

From the perspective of TSOs used to being considered as central conduits for enhancing the EU’s response to the democratic deficit, this more recent period is perceived as being ambivalent and far from developing into a direction that further advances the relevance of TSOs for Brussels’ policy process. The reasons why disillusionment on both sides has replaced enthusiasm are manifold. As regards the EU institutions, their expectations towards TSOs were probably unrealistic and therefore failed the reality test. As summarized most recently, TSOs “are considered to be rather ineffective, and fall short of their legitimizing potential (Sanchez Salgado 2014: 6). With a special eye on Brussels’ TSO community, previous research already “underscored the multi-faceted, institutionally complex and contested character of third sector European policy as a multi-level process” (Kendall 2009b: 389). Current research further draws the attention to TSOs operating in Brussels that are considered to constitute a distinctive organizational field, in which organizations co-operate and coordinate action but that simultaneously is a terrain for conflict and competition (Johansson/Kalm 2015; Cullen 2015).

While governance in close co-operation with TSOs in Brussels was in part initially inspired by the concepts of “participatory and deliberative democracy”, the Commission has also turned to “direct democracy” in a further attempt to reduce the EU’s democratic deficit. Instead of working directly with or at least consulting TSOs, the “European Citizens’ Initiative” (ECI) was introduced as a new approach to get Brussels closer to the European people. “The ECI is a single-cause campaign aimed directly at agenda setting” (Hedling/Meeuwise 2015: 212). According to Hedling/Meeuwise, the introduction of the ECI was an outcome of the Convention for the Future of the Union (2003-2004). Although



the Constitutional Treaty failed, the ECI was kept in the Lisbon Treaty (Art. 11.4) (Hedling/Meeuwise 2015: 215). As a channel for mass mobilization organized around a specific legislative proposal, the ECI departs from previous procedures that gave preference to formal and informal consultations or “dialogues” with TSOs based in Brussels (Greenwood 2015: 207).

Conceptually the ECI, inaugurated in 2007, aims at enabling citizens of the member states of the EU to participate directly in the policy process by calling the Commission to propose a legal act. However, procedures and legal requirements of the ECI are quite complicated. For starting an initiative, a committee comprising at least seven members from seven member states has to be set up as the responsible body for driving the case, including the conversation with the Commission. The initiative has to be posted on the EU-website. In order to be successful, the initiative has to be underwritten by a minimum of one million EU citizens from at least seven member states. Finally, the initiative also has to be supported by the respective member states. As indicated by EU research, the ECI has not developed into an element of lively direct democracy which is widely used by European citizens; instead, research shows that the ECI has become a further device of TSOs for influencing the policy process (de Clerck-Sachsse 2012). Hence, the ECI belongs to the family of E-government instruments, applauded by internet aficionados, however, much too complicated and from an organizational point of view far too sophisticated in order to be applied by “normal citizens”. Accordingly, the ECI is increasingly seen as “a tool for organized civil participation rather than as a tool of direct participation by individuals because signature collection across several member states requires professional organization” (Bouza Garcia 2015: 176).

Appraisal of the ECI by current EU research underlines its supplementary function as a further instrument used primarily by TSOs to accompany lobbying activities. In a more recent contribution Justin Greenwood quotes Jorgo Riss, Director of the Greenpeace European Unit as follows: “An ECI may be a useful tool as part of a campaign that aims to raise awareness and create some political momentum on lesser known issues of public interest that otherwise get little media and political attention. I do not rate it very highly ... the outcome from an ECI depends on the goodwill of the Commission. ... A million euro spent on lobbying gets you further than a million signatures, regrettably” (Jorgo Riss, correspondence, 14 June 2013, quoted in Greenwood 2015: 203). Although the ECI is not assessed as being a widely and successfully used tool of agenda setting and participating in the EU policy process, Greenwood, nevertheless, indicates that the ECI might possibly provide an opportunity for TSOs in the member states as well as for social movements to



make their voice heard and to launch an initiative by bypassing Brussels' professionalized and fairly established TSO community (Greenwood 2015: 202; see also Bouza Garcia 2015: 185f).

