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Jonathan Zeitlin and Bart Vanhercke

Socializing the European Semester?

Economic Governance and Social Policy Coordination in Europe 2020

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Preface

As a result of far-reaching changes in EU' s institutional architecture for economic and social governance, introduced since the beginning of the Euro crisis, questions about the state and fate of Social Europe resurface in the debate. At the heart of the new governance architecture is the 'European Semester' of policy coordination, which combines governance instruments in the field of both economic and social regulation, within a single annual policy coordination cycle. This process has given the EU institutions a more visible and intrusive role in scrutinizing and guiding national economic, fiscal, and social policies, which has raised a series of questions about the nature and dynamics of the EU's emerging socio-economic governance architecture.

In this SIEPS report, Jonathan Zeitlin and Bart Vanhercke argue that since 2011, there has been a partial but progressive 'socialization' of the European Semester. This has lead to an increasing emphasis on social objectives in the EU's priorities and Country-Specific Recommendations, as well as to an intensification of social monitoring, multilateral surveillance, and peer review. It has also enhanced the role for social and employment policy actors. The report interprets these developments not only as a response by the Commission and other EU institutions to rising social and political discontent with the consequences of post-crisis austerity policies, but also as a product of reflexive learning and creative adaptation on the part of social and employment actors to the new institutional conditions of the European Semester, which can be seen as another form of 'socialization'.

This report is published in the context of SIEPS´ research project *Social Europe* and gives an interesting contribution to the broader question of the political foundations of European integration and the tension between economic and social interests.

Jörgen Hettne
Acting Director

SIEPS carries out multidisciplinary research in current European affairs.
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and policy-making at Swedish and European levels.

About the authors

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Bart Vanhercke is Director at the Brussels-based European Social Observatory (OSE). In 2013-2014, he was Associate Professor at the Institute for European Studies of the Saint-Louis University (FUSL). He is also finalizing a PhD at the University of Amsterdam on "The hard politics of soft policy coordination". His current research and publications focus on the social dimension of the new European economic governance, a topic on which he also works as associate academic staff at the Centre for Sociological Research (CESO), the University of Leuven. Earlier research experience dealt with the Europeanization of domestic social inclusion, health care and pensions policies through different EU policy instruments and the social challenges of EMU and EU enlargement. He has managed a host of EU-funded research projects and networks, including at present the European Social Policy Network (ESPN).

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List of abbreviations

AGS	Annual Growth Survey
ALMPs	Active Labour Market Policies
AMR	Alert Mechanism Report
BEPG	Broad Economic Policy Guidelines
COREPER	Committee of Permanent Representatives (Council)
CSR	Country-Specific Recommendation
DG	Directorate-General
EAC	Education and Culture (DG)
EAP	Economic Adjustment Programme
EAPN	European Anti-Poverty Network
EaSI	Employment and Social Innovation Programme (DG EMPL)
ECB	European Central Bank
ECFIN	Economic and Financial Affairs (DG)
ECOFIN	Economic and Financial Affairs (Council)
EDP	Excessive Deficit Procedure
EES	European Employment Strategy
EFC	Economic and Financial Committee
EIP	Excessive Imbalances Procedure
EMCO	Employment Committee
EMPL	Employment, Social Affairs and Inclusion (DG)
EMU	Economic and Monetary Union
EPAP	European Platform Against Poverty
EPC	Economic Policy Committee
EPSCO	Employment, Social Policy, Health and Consumer Affairs (Council)
ESF	European Social Fund
EU	European Union
IDR	In-Depth Review
ISG	Indicators Sub-Group (SPC)
JAF	Joint Assessment Framework
LAF	Lisbon Assessment Framework
LIME	Lisbon Methodology Group (EPC)
MIP	Macroeconomic Imbalances Procedure
MoU	Memorandum of Understanding
NEET	Not in Employment, Education or Training
NRP	National Reform Programme
NSR	National Social Report
OMC	Open Method of Coordination
QMV	Qualified Majority Voting
SANCO	Health and Consumers (DG)

SECGEN	Secretariat-General (European Commission)
SGP	Stability and Growth Pact
SPC	Social Protection Committee
TAXUD	Taxation and Customs Union (DG)
WPPHSL	Working Party on Public Health at Senior Level

Executive summary

Since the onset of the Euro crisis in 2009-2010, the EU has introduced a series of far-reaching changes in its institutional architecture for economic and social governance. At the heart of this new architecture is the 'European Semester' of policy coordination, through which the Commission, the Council, and the European Council set priorities for the Union in the Annual Growth Survey, review National Reform Programmes, and issue Country-Specific Recommendations to Member States, backed up in some cases by the possibility of financial sanctions. The European Semester brings together within a single annual policy coordination cycle a wide range of EU governance instruments with different legal bases and sanctioning authority, from the Stability and Growth Pact, the Macroeconomic Imbalances Procedure, and the Fiscal Treaty to the Europe 2020 Strategy and the Integrated Economic and Employment Policy Guidelines. This process in turn has given the EU institutions a more visible and intrusive role than ever before in scrutinizing and guiding national economic, fiscal, and social policies, especially but by no means exclusively within the Eurozone.

This report analyzes how EU social objectives and policy coordination have been integrated into the Europe 2020 Strategy and the European Semester. Based on extensive analysis of published and unpublished documents as well as four rounds of interviews with high-level policy makers, the report argues that since 2011, there has been a progressive 'socialization' of the European Semester, in terms of an increasing emphasis on social objectives and targets in the EU's priorities and Country-Specific Recommendations; an intensification of social monitoring, multilateral surveillance, and peer review; and an enhanced role for social and employment actors, especially the EU Employment and Social Protection Committees (EMCO and SPC). The report interprets these developments not only as a response by the Commission and other EU institutions to rising social and political discontent among European citizens with the consequences of post-crisis austerity policies, but also as a product of reflexive learning and creative adaptation by social and employment policy actors to the new institutional conditions of the European Semester: another form of 'socialization'.

The report concludes with a set of policy recommendations, which build directly on the evidence and analysis presented within it, while seeking to exploit the common ground among EU social actors that has emerged from the ongoing mid-term review of the Europe 2020 Strategy and the European Semester. The goal of these recommendations is to reinforce the developments

identified within this report towards making the European Semester more socially balanced, more contextually sensitive, and more learning-orientated, while at the same time enhancing its public acceptance and democratic legitimacy. Three 'P's are crucial to achieving these aims: parity, process, and participation. There is widespread agreement among EU social actors that a better balance is needed between the Union's social, economic, and financial objectives; that process improvements institutionalizing such parity are central to more effective and legitimate governance of the European Semester; and that wider participation of key stakeholders, including civil society organizations as well as social partners and parliaments at both EU and national levels, are essential to enhance the democratic legitimacy of EU socio-economic policy coordination, as well as to ensure broader public acceptance of reforms in national employment and welfare systems. To advance these goals, the report proposes some institutional and procedural revisions to the governance of the European Semester, including a repurposing of the European Platform Against Poverty as a vehicle for civil society participation in EU socio-economic policy coordination.

1 Introduction: What is at stake?[1]

1.1 The European Semester as a new socio-economic governance architecture

Since the onset of the Euro crisis in 2009-2010, the EU has introduced a series of far-reaching changes in its institutional architecture for economic and social governance. At the heart of this new architecture is the 'European Semester' of policy coordination, through which the Commission, the Council, and the European Council set priorities for the Union in the Annual Growth Survey (AGS), review National Reform Programmes (NRPs), and issue Country-Specific Recommendations (CSRs) to Member States, backed up in some cases by the possibility of financial sanctions. The European Semester brings together within a single annual policy coordination cycle a wide range of EU governance instruments with different legal bases and sanctioning authority, from the Stability and Growth Pact (SGP), the Macroeconomic Imbalances Procedure (MIP), and the Fiscal Treaty to the Europe 2020 Strategy and the Integrated Economic and Employment Policy Guidelines. This process in turn has given the EU institutions a more visible and intrusive role than ever before in scrutinizing and guiding national economic, fiscal, and social policies, especially but by no means exclusively within the Eurozone (Costamagna 2013; Chalmers 2012).

1.2 Key questions and cleavages

The rapid evolution of the European Semester has raised a series of hotly contested questions – theoretical, empirical, and normative – about the nature and dynamics of the EU's emerging socio-economic governance architecture.

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[1] Earlier versions of this report were presented at the 10th European Conference of the International Labour and Employment Relations Association (Amsterdam, June 2013); the 25th annual meeting of the Society for the Advancement of Socio-Economics (Milan, June 2013); the Netherlands-China Joint Dialogue Seminar on 'The Future of Work, Care and Welfare in Europe and China' (Renmin University, Beijing, September 2013); the Netherlands Institute of Governance annual conference (University of Twente, November 2013); the 5th International Conference on 'Democracy as Idea and Practice' (University of Oslo, January 2014); a workshop on 'The European Semester and the New Architecture of EU Socio-Economic Governance' (Amsterdam Centre for Contemporary European Studies – ACCESS EUROPE, April 2014); the 7th ECPR Pan-European Conference on the European Union (The Hague, June 2014); a workshop on Social Europe at SIEPS (Stockholm, October 2014); a seminar at the Center for the Study of Europe, Boston University (November 2014); and the annual Convention of the European Platform Against Poverty (Brussels, November 2014). We are grateful to participants in these meetings, to two anonymous peer reviewers, and to Sigrid Quack for helpful comments and suggestions. During the final drafting of this report, Jonathan Zeitlin was a Senior Fellow at the Watson Institute of International Studies at Brown University. He thanks the Watson Institute, and especially its Director Richard Locke, for providing a stimulating and hospitable environment in which to complete the project.

These questions in turn reflect deep and longstanding cleavages not only among analysts of EU governance, but also among European policy actors themselves.

A first set of questions concern the relationship between social and economic policy coordination within the EU and its Member States. Has the integration of EU social policy coordination, as developed before 2010 through the Open Method of Coordination on Social Protection and Social Inclusion (Social OMC), into the Europe 2020 Strategy and the European Semester resulted in its subordination to economic objectives of fiscal discipline, budgetary austerity, and welfare retrenchment imposed by DG ECFIN and the ECOFIN Council, buttressed by legally binding CSRs and the threat of financial sanctions under the Excessive Deficit and Imbalances procedures (EDP/EIP) of the SGP and MIP? (E.g. Degryse 2012; Pochet and Degryse 2012; Degryse et al. 2013; Hacker 2013; de la Porte and Heins 2014.) Or does such integration offer new opportunities for social and employment policy actors (DG Employment, the Employment and Social Protection Committees, the EPSCO Council, social NGOs) to mainstream objectives such as the fight against poverty and social exclusion across the new governance architecture of the European Semester, including macroeconomic and budgetary surveillance as well as the CSRs? (E.g. Bekker and Klosse 2013; Bekker 2014; Vanhercke 2013).[2]

A second, crosscutting set of questions concern the implications of the new governance architecture for the relationship between EU institutions and the Member States. Has the European Semester reinforced intergovernmental decision-making (deliberative or otherwise) within EU socio-economic governance, as many influential commentators claim? (E.g. Puetter 2012, 2014; Fabbrini 2014.) Or have the new procedures of the 'Six-Pack', 'Two-Pack', and 'Fiscal Compact', even if approved and in some cases initiated by the European Council, materially strengthened the Commission's supranational powers and prerogatives over national policy-making? (E.g. Kunstein and Wessels 2013; Cisotta 2013; Schout and Mijs 2013; Chang 2013.)

A third, less evident but no less important set of questions concern the nature of the European Semester as an evolving governance process. Should the European Semester be understood as a more effective framework for enforcing national compliance with EU rules and policy recommendations, aimed at redressing the pervasive implementation deficits that undermined

[2] For a more agnostic view, see Armstrong (2012).

the SGP and the Lisbon Strategy before 2010, as many economists and policy-makers claim? (E.g. European Central Bank 2011; Ioannou and Stracca 2011.) Or does the EU's new socio-economic governance architecture offer opportunities for joint exploration and mutual learning among Member States about how to pursue multi-dimensional objectives and provisional solutions to uncertain problems in diverse national contexts, as theorists of experimentalist governance advocate? (E.g. Sabel and Zeitlin 2008, 2010, 2012.)

1.3 The argument in outline

Based on extensive analysis of published and unpublished EU documents as well as a series of interviews with high-level policy makers, we argue that since 2011, there has been a partial but progressive 'socialization' of the content and procedures of the European Semester, in terms of an increasing emphasis on social objectives in the EU's priorities and Country-Specific Recommendations; an intensification of social monitoring, multilateral surveillance, and peer review; and an enhanced role for social and employment policy actors, especially the EU Employment and Social Protection Committees (EMCO and SPC). We interpret these developments not only as a response by the Commission and other EU institutions to rising social and political discontent among European citizens with the consequences of post-crisis austerity policies, but also as a product of reflexive learning and creative adaptation on the part of social and employment actors to the new institutional conditions of the European Semester: another form of 'socialization'. We understand socialization in this second sense as an interactive process, whereby 'new members of [a] social group are…selective in what they accept from older members of the social group' and 'may attempt to socialize older members as well' (Grusec and Hastings 2007: 1), rather than as a 'one-way street', whereby actors are inducted into and come to internalize 'the norms and rules of a given community', as it has classically been defined in international relations and EU studies (Checkel 2005: 804).

The report draws on four rounds of elite interviews with current and former members of the European Commission, EU Committees, the European Council Secretariat, the European Parliament, and European NGO networks. The first round of 15 interviews was conducted in the spring of 2010 by Jonathan Zeitlin and Egidijus Barcevičius as part of an official evaluation of the Social OMC (Public Policy and Management Institute 2011; Barcevičius et al. 2014). The later rounds were conducted mainly by Bart Vanhercke in May-June 2012 (8 interviews), July-October 2013 (6 interviews), and August-October 2014 (20 interviews). A total of 38 separate people were

interviewed, 8 of them more than once. 19 interviewees were drawn from the European Commission (13 from DG EMPL, 3 from SECGEN, and 1 each from DGs ECFIN, SANCO, and REGIO); 15 from the EU Committees, including Secretaries and former Secretaries employed by the Commission (5 each from EMCO, SPC, and EPC/EFC); 2 from EU NGO networks; 1 from the European Council Secretariat; and 1 from the European Parliament. For reasons of confidentiality, we cannot name our interviewees nor provide more detailed information on their institutional affiliation. The report is also based on near-complete access to the papers of EMCO and the SPC during this period. Wherever possible, we have tried to refer to the publicly available version of these documents if they exist.

2 EU social and economic policy coordination before the crisis

2.1 EU economic governance and the emergence of social policy coordination

The relationship between social and economic policy coordination has been a hot-button issue at EU level since the late 1990s. Thus a key impetus for the coordination of pensions and health care policies through the OMC came from the growing attention of EU economic policy actors (ECOFIN, DG ECFIN, the Economic and Financial and Economic Policy Committees) to the implications of these policy fields (which account for nearly 25% of GDP across the EU) for the sustainability of the public finances through the Broad Economic Policy Guidelines (BEPGs) in the run-up to EMU. A series of reports by the EPC Ageing Working Group in particular spurred EU social policy actors, operating through successive Council Presidencies, the EPSCO Council, and the newly established SPC, to create an OMC process for pensions in 2001, and more hesitantly also for health/long-term care in 2004, in order to ensure that the social objectives of these policies were not eclipsed by the financial and budgetary focus of EU economic policy coordination. Thus the objectives of the OMC/Pensions included social adequacy of pensions as well as financial sustainability and modernization of pension systems, while those on Health and Long-Term Care likewise included quality and accessibility as well as financial sustainability (Barcevičius et al. 2014b).

In the case of employment policy, similarly, a crucial stimulus for the creation of the European Employment Strategy (EES) came from the BEPGs and the annual EMU convergence programmes, which served as a partial template for the Employment Guidelines, National Action Plans (NAPs), and associated procedures for monitoring, reviewing, and evaluating Member State policies introduced by the Amsterdam Treaty and the Luxembourg European Council in 1997. Compared to the BEPGs and multilateral surveillance of convergence programs, however, the EES placed greater emphasis on adaptation of common European approaches to distinct national circumstances and mutual learning than on compliance by Member States with one-size-fits-all policy recommendations. The Employment Guidelines were explicitly mandated by the Treaty to be compatible with the BEPGs, but rivalry between EMCO and the EPC, which had established its own Labour Market Policy Group, remained a continuing source of conflicting messages in this field during the late 1990s and early 2000s (Zeitlin 2007; Pochet 2005).

Finally, just as the extension of EU economic policy coordination into pension and health care spurred the creation of OMC processes in these fields to safeguard their social objectives, so too did the development of the EES stimulate demands for EU-level coordination of anti-poverty and social inclusion policies. Not only did the EES serve as an explicit model for the creation of the OMC on social inclusion in 2000-2001, but social policy actors (including EU NGOs such as the European Anti-Poverty Network as well as the SPC and the Social Protection Directorate of DG Employment) were likewise concerned to ensure that the growing focus on activation did not undercut access to social assistance and support services for those more distant from the labor market. The initial set of common objectives for the Social Inclusion OMC thus aimed not only 'to facilitate participation in employment', but also 'access by all to resources, rights, goods, and services' (Barcevičius et al 2014b).

2.2 Social, economic, and employment policy coordination under the Lisbon Strategy[3]

As is well known, the Lisbon Strategy, defined by the March 2000 European Council coordinated by the Portuguese Presidency, laid out a broad, ambitious agenda aimed at making the EU by 2010 'the most dynamic and competitive knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion'. This inclusive agenda was based on the concept of a 'socio-economy policy triangle', with equal weight for full employment and social cohesion alongside economic growth and competitiveness as EU objectives.

To advance this ambitious agenda, the Lisbon Strategy relied heavily (though by no means exclusively) on the OMC as a new governance instrument, based on iterative benchmarking of national progress towards common EU objectives and organized mutual learning, following the EES model. The Lisbon European Council authorized the application of the OMC to a wide range of policy areas, including modernizing social protection and promoting social inclusion. To monitor and steer implementation of the EU's expanded socio-economic agenda, the European Council agreed to hold a special summit each spring, preceded by an annual synthesis report from the Commission.

Within a few years, however, the original broadly defined version of the Lisbon Strategy began to come under increasing criticism from a variety of

[3] This section is based on Zeitlin (2007, 2008, 2010), which provide fuller references.

quarters for its alleged lack of focus, and multiplication of objectives, targets, and sectoral coordination processes. The OMC was likewise harshly criticized by the 2004-5 mid-term review and by the incoming Barroso Commission for failing to deliver Member State commitment to the implementation of agreed reforms needed to reach the Lisbon targets.

The Lisbon Strategy was formally relaunched in 2005, with a sharper focus on growth and jobs. The architectural core of Lisbon II was the fusion of the European Employment Guidelines and the Broad Economic Policy Guidelines into a single set of 24 Integrated Guidelines for Growth and Jobs, divided into separate macroeconomic, microeconomic, and employment chapters. This relaunched, refocused Strategy was to be implemented through a new set of reform partnerships between the Commission and Member States on the one hand, and between national governments and domestic stakeholders on the other. These new reform partnerships were explicitly designed to shift the focus of the Lisbon Strategy away from 'co-ordination through multi-lateral discussions between 25 Member States and the Commission, on individual policy themes (the OMC)' towards 'a bilateral in-depth dialogue between the Commission and Member States on a commitment-based national action programme' (European Commission 2005).

On the social side, following an effective EU-level campaign led by social NGOs with support from key Member States (led by the Luxembourg Presidency) and the European Parliament, social cohesion objectives, including the commitment to a decisive reduction of poverty and social exclusion, were formally reinstated in the Lisbon Strategy by the 2005 Spring European Council (for a full account, see Parks 2008: ch. 5). At the same time, the three social OMCs on inclusion, pensions, and health/long-term care were 'streamlined' into a single overarching process, with both common and sector-specific objectives. According to successive European Council conclusions, the relaunched Lisbon Strategy was designed to provide 'a framework where economic, employment and social policy mutually reinforce each other, ensuring that parallel progress is made on employment creation, competitiveness, and social cohesion in compliance with European values' (European Council 2006: par. 69). This mutually reinforcing dynamic was supposed to be achieved through a reciprocal relationship between the streamlined Social OMC and the Integrated Guidelines for Growth and Jobs at both national and European levels, whereby the former 'fed in' to growth and employment objectives, while the latter 'fed out' to advance social cohesion goals. But in the absence of specific institutional mechanisms to ensure a mutually reinforcing interaction between the social, economic, and

employment dimensions of the relaunched Lisbon Strategy, the practical effectiveness of such feedback remained limited, with wide variations across Member States. Only a minority of Member States, for example, included social cohesion objectives in their NRPs, most of which made little cross-reference to the Social OMC. Nor was there much evidence under Lisbon II of explicit 'feeding out' from the Integrated Guidelines and NRPs to the Social OMC, for example through impact assessments of the actual or prospective effects of Member States' economic and employment policies on social cohesion/inclusion outcomes.

In response to persistent complaints from social policy actors about the weakness of the mutually reinforcing dynamic between economic, employment, and social policies within the revised governance architecture of Lisbon II, the Spring 2007 European Council resolved that the 'common social objectives of Member States should be better taken into account within the Lisbon Agenda…in order to ensure the continuing support for European integration by the Union's citizens' (European Council 2007: par. 19). The result was a year-long public debate under the German and Portuguese Presidencies about how best to strengthen the social dimension of the Lisbon Strategy. Two countervailing positions emerged within this debate: one advocated incorporating the EU's common social objectives into the Integrated Guidelines and linking the Social OMC more closely to the Lisbon Strategy; the other favored maintaining the stability of the Guidelines while focusing on better implementation of national reforms. The solution adopted split the difference: at the Commission's insistence, the Integrated Guidelines were retained unchanged for 2008-2011, but their social dimension was strengthened by revision of the accompanying explanatory text, which called for closer interaction with the Social OMC and more systematic monitoring of 'feeding in/feeding out'. The Commission's Renewed Social Agenda (2008a, 2008b) took this approach a step further, proposing to reinforce the Social OMC by bringing it closer to the Lisbon Strategy through the use of performance targets, common principles, enhanced monitoring, and recommendations.