Against the background of increasing critique of both Brussels policy machinery in the aftermath of the financial crisis and the austerity measures orchestrated by the Commission and the Council, social movements and initiatives at the grass-root level seem to regain importance as regards advocacy initiatives on behalf of the third sector. As Simsa argues convincingly, although not specifically addressing the European level of governance, there are almost two worlds of representation of third sector related issues: on the one hand the so-called community of professionalized TSOs, and on the other hand less formalized and more spontaneous social groups and activists (Simsa 2014). Following de Clerck-Sachsse, issue-specific professionalized organizations constituting the Brussels TSO community have to be differentiated from broader-based citizen initiatives. These social movements rather seek to mobilize a wide section of society in order to voice their concerns in a public debate than to engage directly with decision makers in Brussels (de Clerck-Sachsse 2012: 302). Indeed, interviews and focus groups conducted under within the framework of the project "Third Sector Impact" (TSI) underscore the impression that Brussels' professionalized TSO community is far from being homogeneous, unquestioned and efficient in terms of not only being consulted but also taken seriously by EU institutions. It is unquestionable that there is a TSO community in Brussels (Kendall et al 2009: 341) qualifying for "an organizational field" in terms of both established cooperative as well as competitive relationships and reliance on a common framework of legitimacy which still seems to be based on the concept of participatory and deliberative democracy. However, its current relevance for the EU policy process is unclear and needs further research. Our "impressions" from the field which are based on the results of interviews, focus groups and participating observations provide a rather sceptical, if not pessimistic picture of salience and significance of Brussels' TSO community for issues and topics at stake of TSOs at the grassroots level in the member states.



## 4 Impressions from the Field

### 4.1 TSO Infrastructure

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In 2014 more than 6,590 “societal groups” running activities in relation to EU-institutions were registered in the EU Transparency Register (Johansson/Kalm 2015: 3). These are organizations receiving funding or seeking to consult EU officials and institutions. Of those the largest group (50 percent) according to Johansson and Kalm are so-called “in-house lobbyists and professional associations”, 25 percent or more than 1,600 are non-governmental organizations. However, it is assumed that the field is even larger because not every organization files for registration. The TSO community in Brussels seems to be highly fragmented, but there are tendencies of concentration and cooperation among TSOs which are supported in particular financially by the European Union.

Johansson and Kalm (2015: 4ff) provide a typology of TSOs working in Brussel by distinguishing between a) individual organizations working at EU-level, b) platforms of TSOs, and c) mega-networks of TSOs, with different constituencies, structures and patterns of connectivity. **Individual EU-level TSO organizations** are stand-alone representatives of major TSOs operating in a member state such as the office of the German Caritas in Brussels.<sup>37</sup> This category includes also the Brussels representation of international TSOs such as Amnesty International or Greenpeace. However, many of these stand-alone organizations are themselves umbrella organizations which quite often were founded with EU-support and continue to rely at least partly on EU funding. The European Women’s Lobby (EWL)<sup>38</sup> is a prominent example of such a TSO umbrella. Founded in 1990 with strong support of the EU, the EWL is now present in all member states and serves as a key consultant to the EU. The EU-level single organizations provide their national members with information about EU policy development and transmit information on national conditions upwards. **Brussels’ TSO platforms** constitute a second layer above the individual TSO representation. Platforms serve as forums for individual TSOs active in Brussels, tying them together in issue-specific networks. According to Johansson and Kalm, the platform is mostly EU-funded and perceived as a consultant for the Commission and other EU institutions on a number of issues in cases where the cooperation between the platform and EU institutions is formalized (Johansson and Kalm

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<sup>37</sup> <http://www.caritas.de/diecaritas/deutscher Caritasverband/verbandszentrale/standorte/dcvbruesselerbuero>.

<sup>38</sup> <http://www.womenlobby.org/?lang=en>.



2015: 5). The Social Platform founded in 1995 is a good example for such an organized forum of formalized EU-TSO cooperation<sup>39</sup> (Cullen 2009; 2010). Serving as a platform for more than 40 TSOs in Brussels, the Platform exists through EU funding, covers a broad spectrum of thematic issues related to the welfare domain and is the key interlocutor for the European Commission, Parliament and Council on welfare-related topics. CONCORD, the European NGO for Relief and Development, founded in 2003, is another example. Its predecessor that was founded in 1976 was one of the first CSO platforms supported by the EU (Johansson and Kalm 2015: 5). The third layer of formalized EU-TSO cooperation is characterized by Johansson and Kalm as “**meta-networks**”: “These are mechanisms of various kinds that draw together platforms (mostly) and even wider forms of cooperation and dialogue” (Johansson and Kalm 2015:6). In this category, the authors list the “Civil Society Contact Group”, a network of eight platforms, as well as the “Liaison Group”, an initiative of the Economic and Social Committee (ESC) founded in 2004, in which 22 platforms interact with the ESC<sup>40</sup>.

Previous research (Kendall et al. 2009) specifically highlighted the complex fabric of TSO platforms and specifically meta-networks, whose infrastructures, put in place with the support of the Commission, have developed into relatively stable arenas for discussion, interest aggregation and presentation. It was stressed that these networks refer to a broad spectrum of tools which go far beyond formal consultation procedures. Some of them might even be characterized as vague and without a de jure basis (Kendall et al. 2009: 369). But it was also underscored that TSO platforms and meta-networks are far from homogenous. Despite their affiliation with a platform or network, individual TSOs are always concerned of safeguarding their standing as individual actors in Brussels (Kendall et al. 2009: 371; Kendall 2009a: 7f). But on the other hand, recent studies also underline that working together on common issues, elaborating and promoting common positions facilitated the development of a “collective identity” (Cullen 2015: 96) among the loosely coupled members of platforms and meta-networks in Brussels.

## 4.2 Bricolage of Opinions

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The following paragraph is based on the outcome of interviews and focus groups conducted in 2014 and 2015 in Brussels. Within the framework of the TSI project, we interviewed five representatives of “individual” TSOs and one of a TSO platform.

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<sup>39</sup> <http://www.socialplatform.org>.

<sup>40</sup> <http://www.eesc.europa.eu/?i=portal.en.liaison-group>.



Moreover, five focus groups were organized with about 40 representatives of TSO platforms, and individual TSOs (see interviews and focus groups). Interviews and focus groups were audiotaped and summarized in findings reports. We tried to invite representatives of a broad spectrum of TSOs operating in Brussels; however, it turned out that the sample of our interviewees and focus group participants had a slight bias towards the social domain. We also engaged in participatory observation. A member of the TSI team took part in selected events, related to third sector issues throughout February/March 2016 in Brussels. Against the background of a highly differentiated TSO community encompassing stand-alone organizations, platforms and meta-platforms, as well as a high rate of volatility in terms of issues and topics addressed in Brussels, the following paragraph does not intend to provide a coherent and balanced picture of the current state of the art of TSO activities at the European level. Instead, our purpose is twofold: Firstly, we assess how representatives of the TSO community in Brussels perceive their chances and opportunities of influencing Brussels' policy machinery, and secondly we wanted to find out more about their perceptions of barriers that stand in the way or hinder TSOs in Brussels and possibly also in the member states from thriving. In summary, the outcome of the interviews and focus groups provides a sketchy but nevertheless interesting bricolage of opinions. Brussels is perceived as being a contested and highly volatile terrain for TSOs engaged in lobbying activities; barriers that impede the potentials of TSOs are primarily related to issues of funding and representation.

#### **4.2.1 EU-Funding and Modes of Financing**

As outlined, the rolling out of the TSO community in Brussels was made possible by EU funding. Still today, EU money is of significant importance for the majority of TSOs active in Brussels. Although the support of the Commission is highly acknowledged – in particular because otherwise at least some TSO platforms would either be non-existent or not in a position to operate successfully – all in all EU-funding was considered as being a mixed blessing. For sure, through funding the Commission tries to balance corporate and civil society interests within processes of policy development, but it also tentatively and perhaps unintentionally sets the agenda (Interview 5, p. 2; Interview 6, p. 2). It was further indicated that reliance on EU funding carries the potential of getting into a delicate form of dependency. In order to safeguard funding, it was mentioned that there is a subtle tendency that TSOs shift their agenda to topics and issues considered politically important by the Commission or the Parliament (Interview 3, p. 6-9; Focus Group 3, p. 6). It was noted that TSOs in Brussels tend to engage in “name- and term-dropping” in order to comply with both the Commission's agenda and the current EU machinery culture (Interview 4, p. 11).



Criticized were also the modes of EU-funding. Procedures of applying, implementing and reporting were seen as being very complex and time-consuming. Additionally, delayed approval of grants translates into significant financial uncertainties for TSOs. Although funds were granted on a four-year basis, TSOs sometimes have to re-apply every year. Financing mechanisms both for EU-level TSOs and for TSOs in the member states are perceived as being too complicated and fragmented. According to the interviewees, TSOs in the member states are confronted with severe difficulties in finding out which funds are available. But also at the EU level, funding applications were believed to be too complicated, especially for smaller organizations. The obligation of seeking co-funding was seen as a further barrier (Focus Group 1, p. 11; Interview 4, p. 10). Sometimes, available funds could not be accessed simply because there is a lack of co-funding (Interview 4, p. 10; Interview 5, p. 2).