While EU social policy actors focused on the OMC found themselves largely excluded from the relaunched Lisbon Strategy despite successive decisions to the contrary by the European Council, employment policy actors moved closer to the heart of the process. EMCO in particular became increasingly influential in monitoring and evaluating the implementation of the Integrated Guidelines in cooperation with EU economic policy actors, after sharply criticizing the Lisbon Assessment Framework (LAF) developed by the

EPC's Lisbon Methodology (LIME) Working Group for its limited ability to capture the relationship between the EES, national reforms, and employment outcomes.[4]

2.3 From the Lisbon Strategy to Europe 2020[5]

The relaunched Lisbon Strategy was widely criticized for its weak social dimension and unbalanced governance architecture. These concerns figured prominently in the EU debate about what should succeed the Lisbon Strategy after 2010, with European NGO networks spearheading a campaign for a more balanced and socially inclusive governance architecture. This campaign, which resonated with concurrent proposals from some Member States, EU institutions, local and regional authorities, and academic commentators, focused around four core demands, aimed at redressing key perceived defects of the Lisbon Strategy, especially in its relaunched version (for a useful account, see Armstrong 2010: ch. 8).

The first of these was parity: social and environmental objectives should be given equal status with economic and employment goals as mutually reinforcing pillars of the EU's post-2010 strategy. A second demand, reflecting longstanding aspirations of social NGOs and other advocates of a stronger social Europe, was enhanced political commitment, to be embodied in specific commitments to quantified EU and national social inclusion/poverty reduction targets, backed up by effective policy measures and financial support. A third demand was for more effective mainstreaming of social cohesion and inclusion objectives into EU and Member State policy-making, accompanied by better horizontal coordination between social and other interdependent policies at both levels. A final demand was for greater stakeholder participation: non-state and sub-national actors (civil society organizations, social partners, local and regional authorities), along with the European and national parliaments, should be fully involved in the design and implementation of the new strategy at all levels.

Against the backdrop of mounting unease about the social impact of the global financial crisis, this campaign met with a sympathetic response from the European Commission. President Barroso himself, who was running for re-election, acknowledged in his 'Political Guidelines for the Next

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[4] As developed by the LIME Working Group, the LAF comprised a national implementation grid, labor and microeconomic reform databases, impact assessments of key reform drivers, and a macroeconomic modeling exercise (EPC 2008; DG ECFIN and EPC 2008). For the EMCO critique, see EMCO 2008.

[5] This section is based on Zeitlin (2010), which provides fuller references.

Commission' the 'need to revise the current Lisbon Strategy' by bringing 'different strategies and instruments together', thereby 'turning it into a strategy for an integrated vision of "EU 2020"', while also calling for 'a new, much stronger focus on the social dimension in Europe, at all levels of government' (Barroso 2009: 2, 15).[6]

The design of Europe 2020 represented a more radical overhaul of the governance architecture of the relaunched Lisbon Strategy, including a reinforcement of its social dimension, than most observers had expected. Five major developments stand out. First was the broadening of the objectives of the new Strategy. Thus 'inclusive growth', aimed at 'fostering a high-employment economy delivering economic, social and territorial cohesion' figured as one of three overarching, mutually reinforcing priorities for Europe 2020, alongside 'smart' (knowledge and innovation-based) and 'sustainable' (greener, more resource efficient, more competitive) growth (European Commission 2010a). A second was the adoption of an EU-wide target, aimed at lifting 'at least 20 million people out of the risk of poverty and exclusion' as one of five 'headline targets' for the new Strategy. Following a hard-fought compromise agreed by the European Council, Member States were required to set their own national targets for contributing to this overall goal, based on three alternative indicators, in line with their domestic priorities and circumstances (European Council 2010, Annex 1). A third innovation was the creation of a 'European Platform Against Poverty' (EPAP) as one of seven 'flagship initiatives' orchestrated by the Commission to support the delivery of Europe 2020. A fourth was the incorporation of a Guideline on 'Promoting social inclusion and combating poverty' as one of the ten new Integrated Guidelines for Growth and Jobs, which also underlines the role of pensions, healthcare, and public services in maintaining social cohesion. Finally, Recital 16 of the Integrated Guidelines explicitly states that the new Strategy 'should, as appropriate, be implemented, monitored and evaluated in partnership with all national, regional and local authorities, closely associating parliaments, as well as social partners and representatives of civil society'; Member States were expected to involve all relevant stakeholders in the preparation, implementation and communication of their NRPs (Council of the EU 2010).

2.4 Founding ambiguities of Europe 2020

Despite these undeniable advances towards a stronger social dimension, there was a problematic fit between the governance architecture of Europe 2020 and

[6] For a fuller analysis of the political context of the Europe 2020 debate, see Armstrong (2010: 265-72).

EU social policy coordination as it had developed before 2010 through the Social OMC. One key source of concern was the ambiguous status of the EU's common social objectives, adopted in 2000 and revised in 2006. The headline target of Europe 2020 focuses on reducing poverty and social exclusion, while the other common social objectives for pensions and health care entered into the new social inclusion guideline primarily insofar as they contribute to these goals, even if the latter also refers to the need for modernization of social protection systems so that they can provide adequate income support and access to health care while remaining financially sustainable. Another related issue is that the social inclusion guideline was inserted within the Employment Guidelines, thereby creating further ambiguities about the appropriate institutional arrangements for monitoring, reviewing, evaluating, and following up its implementation.

Member States' NRPs were to be closely linked to the preparation of national Stability and Convergence Programmes (SCPs), and were expected to focus on macroeconomic stability and 'growth-enhancing reforms', as well as on meeting the headline targets, while concentrating on a limited set of priority measures. Fiscal and macroeconomic surveillance was to be conducted by the ECOFIN Council, while 'thematic coordination' by the sectoral council formations (including EPSCO) was to focus on progress towards the headline targets and flagship initiatives, together with Member States' actions to tackle obstacles to achieving these objectives. Country-Specific Recommendations were to be based on the Treaty articles governing the Stability and Growth Pact, the Broad Economic Policy Guidelines, and the Employment Guidelines, thus leaving it uncertain whether and how they would address the implementation of the social inclusion guideline (European Commission 2010b; 2010c).

It thus remained unclear how the EU's common social objectives – beyond combating poverty and social exclusion – would be monitored, reviewed, evaluated, and followed up within the governance architecture of Europe 2020, and what would happen to national reporting of performance against the common indicators developed within the Social OMC. It was likewise unclear how mutual interactions between policy fields and the social dimensions of other guidelines would be monitored, notably Guideline 1 on the sustainability of the public finances, which emphasizes the need for reform of Member State pension and health care systems, and Guideline 7 on increasing labour market participation and reducing structural unemployment, within which active inclusion policies should play a crucial part.[7]

[7] It is noteworthy in this regard that the Lisbon Assessment Framework developed by the EPC did not monitor the social dimension of national reforms addressing these policy fields under the 2005-2010 Guidelines, whose provisions are largely reprised in Europe 2020.

These concerns about the governance architecture of Europe 2020 were compounded by the unclear relationship between the Social OMC and the EPAP, whose institutional contours remained largely undefined. The key question here was what would happen to the broader role of the Social OMC and the Social Protection Committee in coordinating, monitoring, and peer reviewing the full range of Member State social policies across all three strands of the process (SPC 2010).

3 Europe 2020 and the European Semester: Subverting Social Europe?

3.1 Reinforcing EU economic governance

These founding ambiguities of the Europe 2020 Strategy were compounded by the dramatic reinforcement of EU economic governance in the wake of the Euro crisis. Between 2010 and 2013, the EU adopted a far-reaching series of measures aimed at extending and strengthening the powers and capacities of European institutions to monitor, coordinate, and sanction the economic and budgetary policies of Member States, especially but not exclusively within the Eurozone.

The so-called 'Six-Pack' measures, which entered into force in December 2011, reinforced both the 'preventative' and 'corrective' arms of the Stability and Growth Pact, by specifying more precisely the requirements for Member States to converge towards their medium-term fiscal objectives, while making sanctions under the Excessive Deficit Procedure more automatic by requiring 'Reverse Qualified Majority Voting' (RQMV) in the Council to overturn a recommendation or proposal from the Commission.

The Six Pack also introduced a new 'Macroeconomic Imbalances Procedure' (MIP) aimed at detecting and correcting internal and external imbalances (beyond government debt and deficits), which were deemed to have contributed to the financial and Euro crises, but did not fall within the scope of the SGP. At the core of the MIP is a scoreboard of 11 primary and 18 additional contextual indicators, which the Commission uses as part of a overarching 'all-things-considered' economic reading of the situation to identify Member States for 'in-depth review' in its annual Alert Mechanism Report. Countries deemed to be experiencing 'excessive imbalances' then receive recommendations from the Commission to take specific corrective actions within a fixed deadline, subject to progressive financial sanctions for non-compliance. As with the SGP, these recommendations by the Commission can only be overturned by RQMV in the Council. Where the Council overturns or amends the Commission's recommendations, moreover, it is obliged to provide a formal written explanation under the so-called 'comply or explain' rule.[8]

[8] Article 2-ab(2) of Regulation (EU) No. 1175/2011 of the European Parliament and the Council: 'the Council is expected to, as a rule, follow the Recommendations and proposals of the Commission or explain its position publicly, with a view to ensure greater transparency and accountability in the process of multilateral surveillance and the results of the Country Specific Recommendations in the context of the European Semester' (Council of the EU 2014b).

In March 2011, 23 Member States (including 6 non-Eurozone countries) signed the 'Euro+ Pact) committing themselves to pursue coordinated reforms beyond those required by existing EU regulations aimed at fostering competitiveness and employment, enhancing the sustainability of the public finances, and reinforcing financial stability. The issues to be addressed included wage-setting in line with productivity growth; labour market and tax policies; pensions, health care, and social benefits. Commitments under the Euro+ Pact were to be included in participating Member States' NRPs and subject to annual review and recommendations by the Commission and the Council.

In March 2012, 25 EU Member States (all except the UK and the Czech Republic) signed the intergovernmental 'Treaty on Stability, Coordination and Governance in the Economic and Monetary Union', applicable to current and future participants in the Euro zone. At its core is the 'Fiscal Compact', which requires signatories to enact into national constitutions or fundamental law a commitment to converge progressively towards a structural deficit of 0.5% of GDP (0.1% for countries with a debt ratio substantially below 60%), with compliance to be monitored by independent institutions, and subject to financial sanctions imposed through the EU Court of Justice.

Finally, the 'Two-Pack' regulations, which entered into force in May 2013, require euro zone Member States to present national budgets for advance review to the Commission, which can request (but not require) modifications in case of 'severe non-compliance' with the requirements of the SGP (and budgetary CSRs issued within the European Semester). They also require Member States under the EDP, receiving financial assistance from the European Stability Mechanism, or in the process of exiting a bailout programme to participate in an enhanced system of monitoring and surveillance administered by the Commission and the European Central Bank (ECB).