Austerity measures were another prominent issue highlighted in interviews and focus groups. One interviewee boldly asserted that they are having a negative impact on both the formulation and implementation of social and environmental policies (Interview 6, p. 6). As another consequence of scarce resources, genuine third sector policy concerns might have to be reframed in terms of employability and economic growth in Brussels and in the member states. This trend can already be traced in the area of volunteering. Traditionally, volunteering was linked to notions of intercultural learning in the sense of solidarity, shared values and European integration (Interview 4, p. 5). Nowadays it is also highlighted either as a proxy for gainful employment or as an avenue into the labour market. It was underlined that TSOs increasingly see themselves in a position in which they might have to prove that the third sector is adding value to the concept of sustainable growth, instead of putting civil society topics on the top of the agenda.

#### **4.2.2 Accessibility and Representation**

Against the background that Brussels' policy machinery is complex with many access points and shifting agendas, it was underscored that working in Brussels is far from being easy for TSOs. As a rule of thumb, working together in platforms was reported to be the most promising approach to effective lobbying in Brussels (Interview 2, p. 3-4). However, opportunities for alliances differ from policy field to policy field (Focus Group 3, p. 8; Interview 4, p. 3; Interview 3, p. 28). Additionally, TSOs' representatives reported a lack of coordination at the policy level. This refers both to EU institutions and TSOs self-organization (Interview 4, p. 1-2). The formation of alliances within the sector seems to have become more difficult. As tentatively indicated in the interviews, this is due to an increasing polarization and competition among TSOs. Furthermore, professional think



tanks and communication experts have started to make inroads into areas for which interest representation used to be exclusively affiliated with TSOs (Focus Group 2, p. 2)

As some interviewees reported, quite often EU officials simply do not understand what the third sector is and how TSOs work (Focus Group 1, p. 2). Additionally, the highly fragmented EU policy terrain makes it difficult for TSOs to address the “right person”. This seems to be particularly the case for cross-cutting issues like volunteering (Interview 4, p. 4-6). A shift of portfolios between the DGs that takes place on a regular basis seems to further complicate lobby activities for TSOs (Interview 4, p. 4-5). Referring to online consultations, focus group members also reported a lack of transparency: By and large, summaries of positions were in most parts generalized and did not consider whether contributions were made by individuals, think tanks or umbrella organizations representing a large number of members (Interview 3, p. 12). It was also underlined that under “the new Commission” chaired by President Juncker, an additional level of hierarchy has been installed by strengthening the role of the European Commission’s vice presidents that further impedes easy access of TSOs to Brussels’ policy machinery. TSO representatives highlighted a lack of transparency and accessibility and suggested that TSOs should have a better chance of participation in relevant issues (Focus Group 1, p. 4-6).

## 5 Summary

The purpose of this report is to address the topic of whether and to what extent the TSO community in Brussels might help TSOs in the member states to overcome barriers and hurdles which restrict their potentials. We specifically intended to identify initiatives carrying the capacity of remedying disabling factors that either impede pan-European activities of TSOs or that hinder the organizations from living up to their potentials in the member states. Linking up with previous research, we intended to further investigate whether the European community of TSOs might have been able to further position itself within Brussels’ policy machinery. Taking the history and development of the TSO community in Brussels into account, this process most likely would have been facilitated by the EU and specifically by the Commission. Our findings are primarily based on a review of the literature. In 2014/15 we conducted interviews and focus groups with a respectable number of TSO representatives in Brussels. In summary, our findings reveal a complex but not thoroughly optimistic picture of the capacities of TSOs in Brussels to work on behalf of their constituencies in the member states.





The report started out with outlining the trajectories of three legal initiatives which aimed at creating pan-European legal stipulations for associations, foundations and co-operatives. With the exception of the Statute for a European Cooperative Society neither of the other initiatives materialized. Although it is very difficult to detect why neither the statute for a European association nor the statute of a European foundation or a European mutual society finally managed to overcome the different hurdles of Brussels' policy machinery, diverging legal frameworks in the members states that seemed to be difficult to be harmonized turned out to be disadvantageous for the harmonization of the legal stipulations for TSO activities.