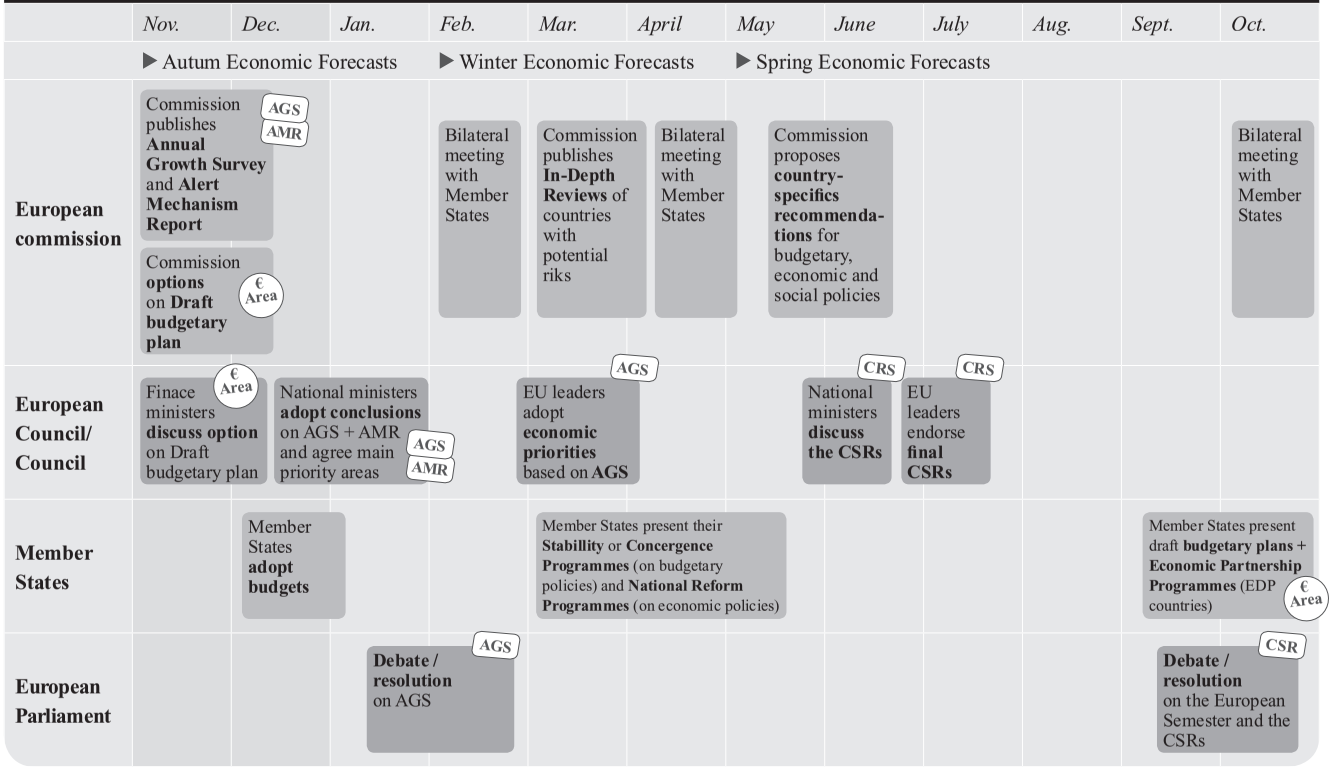
All of these new economic governance measures have been incorporated into the 'European Semester' of policy coordination, which was formally introduced in 2011 as part of the 'Six Pack'. The European Semester in its current form begins each November with the Commission's Annual Growth Survey, which identifies the key economic challenges faced by the EU and suggests priorities for action, while reviewing Member State compliance with the previous year's Country-Specific Recommendations. The Alert Mechanism Report, issued by the Commission at the same time, designates Member States for In-Depth Reviews (IDRs) under the Macroeconomic Imbalances

Procedure, whose conclusions are reported in March. On the basis of the AGS, the March European Council endorses annual EU and national-level priorities, provides orientations for action, and reflects on the implementation of the previous cycle. In April the Member States submit their National Reform Programmes (covering the Europe 2020 Guidelines and Euro+ Pact commitments, as well as the Macroeconomic Imbalances Procedure) and their Stability or Convergence Programmes (covering fiscal obligations under the SGP). In May, the Commission assesses these programmes and proposes Country-Specific Recommendations, which are reviewed and in some cases amended by the committees preparing the work of the sectoral Council formations (particularly ECOFIN and EPSCO), endorsed by the European Council, and then formally adopted by the Council (in late June/early July). The process and timetable are represented graphically in Figures 1-2.

Figure 1: The European Semester Policy Coordination Cycle

Source: European Commission

Figure 2: Timeline of the European Semester



Glossary: **AGS**: Annual Growth Servey, **AMR**: Alert Mechanism report, **CSR**: Country-Specific Recommendations, **EDP**: Excessive Deficit Procedure, **IDR**: In-Depth Reviewv

Source: European Commission

Despite the variety of governance instruments with different legal bases involved in the European Semester, each Member State receives a single integrated set of CSRs. The exception are those countries under a bailout programme, who are recommended only to implement their commitments under the Memoranda of Understanding with the Troika. The CSRs cover an increasingly wide range of policy issues, including not only fiscal, budgetary, economic, and employment reforms, but also wage determination, education, pensions, health care, poverty and social inclusion. In so doing, they extend the scope of EU recommendations and surveillance deeply into policy areas which fall within the primary competence of Member States (or in some cases the social partners), where Union legislation is often prohibited under the Treaties.

3.2 Initial experiences: worst fears confirmed?

Initial experiences under the European Semester seemed to confirm critics' worst fears that the new integrated EU policy coordination framework would result in the subordination of social cohesion objectives to fiscal consolidation, budgetary austerity, and welfare retrenchment imposed by economic policy actors (cf. Pochet 2010). The reinforcement of EU economic governance and the onset of the Euro crisis appeared to have compounded the founding ambiguities of the Europe 2020 Strategy concerning the relationship between fiscal and macroeconomic surveillance on the one hand, and thematic coordination of progress towards its broader socio-economic goals, guidelines, and headline targets on the other.

Thus the first AGS (issued in January 2011) and CSRs (approved in July of that year) focused primarily on fiscal consolidation, while emphasizing the need for financial reform of pensions and health-care system to relieve pressure on national budgets, together with increased benefit conditionality to 'make work pay' and boost employment rates. Only three CSRs, all directed to new Member States in Central and Eastern Europe, addressed issues of poverty and social inclusion, despite weak national targets, which the Commission acknowledged would not together meet the EU-wide target of lifting 20 million people out of poverty by 2020.[9]

More generally, the first European Semester followed a prescriptive 'one-size-fits-all' approach, with limited adaptation of the CSRs to the specific situation of individual Member States. The Commission explicitly sought to use multilateral surveillance by Member States of each other's NRPs in EU

[9] Commission Annual Growth Surveys, drafts CSRs, and the CSRs as adopted by the Council are available online at http://ec.europa.eu/europe2020/making-it-happen/index_en.htm.

committees (EPC, EFC, EMCO) as a mechanism for additional peer pressure towards implementation of top-down structural reforms. Social actors at both EU and national level (including the SPC as well as social NGOs) conversely found themselves largely excluded from preparation and review of the NRPs and CSRs.

The most egregious developments from a social perspective, however, took place outside the framework of the European Semester, under the aegis of the Economic Adjustment Programmes (EAPs) or Memoranda of Understanding (MoUs) negotiated by the Troika of the Commission, the ECB, and the International Monetary Fund (IMF) with Greece, Ireland, Portugal, and later Cyprus; the Balance-of-Payments (BoP) programmes agreed by the IMF and the EU with Latvia, Hungary, and Romania; and the secret letters from the President of the ECB and the governors of the national central banks to the governments of Italy and Spain in August 2011 setting out a detailed agenda of structural reforms to be carried out as an effective condition for buying those countries' bonds on the secondary market. These formal and informal bailout programmes imposed on the countries concerned a wide range of (mainly downwards) revisions to their employment and social welfare systems, including 'changes to the substantive level of protection offered (such as cuts to minimum wages, public sector salaries and pensions, public sector dismissals, reduced dismissal protection and reduced young worker protection)…the setting of wages through collective bargaining….across-the-board reductions in financial benefits or benefits in kind, as well as the exclusion of categories of persons from certain social benefits (e.g. irregular migrants) and sharp reductions in funding of welfare services….' A number of these measures have been condemned by international bodies such as the Council of Europe's Committee on Social Rights and the International Labour Organization and national constitutional courts as violations of fundamental social or constitutional rights, as in the case of the reductions in pension entitlements and in contractual rights of young workers in Greece, as well as the cuts in pension benefits and dismissal protection for public employees, and the non-consensual suspension of clauses in collective agreements and individual labour contracts (concerning working time and dismissals) in

Portugal (Kilpatrick and De Witte 2014: quotation p. 2; Greer 2013; Busch et al. 2013).[10]

3.3 The end of the Social OMC?

At the same time, moreover, the Commission effectively withdrew its support for the Social OMC as an autonomous process. Beginning in 2010, Member States were no longer formally requested to produce National Social Reports, while the Commission also withdrew from the production of the annual Joint Report on Social Protection and Social Inclusion. A key motivation in both cases was the insistence by the Commission, and particularly its Secretariat-General (SECGEN), that there should be no parallel policy coordination processes outside Europe 2020, and that social reporting at both national and EU level should be channeled exclusively through the procedures of the European Semester. As one senior Commission official interviewed in May 2012 put it:

> What we have done in 2010 was again to streamline the social objectives, to reincorporate them…in the name of the European strategy which is Europe 2020….[T]he social dimension is very much at the core of the Europe 2020 strategy….Why are we less hot on the [Social OMC] reporting process? Well, this is simply about streamlining. We don't want to burden Member States with intense reporting processes. But more fundamentally, we don't want to go

[10] Even in these cases, however, the role of the EU institutions was not one-sidedly negative from a social perspective, and has become more positive over time. Thus a recent detailed process-tracing analysis of the Latvian adjustment programme shows that the European Commission (led by DG ECFIN) repeatedly pressed the right-wing government to increase spending on social policies targeted towards poor and vulnerable groups, such as training for the unemployed, the Guaranteed Minimum Income scheme, housing allowances, and non-taxable income thresholds for the low paid (Eihmanis 2013). Similarly, in addition to restricting access to seniority pensions and revising employment protection regulation, the 2011 ECB letter also requested Italy to establish an unemployment insurance system and a set of active labour market policies (Sacchi 2015). In Greece, whereas the first EAP of 2010 paid lip service to the government's 'resolve to protect the most vulnerable in society from the effects of the economic downturn', the second EAP of 2012 'made explicit provision for a better targeting of…Greek social programmes' in this direction across a variety of fields (Psychogiopoulou 2014: 8-9). In Ireland, too, 'the government's response to the crisis came under tacit criticism from the troika', which emphasized in 2012 that 'the measures adopted in the Budget 2013 should be as durable, as growth-friendly as possible, and minimise the burden of adjustment on the most vulnerable' (Nolan 2014: 34). As amended by the European Parliament, Regulation 472/2013/EU, which forms part of the 'Two-Pack', requires that future macroeconomic adjustment programmes should take into account 'the need to ensure sufficient means for fundamental policies, such as education and health care', while also fully observing the provisions of the EU Treaties and the Charter of Fundamental Rights on the 'right to negotiate, conclude, and enforce collective agreements and to take collective action' (Ioannides 2014: 20).

> back to a stage in which the social dimension is again taken away from the mainstream discourse. I think that Europe 2020 offers very strong opportunities to highlight the poverty dimension and I think it doesn't serve the purpose of Social Europe if we divert the attention from Europe 2020 which is the only game in town.

Nor was experience with the European Platform Against Poverty (EPAP), the Commission's social policy 'flagship', more encouraging. High-level interviews confirm that the EPAP was imposed on social policy actors – including DG EMPL and the SPC – without prior consultation at the final stage of the design of Europe 2020 (DG EMPL interviews, June 2012). It was unclear at the outset whether the EPAP was intended to replace or supplement the Social OMC, and the long-delayed founding communication largely repackaged pre-existing activities and initiatives, rebranding for example the Roundtable on Poverty and Social Inclusion which had taken place every year since the early 2000s as the EPAP Annual Convention. The main innovation introduced by the EPAP was horizontal networking on poverty and social inclusion policies across Commission DGs beyond Employment and Social Affairs. The annual Convention and biannual Stakeholder Dialogues remained stocktaking and information-sharing exercises controlled by the Commission, with limited participation by national ministries and other national actors; no clear outputs or follow-up; and disconnected from the decision-making cycle of European Semester, as well as the Social OMC (Sabato and Vanhercke 2014). Even the Commission's own recent stocktaking communication on the Europe 2020 Strategy concludes that this flagship initiative remains a disparate 'collection of initiatives' whose 'value-added is not self-evident' (European Commission 2014a: Annex, p. 35).

4 Socializing the European Semester: policy orientations

The first European Semester in 2011 was clearly dominated by the pursuit of fiscal consolidation and macroeconomic austerity, with limited concern for social cohesion and inclusion goals. But as the sovereign debt crisis within the Eurozone morphed into a broader economic and employment crisis, leading to a rapid erosion of public support for the EU (as measured, for example, by Eurobarometer surveys), a significant rebalancing between social, economic, and employment objectives became visible in the policy orientation of successive European Semesters.

4.1 The Annual Growth Surveys

The 2011 AGS had set three overarching priorities for the EU: 'rigorous fiscal consolidation for enhancing macroeconomic stability', 'labour market reforms for higher employment', and 'growth enhancing measures'. The 2012 AGS (published in November 2011) replaced these with a broader and more socially balanced set of priorities, including 'tackling unemployment and the social consequences of the crisis', alongside 'pursuing differentiated growth-friendly fiscal consolidation', 'restoring normal lending to the economy', 'promoting growth and competitiveness for today and tomorrow', and 'modernising public administration'. Both the 2013 and 2014 AGSs reaffirmed these more balanced priorities.

4.2 Pacts and packages

As EU institutions came under increasing pressure to tackle the deepening economic and employment crisis, the Commission and particularly its DG EMPL responded by launching a succession of socially oriented 'pacts' and 'packages'. Foremost among these were the Employment Package (April 2012), the 'Compact for Growth and Jobs' (June 2012), the Youth Employment Package (December 2012), and the Social Investment Package (February 2013). In addition to specific policy measures (such as the Youth Guarantee, which promised young people under 25 a 'good quality offer' of a job, training place, or continued education within 4 months of becoming unemployed or finishing school, and the earmarking of structural and cohesion funding for anti-poverty and social inclusion projects), and EU recommendations (on child poverty and active inclusion), a notable feature of these pacts and packages was that Member States' implementation of the proposed measures should be reported on, monitored, and reviewed within the European Semester (European Commission 2013e).

4.3 Country-Specific Recommendations

As the policy priorities of the European Semester, expressed through the AGS and other Commission initiatives, reoriented themselves towards a more social balanced stance beginning in late 2011, so too did the CSRs.

In 2012, seven Member States received CSRs addressing poverty reduction and three Roma inclusion. Five Member States received recommendations regarding the effectiveness of their social protection systems, while 17 received recommendations on pension reform, and five on health and long-term care. Most Member States also received recommendations on education, training, and active labour market policies (ALMPs), many of which requested them to improve the quality, coverage, and effectiveness of individually targeted employment services.

These trends were extended in 2013, when 11 Member States received CSRs on social inclusion and poverty reduction, linked in three cases to the Macroeconomic Imbalances Procedure. 15 CSRs addressed pensions and 16 health and long-term care, with some explicit emphasis on ensuring their adequacy and accessibility, especially in the explanatory text (based on the longer Commission Staff Working Documents). Nine Member States also received CSRs on improving the effectiveness and efficiency of their social protection systems, while most again received recommendations on education, training, and ALMPs.

The most comprehensive content analysis of the 2013 CSRs, conducted by Sonja Bekker (2014), concludes that 67 of the 141 recommendations issued to Member States contain at least one item addressing employment or social policies, while 11 more requested recipients to adopt a 'growth friendly approach' to fiscal consolidation.[11] Of these 78 social policy, employment, and 'investment-supportive' CSRs, no less than 50% referred at least in part to the legally binding coordination mechanisms of the SGP and MIP. Yet as Bekker also argues, despite being based on these economic coordination mechanisms, the CSRs in question often focus on socially oriented measures aimed at protecting vulnerable groups (e.g. in terms of taxation, minimum incomes, and access to health care); boosting provision of childcare, training, and activation services; maintaining investment in education and research; and even in some cases (notably Germany) increasing wages in line with productivity developments.

[11] She also counts as socially relevant 11 additional CSRs requesting Member States to adopt a 'growth friendly approach' to fiscal consolidation.

In 2014, the social scope of the CSRs continued to expand further. Thus 12 Member States received recommendations on poverty and social inclusion, while 19 received recommendations on reform of their health-care and/or pension systems. In the latter case, the accompanying communication from the Commission emphasized that the purpose of such reforms is to ensure that these systems 'continue to be socially adequate' and 'to provide universal access to high-quality care', as well as to be cost-effective and financially sustainable (European Commission 2014b: 8-10). As in previous years, of course, not all CSRs that deal with social and employment issues can be considered socially orientated, and a number of countries continued to receive recommendations to reform their wage determination systems to better reflect productivity developments at firm and sectoral level (6 MS), reform their employment protection systems (2 MS) or strengthen job search requirements for unemployment benefits (1 MS). But such recommendations were overshadowed by much larger numbers of CSRs urging Member States to improve their education, training, and activation systems (most MS); reduce early school leaving (8 MS), improve skills (12 MS), implement the youth guarantee (8 MS), and enhance educational outcomes and access to the labor market for disadvantaged groups, including those with a Roma or migrant background (7 MS); increase the availability, accessibility, and quality of childcare facilities (9 MS) and promote the employability of older workers, for example through expansion of lifelong learning (11 MS). 11 Member States received recommendations to ensure the adequacy and coverage of their social assistance and unemployment benefits, while 6 were exhorted to improve the accessibility and quality of their public social services, especially those targeted at low-income people.

5 Socializing the European Semester: governance procedures

The substantive reorientation of the European Semester towards a more socially balanced policy stance from 2011 to 2014 was accompanied by a set of organizational and procedural developments which have reinforced the role of social and employment policy actors in its governance.

5.1 Drafting the CSRs: a more collaborative process

The progressive opening up of the CSRs to social issues, as our 2014 interviewees explained, reflects the fact that the process of drafting them has become increasingly collaborative within the Commission itself. The groundwork for the CSRs is prepared by Country Teams led by SECGEN, with bottom-up input from desk officers and support from horizontal policy units across a wide range of DGs, including where relevant Health and Consumers (SANCO), Education and Culture, Enterprise, and Justice, as well as the other three 'core' DGs: ECFIN, EMPL, and Taxation and Customs Union (TAXUD). Although DG ECFIN 'holds the pen' in drafting the Commission Staff Working Documents, which provide the rationale for the CSRs, this is a 'collegial exercise', based on written contributions from all the relevant DGs, and reviewed in the Country Teams. Only the In-Depth Reviews under the MIP are written independently by ECFIN and then circulated for comment to the other DGs. The CSRs themselves are drafted by the Country Team leaders, drawing on 'intelligence, ideas, and some wording' supplied by the various DGs; these are then discussed by the Directors of the four core DGs (SECGEN, ECFIN, EMPL, TAXUD), before being submitted for approval to the full College of Commissioners, which often makes final changes.

Our interviewees also concurred that the process of drafting the CSRs has become increasingly deliberative and 'evidence-based'. As one Country Team leader put it, 'if you want a CSR, then you need to provide evidence, and this evidence needs to be in the Staff Working Document, and it needs to be well argued…. if you don't have hard numbers and figures on a specific CSR, then forget it.' And a DG EMPL official involved in the process underlined how this emphasis on evidence and argument could overturn any implicit hierarchy among the participating units:

> if you want to argue your point, you have to be well armed, and you have to be well prepared. It's not for certain ideological reasons DG X or Z can propose a draft recommendation but then when challenged

> is not able to justify why it has done this. This stress on objectivity and coming up with facts and figures on why we propose something is the most important element, rather than because you are DG X or Z and you are able to push for a certain recommendation. I think the evidence is critical there.

Another high official of DG EMPL directly involved in the drafting process confirmed that

> when we are in the Core Group…everybody's equal….[I]f my Head of Cabinet or my Director-General is taking the floor by saying 'I want this', ECFIN is not more powerful than my DG….It's a question of argumentation…[T]his is why the Staff Working Documents are so important, because everything should be…proof-based, and it should be clear, objective. If you have a document, you can be alone and…it's a question of discussion, really.

A clear case in point cited by this interviewee was that of the 2014 CSRs on implementation of the youth guarantee scheme, which were initially opposed by both DG ECFIN and SECGEN, but where DG EMPL eventually succeeded in getting them through based on evidence from the SWDs and the Country Teams.

The centrality of evidence and argument within the CSR drafting process has pushed the participating Commission services to upgrade their intelligence-gathering and analytical capacities. Thus sectoral fact-finding missions by the various DGs are increasingly coordinated through the Country Teams by SECGEN, which has also intensified the exchange of information and perspectives with Member States by increasing the number of bilateral meetings to four-five per year. DG EMPL in particular has substantially enhanced its analytical capacities in recent years, for example by stepping up work on social and employment indicators, making thematic fiches more operational, and introducing radar charts for work on the efficiency and effectiveness of social protection systems, in order to participate in the process 'on an equal footing with DG ECFIN', which has also become 'a much more capable service these days than it used to be through the massive hiring they were allowed' with the introduction of the first European Semester. This quest on all sides for better knowledge about the actual situation in Member States has also led to a 'cross-fertilization' between the Commission's analytical work in preparing the CSRs and the multilateral surveillance reviews of CSR implementation conducted by EMCO and the SPC (discussed in section 5.4),

which are increasingly attended not only by officials from DG EMPL, but also from SECGEN, and in some cases ECFIN, SANCO, and other concerned DGs.

5.2 Reviving the Social OMC

The other major developments which have reinforced the role of social and employment policy actors in the European Semester were driven less by the Commission than by the EPSCO Council and especially its preparatory committees. The first of these was the 2011 initiative by Member State representatives in the SPC, subsequently endorsed by EPSCO, to 'reinvigorate' the Social OMC in the context of Europe 2020 by updating the common objectives, continuing regular strategic reporting, enhancing mutual learning, strengthening analytical capacity (including development of the common indicators), and improving stakeholders' involvement (SPC 2011a, 2011b). Member States were invited to prepare regular National Social Reports, to be developed in 'close partnership' with civil society stakeholders as well as subnational authorities, and submitted alongside the NRPs. These revived NSRs provide input into the SPC annual social situation report, which in turn feeds into the Annual Growth Survey. In 2012, 21 Member States submitted National Social Reports, which varied widely in length and quality. From 2013, the NSRs will continue on a biennial basis, with Member States required to submit shorter 'Complementary Questionnaires' in off-years to report on reforms carried out across the Social OMC's three policy strands (Jessoula et al. 2013; SPC 2013a). In 2014, 19 Member States submitted NSRs, which were generally longer, more standardized, and more substantial than the first time around. The SPC also took over responsibility for the production of an annual *Social Europe Report*, a punchier and reader-friendlier replacement for the previous *Joint Social Report*, which includes the same core features: key policy messages, country profiles, and an in-depth analysis of social trends in the EU (SPC 2013b, 2014).