Secondly against the background of the results of previous research, the topic of whether the TSO community might have gained further momentum was assessed. Again, the outcome based primarily on a review of the literature enriched by background information derived from interviews and focus groups is rather disenchanting. For sure, there is to a modest extent evidence for the tentative emergence of a TSO "policy community" in Brussels. However, it seems to be of limited scope and influence. Partly funded by EU institutions and hence somehow in a position of dependency it has a low profile, and certainly does not occupy a prominent position in relation to the various EU-level policy debates which impinge directly and indirectly on TSOs' fortunes at national and subnational level. Most of the "policy action" takes place within discrete policy subfields, and is handled in specialized arenas, which have remained fragmented and are not easily accessible for TSOs. There are good reasons to argue that the TSO community in Brussels has not connected organizations in a more aggregated form to compare with the institutions of horizontal organization developed in relation to more powerful sectoral interests, such as those in support of the corporate business community. Indeed, there is some evidence that compared to the previous decade, Brussels' TSO community may even have weakened in recent years, and lost connectivity with third sector policy agendas at member state levels.

Judged retrospectively it seems that the impact of the TSO community on third sector issues in the member states has definitely been rather modest. There are a couple of reasons why this is the case and why the impact of TSO engagement in Brussels turns out to be rather limited or even miniscule. Firstly, TSOs are active in policy domains which are guided by the principle of subsidiarity and therefore are not under the auspices of EU regulations. Secondly, TSO activity is at least to a certain extent related to topics and issues of societal integration, citizen participation and activism which again do not constitute key concerns of the European policy machinery. This might be a central reason



why in the aftermath of the Prodi Commission and its appreciation of participatory multilevel governance, EU institutions might have to a certain extent lost interest in trying to integrate TSOs further into Brussels' policy machinery. In a situation in which the economy comes first, TSO-related issues might exclusively have a chance to be taken into consideration if there is a close liaison with economically relevant topics. The close nexus to economic issues might have facilitated the acceptance of the Statute for a European Cooperative Society.

Finally, there are also inequalities within the TSO community. Those who are big players in the member states are very present and influential in Brussels. TSOs from Eastern Europe and also from the South are not as equally represented as those coming from the "big member states", the UK, Germany or France. This means that "newcomers" as well as representatives from social movements are having a difficult time in Brussels when they try to make themselves heard. The introduction of the European Citizen Initiative has not fundamentally changed the bias of representation in Brussels. Finally, against a background of an EU continuously confronted with significant financial and political turbulences in the member states, the Council of Ministers has moved once more into the centre of attention. Indeed, the European Council as the forum of the heads of government of the member states has again developed into the most decisive, powerful and determining institution of the EU. This however leads to a situation in which Brussels' TSO community is less powerful because what happens at home in the member states might possibly be more effective than the outcome of advocacy activities in Brussels.

We therefore tend to conclude that Brussels' TSOs just serve a useful function for Brussels' policy machine by providing expertise and also legitimacy for selected policies, initiated by the Commission and favoured by other sectoral interests. However, they seem to be far from a position of being able to significantly influence the agenda or even addressing major TSO-related topics. Furthermore, it also seems that they are not very influential with respect to those topics and issues that are high on the agenda of the various TSO communities in the member states.



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## Interviews and Focus Groups

Interview 1: Representative of institutional contact group, Brussels,

Interview 2: Representative of individual EU level TSO, Brussels,

Interview 3: Representative of individual EU level TSO, Brussels, 21.10.2014

Interview 4: Representative of individual EU level TSO, Brussels, 23.09.2014

Interview 5: Representative of individual EU level TSO, Brussels, 21.10.2014

Interview 6: Representative of EU level TSO platform, Brussels, 26.09.2014

Focus Group 1: “Barriers and Opportunities for TSOs at the European level of governance”, 14 representatives of individual EU level TSOs and EU level TSO platforms, Brussels, 15.10.2014



Focus Group 2: “Third Sector Policy Participation: Fragmentation or Consolidation. Vertical and Horizontal Interaction”, 6 representatives of individual EU level TSOs, Brussels, 13.10.2015

Focus Group 3: “Third Sector Policy Participation: Fragmentation or Consolidation. Vertical and Horizontal Interaction”, 6 representatives of individual EU level TSOs, Brussels, 13.10.2015

Focus Group 4: “Third Sector Policy Participation: Fragmentation or Consolidation. Interest Representation”, 9 representatives of individual EU level TSOs and EU level TSO platforms, Brussels, 13.10.2015

Focus Group 5: “Third Sector Policy Participation: Fragmentation or Consolidation. Interest Representation”, 5 representatives of individual EU level TSOs, Brussels, 13.10.2015