5.3 Extending social and employment policy monitoring

In addition to taking primary responsibility for the continuation of the Social OMC, the SPC has established itself as a significant player in monitoring, reviewing, and assessing national reforms within the European Semester, alongside EMCO, EPC, and EFC. The SPC's role in tracking the social dimension of the European Semester has evolved in collaboration with EMCO, but also builds substantially on the expertise of its own Indicators Sub-Group (ISG), which has developed over the past decade an extensive portfolio of statistical indicators and data sources for monitoring the EU's common objectives across all three strands of the Social OMC (Barcevičius et al. 2014a: chs. 2-3; Vanhercke and Lelie 2012).

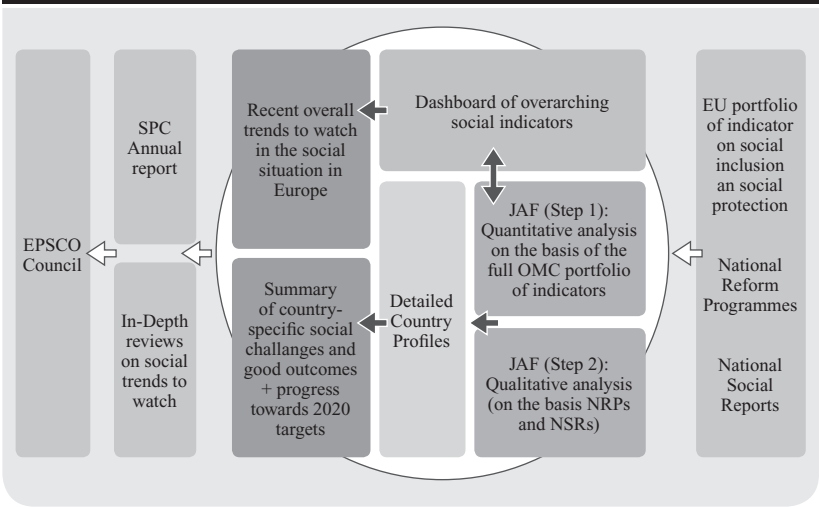
At the EPSCO Council's request, EMCO and the SPC have developed a Europe 2020 Joint Assessment Framework (JAF) for monitoring the Employment Guidelines. This comprises both quantitative assessments of Member States' performance in implementing the Employment Guidelines, including progress towards EU headline and related national targets, based on key indicators for each policy area, and qualitative analysis of the NRPs, aimed at identifying of challenges and potential risk areas, areas of good outcomes and best practices (European Commission-EMCO-SPC 2010; European Commission 2011).

The results produced by the JAF feed in turn into the Employment and Social Protection Performance Monitors developed by the two committees at the request of EPSCO and the European Council (in 2011 and 2012 respectively). These instruments are designed 'as transparent, concise, and easy-to-communicate summaries that can be used to identify emerging policy challenges' and can be periodically submitted to the EPSCO Council. Despite some differences in layout and construction, both the SPPM and the EPM include visual representations of Member States' comparative performance against a portfolio of overarching and context indicators, along with detailed country profiles summarizing key challenges and good outcomes. The SPPM also highlights common social 'trends to watch', where indicators in a significant number of countries are moving in the wrong direction relative to the Europe 2020 targets and guidelines (Presentations to Seminar on the SPPM and EPM, Belgian Federal Public Service for Social Security, Brussels, 6 November 2013; SPC Indicators Sub-Group, 2012; EMCO 2014b).[12] In 2013, the SPC Indicators Sub-Group developed, in cooperation with the Council Working Party on Public Health at Senior Level (WPPHSL), a Joint Assessment Framework in the field of health, to complement the existing framework focused on employment, social inclusion, and pensions. The new health JAF was designed to serve as 'a first-step screening device to detect possible challenges in MS's health systems, with a specific focus on issues related to access, quality and equity' (SPC ISG 2013: 3).

Both EMCO and the SPC are committed to using the JAF, EPM, and SPPM

[12] For a graphical presentation of the SPPM, see Figure 3, p. 38.

Figure 3: Social Protection Performance Monitor



Source: Social Protection Committee

as analytical tools that can underpin multilateral surveillance and support Member States in establishing their reform priorities, identifying good practices, and stimulating mutual learning, as well as feeding into the broader EU policy debate. As we shall see, they also serve as an important point of reference for discussions within the committees about amendments to the Commission's proposed CSRs.

Finally, in response to the debate on the 'Social Dimension of the EMU' initiated by the President of the European Council in 2013 (President of the European Council 2013; Irish Presidency 2013), the SPC and EMCO developed at the request of the Commission and the EPSCO Council a new 'Scoreboard of Key Social and Employment Indicators' (also known as the 'Social Scoreboard'), designed to 'serve as an analytical tool allowing better and earlier identification of major employment and social problems, especially any that risk generating effects beyond national borders'. This Social Scoreboard, which is intended to complement the JAF, EPM and SPPM, currently comprises 5 indicators (unemployment level and changes; the NEET [not in employment, education, or training] and youth unemployment rate; real disposable income of households [GHDI]; the at-risk-of-poverty rate for the working age population; and inequality (S80/20 ratio), and was

included both in the 2014 Joint Employment Report and the Commission communication on the CSRs (European Commission 2013b: 6; SPC ISG 2014).

Alongside this new Social Scoreboard, the Commission decided on its own initiative to add a set of auxiliary social and employment indicators to the portfolio used in the Alert Mechanism Report and In-Depth Reviews of the MIP, in order 'to better reflect the social implications of macroeconomic imbalances' and 'help to improve the design of the policies recommended to countries undergoing macroeconomic adjustment' (European Commission 2013b, 4-5). The 2014 AMR included nine new auxiliary indicators, most covering both absolute levels and change over the preceding three years: the year-on-year percentage change in employment; the activity rate (15-64 years); the long-term unemployment rate; the youth unemployment rate; the youth NEET rate; the proportion of people at risk of poverty or social exclusion; the at-risk-of poverty rate; the severe material deprivation rate; and the proportion of persons living in households with very low work intensity (European Commission 2013c, table A.3). [13]

5.4 Intensifying multilateral surveillance and peer review

This extended social and employment policy monitoring has gone hand-in-hand with a significant intensification of multilateral surveillance and peer review within both EMCO and the SPC, in response to successive requests from the EPSCO Council. Since 2011, EMCO has systematically sought to deepen and reinforce multilateral surveillance of the implementation of Member States' employment policy reform commitments. By all accounts, multilateral surveillance in the committee has become progressively more critical, more focused, and more evidence-based (interviews 2012-2014). EMCO begins in the autumn with a review of the previous year's CSRs, grouped by theme to facilitate horizontal discussion and comparison across

[13] Interestingly, EMCO and the SPC were divided on the merits of incorporating these new auxiliary indicators into the MIP. While EMCO welcomed 'the increased attention placed by the Commission on labour market and social issues' within the AMR, the SPC expressed concern that 'multiplying the monitoring instruments on the social situation and applying different indicators across instruments could potentially weaken the effectiveness of the monitoring process' and underlined that 'the inclusion of social variables in the auxiliary indicators of the MIP scoreboard is not a justification for applying the MIP to policy areas outside its regulatory scope' (EMCO and SPC 2013).

Member States.[14] The reviews are framed by a series of thematic and country-specific background documents prepared by the Commission, the EMCO Indicators Group, the Member State under review, and a discussant country. Each review is introduced by the Commission, followed by a response from the Member State, an assessment from the discussant country, general Q&A, and conclusions from the Chair, which are circulated to the committee and feed into subsequent country-by-country examinations. Where the issues covered by these themes overlap with the responsibilities of other Council committees, such as the EPC, the SPC, and Education Committee, the reviews are conducted jointly with them. The country-specific examinations take place each May and aim to explore Member States' responses to the CSRs and wider employment challenges set out in the NRPs.[15] Each Member State is reviewed both by the Commission and a peer country in a small parallel workshop (comprising one-third of the committee), focusing on the issues flagged by the thematic review. The resulting conclusions are formally adopted as a multilateral position by the full committee and integrated with indicators from the JAF to produce the country-specific element of the Employment Performance Monitor. They are also reported to the Council (EMCO 2014a) and serve as the 'primary evidence base' for discussing the new set of proposed CSRs (EMCO 2013a).[16]

Whereas until 2012 SPC peer reviews occurred once a year and focused (rather superficially) on the NSRs, now multilateral surveillance activities are conducted throughout the year, with in-depth thematic reviews[17] in the autumn and country reviews in the spring focused on Member States' implementation response to the previous year's CSRs. SPC Members

[14] In 2013, for example, EMCO held thematic reviews on eight issues: female labour force participation; active labour market policies and Public Employment Service reform; the tax wedge on labour; labour market disadvantage (e.g. youth, older workers, migrants); labour market functioning (employment protection legislation, benefit reform, regional mobility); wages; education and the transition to work; lifelong learning and vocational training.

[15] Countries subject to a MoU under a bailout programme also participate in these reviews on a voluntary basis.

[16] For the 2015 cycle, the EMCO support team has proposed to streamline the process and 'stimulate more multilateral discussion' by focusing on CSRs where there had been new developments since the last review; increasing the number of reviewers examining each Member State; and involving a wider range of organizations and actors in the reviews on a more structured basis, including EUROFOUND, the Education Committee, the Heads of Public Employment Services (HoPES) network, the EES Mutual Learning Programme, and the European social partner secretariats (EMCO 2014c).

[17] In 2012 the in-depth reviews focused on pensions and active inclusion; in 2013, on three social 'trends to watch' highlighted by the SPPM: rising child poverty and social exclusion; the increasing number of working poor; and increasing poverty risks for jobless households. In 2014, the thematic IDRs focused on four trends: depth of poverty, income inequality, youth exclusion, and long-term labour market exclusion.

were asked in 2013 if they were ready to give country surveillance a new orientation: 'less descriptive, more critical' and more analytical (SPC 2012), which our 2014 interviewees confirm has in fact occurred. On overlapping issues such as employment and healthcare, SPC country reviews of CSR implementation are conducted jointly with EMCO and (since 2013) with the WPPHSL, but not with the EPC and EFC (on which more below). As in EMCO, the conclusions of the country reviews are summarized in a written report, which is submitted to the Council, and feeds into discussions on the new set of proposed CSRs (SPC 2014b).

The SPC's thematic reviews in particular are aimed at fostering mutual learning and stimulating multilateral discussion on promising approaches to tackling specific policy challenges identified as common 'trends to watch' by the SPPM. They invite countries performing weakly in a particular area to examine those achieving better outcomes, facilitated by background papers prepared by the Commission which provide an analysis of the identified trends based on the SPPM, the JAF, and other indicators, as well as recent policy developments. The examining countries are requested to prepare 'questions for discussion with a specific focus on their own challenges', and 'to identify key elements in the policy approaches of the presenting Member States which could be transferred to their policy contexts as well as measures which cannot'. In addition to the SPC itself, Member States typically invite ministerial experts responsible 'on the ground' for issues such as pensions or child policies, so that they can ask 'very specific questions to the presenter of the country setting out the challenges and how they see these'. The Commission, for its part, brings in experts not only from DG EMPL, but also from other DGs where relevant, such as SANCO on health issues, with the aim of stimulating a policy debate between Member States and Commission services, 'which does not need to conclude by a statement of whether or not sufficient effort had been done by the Member States concerned', in contrast to the recommendation phase. Thematic reviews also include final evaluations of the work done over the year in the context of multilateral surveillance, aimed at ensuring accumulation of knowledge, which feed into the SPC's annual *Social Europe Report*, as well as into more specialized reports on issues such as child poverty, pension adequacy, and long-term care (SPC 2014c, SPC 2013c, 2014b; 2014 interviews).

Clearly, both EMCO and the SPC are looking for ways to combine 'tougher' multilateral surveillance in employment and social policies with increased opportunities for deliberation and mutual learning. This is nicely illustrated by the EMCO Chair's intervention during the EPSCO Council of 4 October

2012, when he felt the need to reject the 'accusation that we will give Member States leeway'. Rather, he explained, the idea is 'to strengthen peer review and peer pressure', by challenging each other's reasoning, discussing the rationale of the CSRs, and monitoring their results, with a view, among other aims, to creating deeper political commitment to the needed reforms (EMCO Chair 2012b). Commission officials as well as committee members see this mutual surveillance process as a 'game changer', making exchanges within the committees less 'cozy' and more incisive than in the past, while transforming 'the bilateral discussion on the CSRs between Member States and the Commission into a multilateral decision making process' (interviews 2014; EMCO 2013).

Perhaps the most innovative development in terms of mutual learning are the pilot *ex ante* reviews of prospective social reforms conducted by the SPC. These grew out of a proposal from the Commission for *ex ante* coordination of plans for major economic policy reforms as the next step towards a 'deep and genuine EMU' (European Commission 2012: 15; 2013). The EPC took up this proposal and conducted two pilot exercises in 2013-14, covering reforms in seven Member States across a series of policy fields, including labour markets, product and services markets, energy, and taxation. The discussions were focused on the potential spillover effects of the proposed measures, which appear to be modest, but the committee concluded nonetheless that 'discussions on major reform plans are a useful benchmarking exercise for sharing of best practices, and help improve the overall design of planned reforms and contribute to reform convergence in Member States' (EFC Chair 2014).

In response to these initiatives from the Commission and the EPC, the SPC decided in the autumn of 2013 to launch a 'feasibility test' of its own for *ex ante* coordination of major social policy reforms within the framework of the OMC. Five Member States (CY, EE, IT, SI, RO) volunteered to present their planned reforms in the fields of minimum income, incapacity-for-work benefits, active inclusion, long-term care, and pensions respectively. The plans were reviewed by the Commission and a peer country, and vigorously discussed by other Member States in the committee. Both the SPC's report and our interviewees confirm that 'participants openly shared and confronted their views about how to overcome different obstacles in reforming key aspects of [their] social protection systems and the advantages and disadvantages of certain policy options.' Presenting countries appear to have particularly appreciated the exercise, as they benefitted from 'experience-based feedback of other Members who had implemented similar reforms in the past',

including what not to do, and 'received concrete advice on how to improve the policy design of the envisaged reforms and work toward acceptance of difficult policy choices'. The exercise proved so popular that five more Member States have already signed up to present their reforms for *ex ante* review in the autumn of 2014. Since potential spillovers proved difficult to identify, as in the economic policy field, these *ex ante* pilots 'proved to be less a coordination exercise and more a learning exercise', in the words of one participating Commission official. Inspired by the SPC's experience, EMCO conducted its own first *ex ante* pilot review in October 2014, focused on proposed reforms by Latvia to improve cooperation between the central Public Employment Service (PES) and municipal social services in support of the long-term unemployed, and to ensure that training companies are incentivized to provide high-quality programmes and avoid creaming effects (2014 interviews; SPC 2014c, SPC 2013d; EMCO 2014e).

At the same time, EMCO and the SPC have also continued to organize an extensive programme of voluntary offline peer reviews of good national practices through the EES Mutual Learning Programme and PROGRESS (Programme for Employment and Social Solidarity). Many of these peer reviews have focused on core themes related to Europe 2020, such as youth unemployment, flexicurity, extending working lives, active inclusion, child poverty, national poverty targets, and improving the efficiency of social protection systems (Jessoula et al. 2013; http://ec.europa.eu/social/main.jsp?catId=1070&langId=en; http://ec.europa.eu/social/main.jsp?year=0&country=0&theme=0&catId=1024&langId=en&mode=searchSubmit). DG Employment has now agreed with the SPC and EMCO to connect the next generation of peer reviews under the new Employment and Social Innovation (EaSI) programme (which replaces PROGRESS) much more closely to the CSRs and to the *ex ante* reform discussions, including the possibility of organizing peer reviews to support Member States seeking more detailed input from other countries on the design of their proposed reforms (interviews 2014).

5.5 Enhancing the influence of social and employment policy actors

Such intensified monitoring, multilateral surveillance, and peer review has in turn formed the basis for enhanced input by EMCO and the SPC into the adoption of the CSRs, the culmination of the European Semester. In the first European Semester of 2011, the SPC (and Ministers of Social Affairs more generally) were largely excluded from the review and adoption of the CSRs. This emerges clearly from an EPC note on the implementation of the European Semester, which focuses on cooperation with EMCO, while mentioning only that the SPC Chair 'would also be invited to the EPC discussion to pass on the views of the SPC on pensions adequacy issues' (EPC 2011). Unsurprisingly, the SPC perceived its involvement in decision-making process around the CSRs that year as 'more symbolic than influential', since it did not manage to make its messages heard in the Council (SPC 2011c).

Beginning in 2012, however, the social players began to acquire a more influential place in the CSR process, drawing on the expertise gained through the extended monitoring, mutual surveillance, and peer review activities described above, as well as through political challenges to the jurisdiction of economic policy actors over social policy issues within the Council. Thus in 2012 the SPC conducted a multilateral examination of the Commission's draft CSRs jointly with EMCO, and successfully proposed amendments on social issues to the Council. On the key issue of pensions, however, procedural ambiguities in the process, as orchestrated by the Danish Presidency, blocked the SPC's proposed amendments 'at the 23rd hour' from being discussed by the EPSCO Council, leaving decisions about the CSRs in this field to be taken by the EFC and the ECOFIN Council, who focused on financial sustainability rather than social adequacy (SPC 2012; Cypriot Presidency of the EU 2012; EMCO Chair 2012a; EMCO, SPC, and Commission interviews 2012-2013; for a more detailed account, see Vanhercke 2013).

This painful experience provoked extensive mobilization over 'political ownership' of social issues by the EPSCO Council as well as the SPC (see for example EPSCO 2012). According to one high-placed interviewee (SPC, October 2013), the issue reached all the way to the European Council, where both the French and German leaders complained about the organization of the process. The 2012 European Semester likewise catalyzed a push back by Member States against the Commission's increasingly prescriptive approach to the CSRs, along with its reluctance to deliberate over proposed amendments with national representatives. As a note from the Cypriot Presidency to COREPER and the Council on 'Lessons Learned' concluded:

'Member States need some leeway to choose the implementation path that best suits their national conditions, in particular in areas which remain in [their] competence', while 'deeper dialogue' between the Commission and Member States, 'both bilateral and multilateral, is essential to ensure CSR quality and ownership' (Cypriot Presidency of the EU 2012).[18]

This mounting pressure for reorientation of the European Semester and revision of its governance procedures gained additional momentum and political salience during 2013 through the EU-wide debate on the social dimension of EMU initiated by the President of the European Council. Thus in response to an extraordinary visit by Herman van Rompuy to the EPSCO Council, EU Ministers of Employment and Social Affairs issued a ringing declaration on the social dimension of 'a genuine EMU' in May 2013. This declaration called for a more balanced relationship between the EU's economic, social, and employment objectives within the European Semester, including both the AGS and the CSRs, to 'ensure that economic efficiency and social equity are pursued at the same time' and to 'give stronger support to sustainable growth, employment and social cohesion'. EPSCO ministers likewise called for a strengthening of the governance role of the EES and the Social OMC, which they termed 'the primary tool for coordination of social policies', building on the employment guidelines, together with the monitoring instruments, peer reviews, and multilateral surveillance procedures developed within EMCO and the SPC. To integrate the social dimension 'as a core feature in the European Semester process' and enhance policy coherence at EU level, ministers demanded the development of mechanisms to facilitate 'more effective interaction' between the Council formations involved, notably ECOFIN and EPSCO, 'especially as regards the adoption and review of the implementation of country specific recommendations'. Such interaction, they insisted, should involve 'joint meetings between the different committees competent for social protection, employment, economic and finance issues' in order to 'ensure a balanced and holistic assessment

[18] Cf. SPC (2012b): 'Member States need to maintain full competence and discretion on the choice of measures with a view to comply with the a recommendation, particularly when alternative measures have an equivalent effect on outcomes….A genuine multilateral discussion necessitates full participation of the Commission in the policy dialogue….For recommendations to be successfully implemented and to become an effective instrument for change, it is crucial that an enhanced policy dialogue between Member States and the Commission generates common understanding and ownership at national level.' Similarly, the EMCO Chair (2012b) told the EPSCO Council that 'While Member States should not avoid challenges in recommendations, the Commission needs to take into account the expertise of Member States and also recognise that alternative policy responses may sometimes achieve the same desired results.'

whereby all policy elements can be adequately and appropriately covered' (Ministers of Employment and Social Affairs of the EPSCO Council 2013).[19]

5.6 Towards a revised procedural framework for the European Semester

The highly charged conflicts over the organization of the second European Semester gave rise in turn to a substantially revised procedural framework for the 2013 cycle. The Irish Presidency, responsible for overseeing the process in the spring of 2013, went to considerable lengths to ensure that arrangements for reviewing and amending the CSRs would be based on a clearer allocation of responsibilities and cooperation in areas of overlapping competences between the various committees and Council formations involved (Irish Presidency of the EU 2012).

Thus the SPC presented the results of their review of the implementation of the 2012 CSRs on pensions to a meeting of the EFC alternates, and participated in a joint meeting with the EPC and EMCO to finalize amendments to the 2013 CSRs on issues of cross-cutting responsibility (pensions, health care, and social inclusion aspects of employment). Not only were the various committees themselves pushed under the new framework to reach agreement on the proposed amendments, but Member State delegations within them were also expected to agree in advance on a common position about the amendments they wished to obtain for 'their' CSRs (which had not always happened previously). There was, to be sure, continued friction between the various committees and Council formations about the allocation of final authority over CSRs in intersecting fields (especially those linked to the Macroeconomic Imbalances Procedure), as well as about formal arrangements for joint meetings (especially those involving the powerful and secretive Economic and Financial Committee). But unlike in 2012, the views of the SPC as well as EMCO on the CSRs appear to have received a full hearing, and cooperation with the EPC and EFC is generally agreed to have proceeded much more smoothly than the preceding year (SPC 2013e; EMCO 2013b; interviews 2013).