## Attachment: Exemplary presentation of TSO platforms

### Policy Field “Social Services”

<b>Social Platform – Platform of European Social NGOs</b>	
Contact Details	Square de Meeus 18 1050 Brussels +32 2 511 37 14 <a href="http://www.socialplatform.org">http://www.socialplatform.org</a> <a href="mailto:platform@socialplatform.org">platform@socialplatform.org</a>
Formation	1995
CEO	Pierre Baussand
Policy Area/ Objectives	Inclusion, Employment, Social Justice Rights, Services, Civil dialogue Keeping social exclusion on the EU agenda Seeking to protect social aspects’ in OMC Leading through a combination of political and technical state to protect social policy fields against market based actors
Members	48 members that represent 2800 national organisations, associations and other voluntary groups at local, regional and national level in every EU member state, including organisations of women, older people, people with disabilities, people affected by poverty, young people, children and families, gays and lesbians and transgenders. Member organisations also include those campaigning on issues such as social justice, homelessness, life-long learning, health and reproductive rights or racism.
Finances	2014 Income: 712.487,01€ 2014 Expenditure: 701.318,09€
<b>Concord - European confederation of relief and development NGOs</b>	
Contact Details	Rue de l’Industrie 10 1000 Brussels +32 2 743 87 60 <a href="http://www.concordeurope.org/">http://www.concordeurope.org/</a> <a href="mailto:seamus.jeffreson@concordeurope.org">seamus.jeffreson@concordeurope.org</a>
Formation	2003
CEO	Seamus Jeffresson
Policy Area/ Objectives	Development: Ending of poverty and inequality, based on social justice, gender equality and upon responsibility to future generations
Members	28 national associations, 20 international networks and 3 associate members that represent over 2,600 NGOs
Finances	2014 Income: 1.610.000€



	2014 Expenditure: 1.570.860€
	<b>EWL - European Women's Lobby</b>
Contact Details	Rue Hydraulique 1210 Brussels +32 2 217 90 20 <a href="http://www.womenlobby.org/">http://www.womenlobby.org/</a> Joanna.Maycock@womenlobby.org
Formation	1990
CEO	Joanna Maycock
Policy Area/ Objectives	Women's rights
Members	National Co-ordinations in the 28 EU member states and 3 candidate countries; 20 European-wide organisations.
	<b>EAPN - European Anti-Poverty Network</b>
Contact Details	Square de Meeûs 18 1050 Brussels +32(2) 226 58 50 <a href="http://www.eapn.eu">http://www.eapn.eu</a> fintan.farrell@eapn.eu
Formation	1990
CEO	<i>Fintan Farrell</i> <i>Acting EAPN Director</i>
Policy Area/ Objectives	Poverty promote and enhance the effectiveness of actions to eradicate poverty and prevent social exclusion; raise awareness around poverty and social exclusion empower the people living in poverty and social exclusion lobby for and with people and groups facing poverty and social exclusion.
Members	31 national networks of voluntary organisations and grassroots groups active in the fight against poverty within the Member States of the EU and Norway, and Western Balkans, and of European organisations whose main activities are related to the fight against poverty and social exclusion.



## Policy Field “Sports”

### **ENGSO – European Non-Governmental Sport Organisation**

Contact Details	Avenue de Cortenbergh 52 1000 Brussels +32 27 38 03 25 <a href="http://www.engso.com">http://www.engso.com</a> <a href="mailto:pekkola@euoffice.eurolympic.org">pekkola@euoffice.eurolympic.org</a>
Formation	1960s (1995 formalized with official statutes)
Contact	Heidi Pekkola Sports Policy Director
Policy Area/ Objectives	Voice of grassroots/ voluntary sports
Members	34 members (national Olympic committees from 34 European countries) National Confederations of Sport National Olympic Committees European Sport Federations European organisations related to sport

### **EOC – European Olympic Committees**

Contact Details	Bureau des COE auprès de l'UE 52, Avenue de Cortenbergh 1000 Brussels +32 – 2 – 738 03 20 <a href="http://www.eurolympic.org">http://www.eurolympic.org</a> <a href="http://www.euoffice.eurolympic.org/">http://www.euoffice.eurolympic.org/</a> <a href="mailto:secretariat@eurolympic.org">secretariat@eurolympic.org</a>
CEO	Raffaele Pagnozzi Secretary General
Policy Area/ Objectives	Olympic Sports
Members	48 National Olympic Committees across Europe