Underlying this revised procedural framework for the European Semester were new decision-making processes and working methods within as well

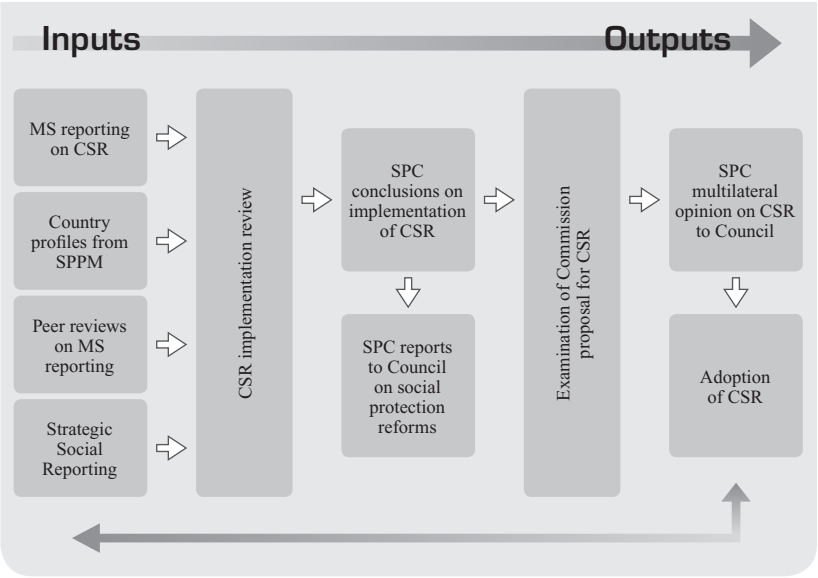
[19] The EPSCO declaration also endorsed the development of a scoreboard of employment and social indicators, which together with in-depth reviews by EMCO and the SPC could 'play a role equivalent to the Macroeconomic Imbalance Scoreboard, alerting EPSCO Ministers to the danger of serious employment and social imbalances arising that could threaten the stability of the EMU.'

as between the committees involved. In each case, amendments to the CSRs were required to be supported by qualified majority voting (QMV) to test the support among Member States for changes to the Commission's proposals and justified by reference to the results of the multilateral surveillance reviews conducted within the committees.

Since EMCO and the SPC had always previous worked through consensus decisions or occasionally a simple majority vote, the adoption of QMV for amendments to the CSRs (in 2012 and 2013 respectively) represented a quantum shift in procedure for both committees. The move to QMV by the two committees means that 'any changes agreed…could be strongly defended by the Presidency in Council' (EMCO 2012a). QMV likewise strengthens the two committees' position in negotiations with the EPC (which also uses this procedure in relation to the CSRs), as well as with the Commission, which as remarked earlier has resisted on principle any substantive modification of its policy recommendations. Voting in the committees on proposed amendments can thus be seen as an institutional mechanism for forcing the Commission to deliberate multilaterally with Member State representatives on the CSRs by demonstrating their capacity to reach a qualified majority against its recommendations.

Multilateral surveillance within the committees is likewise crucial to the review and amendment of the CSRs. Only issues that have been extensively discussed by Member States during the multilateral surveillance process stand a chance of securing the needed qualified majority vote within the committees. Both EMCO and SPC draw extensively on evidence from their multilateral surveillance reviews in negotiating with the EPC and EFC, as well as the Commission, over the adoption or rejection of amendments to CSRs. The more accurate and more detailed the evidence about national challenges and CSR implementation the committees are able to provide, the more likely their proposed amendments are to be accepted, especially on issues like pensions, where the EFC does not conduct its own country reviews (interviews 2013-2014). Since under the 'comply or explain' rules of the European Semester, the Council is expected to provide a written explanation of its reasons for modifying the Commission's recommendations, both committees also refer explicitly to these mutual surveillance reviews in the formal reports justifying their amendments (Council 2012, 2013, 2014). Figure 4, page 48, gives a graphical representation of the process within the SPC for review and amendment of the CSRs.

Figure 4: SPC multilateral reviews of country specific recommendations (CSR)



Source: Social Protection Committee

In 2014, the Greek Presidency strictly followed the same arrangements for the organization of the European Semester developed by the Irish Presidency the previous year. For the most part, these arrangements again appear to have worked relatively smoothly, with one conspicuous exception, attributable in part to the very tight time pressures under which the final review of the Commission's draft CSRs was conducted.[20] Prior to a joint meeting with EMCO and the EPC in June, the SPC reviewed and voted by QMV on proposed amendments to the CSR in the social field. When it came to the joint meeting, however, the vote on five CSRs (two on pensions [CZ, PL], two on health care [BG, MT], and one on social housing [NL]) went counter to what had been previously agreed in the SPC (whether because some national delegations

[20] Because of the European Parliament elections, the time between the publication and adoption of the CSRs was compressed from three to two weeks. This meant in practice that the various committees had only a few days to study the draft CSRs before the formal reviews, which reduced the scope for advance coordination between EMCO and the SPC, as well as within national delegations.

were overruled by their finance ministries, or because some delegates were absent when the votes were taken, with abstentions counting against the proposed amendments under QMV rules). Since the EFC and EPC do not formally recognize the SPC's legal right to participate in the amendment of the CSRs (which are adopted under Articles 121 and 148 of the Treaty on the Broad Economic Policy and Employment Guidelines), the SPC chose to submit its own separate opinion to the Council on 'recommendations falling within the competence of Ministers responsible for social protection issues irrespective of the proposed legal basis', rather than endorsing the outcome of the joint meeting (which is referred to as an EPSCO-ECOFIN meeting by EMCO, but as an EMCO-EPC meeting by the EPC). This resulted in a public exchange of letters to the Council from the SPC and EMCO Chairs, in which the former defended his committee's proposed amendments on substantive grounds, while the latter insisted that such joint meetings are 'the only feasible and effective way of ensuring commonly reached compromise decisions from both the ECOFIN and EPSCO committees, thereby allowing for a meaningful discussion in both Council formations', and should not be questioned afterwards by either side. The Greek Presidency upheld EMCO's position, and the opinion of the joint meeting was adopted by both the EPSCO and ECOFIN Councils, though Poland and the Czech Republic took their pensions issues all the way to the European Council, where their amendments failed. The clear lesson from this principled but quixotic defeat is that at least for now the SPC can only hope to obtain amendments to the CSRs on social issues where the committee works closely together with EMCO and argues its case effectively in joint meetings (under whatever name) with the EPC and the EFC, rather than trying to go it alone (Council of the EU 2014a; 2014 interviews).

5.7 Amending the CSRs

These revised procedural arrangements for reviewing and adopting the CSRs have had a significant impact on the frequency of amendments. In 2012, a well-informed EMCO source estimated that proposed social and employment policy amendments had no more than a 10 percent chance of success. In 2013, interviewees from both EMCO and SPC estimated that one-third of all such proposed amendments to the CSRs were adopted without objection by the Commission, while the success rate for contested amendments (detailed in the Council's annual 'comply-or-explain' report) had reached 50%. In 2013, there were 14 non-consensual amendments to the CSRs, of which 10 concerned social and employment issues, compared to 11 in 2012, of which eight concerned social and employment issues (own calculations from Council of the EU 2012, 2013).

Most of these amendments concerned points of detail, focusing on better contextualization of individual CSRs in relation to Member State challenges and reform measures, based on evidence from the multilateral surveillance reviews. It was also sometimes possible, however, to obtain 'horizontal' amendments to CSRs addressed to multiple Member States. The key case in point in 2013 concerned pension reform, the flashpoint of conflict the previous year between the SPC, the Commission, and the economic policy actors. Thus for eight Member States (AT, BE, CZ, ES, FI, FR, LU, MT), an across-the-board injunction to 'link the statutory retirement age to life expectancy' was replaced by a recommendation to 'increase the effective retirement age'. The comply-or-explain text underlined the importance of allowing Member States to choose among alternative paths to reaching the objective underlying this recommendation: 'It was agreed that there are different channels to raise the effective retirement age and, hence, to address challenges to the pension system and the sustainability of public finances. The original Commission text, focusing only on raising the (statutory) retirement age, appeared too prescriptive and narrowly defined' (Council of the EU 2013).[21]

But even when amendments to the CSRs concerned only a single Member State, they could nonetheless involve broader policy issues of EU-wide significance. Thus in 2012, EMCO successfully amended the CSR to Sweden on improving employment participation of youth and vulnerable groups to focus on increasing 'the effectiveness of active labour market measures, facilitating the transition from school to work, promoting policies to increase demand for [these] groups and improving the functioning of the labour market', rather than by 'encouraging increased wage flexibility, notably at the lower end of the wage scale, and reviewing selected aspects of employment protection legislation like trial periods to ease the transition to permanent employment.' The comply-or-explain text justifying this amendment emphasized both the contextual misfit of the original recommendation with the actual situation of the Swedish labor market and its inappropriate encroachment on the social partners' responsibility for wage determination.[22]

[21] Degryse, Jepsen, and Pochet (2013) repeatedly cite the Commission's original across-the-board recommendation as evidence of the unchallenged dominance of EU economic policy actors over pension issues and the anti-social character of the CSRs, without noticing its subsequent amendment by the Council.

[22] 'The Council agreed to adjust the text so as to better reflect the actual challenges of the Swedish labour market; i.e. improve the effectiveness of ALMPs, transition from school to work and government policies to increase the demand for vulnerable groups on the labour market. In addition, the Council recognised that Sweden has a decentralised wage bargaining framework and concurred that social partners are responsible for wage bargaining and that government interference in the process would not be in line with the national system for wage formation. The reference to "encouraging increased wage flexibility" was therefore considered inappropriate' (Council of the EU 2012).

As a result of these experiences, the European Semester synthesis report by the Lithuanian Council Presidency (2013) recommended specifically that:

- '[T]he Commission continues to enhance its dialogue with Member States when preparing CSR proposals, sharing the underlying analysis and making further efforts towards evidence-based recommendations.'
- 'The Commission should ensure that its CSR proposals are sufficiently precise as regards policy outcomes but not overly prescriptive as regards policy measures so as to leave sufficient space for social dialogue and, more generally for national ownership; more detailed recommendations could refer to examples of the best practice. Their formulation should also recognize efforts already undertaken by the Member State and reflect the time-horizon for CSR implementation'.

Despite the SPC's failure to win its separate amendments to the 2014 CSRs, non-consensual revisions on social and employment issues continued at a similar rate to the previous year, accounting for 10 of 11 successful amendments adopted over the Commission's opposition. Six of these amendments concerned pensions CSRs, where the Commission returned to its previous year's recommendation that Member States align the statutory retirement age with increased longevity, and the Council endorsed the SPC's view that there were alternative pathways to tackling pensions challenges, notably by raising the effective age of retirement, which was a higher priority in the countries in question.[23] Other significant amendments included the addition of a recommendation to Slovenia to ensure the adequacy as well as the sustainability of its pension system, and the replacement of a recommendation to Portugal to increase the threshold for its minimum income scheme with one to ensure adequate coverage of social assistance, including minimum incomes, while at the same ensuring effective activation of benefit recipients. Amendments of employment CSRs focused mainly on better contextualization of the recommendations to take account of the specific situation in Member States and ongoing reform measures, based on evidence from EMCO's multilateral surveillance (Council of the EU 2014b; 2014 interviews).

[23] The Czech Republic also received a contested recommendation on increasing the statutory age of retirement, which according to our interviewees, would most likely have also been amended along similar lines had its representatives done a better job of explaining its position in the joint meeting with the EPC and/or some delegates who voted in favour in the SPC been present for the second vote (2014 interviews).

6 Discussion and conclusions

By way of conclusion, we return to the three sets of key questions about the nature and dynamics of the EU's emerging socio-economic governance architecture with which we began.

6.1 Economic vs. Social Europe?

As regards the first set of questions about the relationship between social and economic policy coordination, the core claim of this report, documented in fine detail in the preceding sections, is that over the past three years since 2011 there has been a progressive 'socialization' of the European Semester. This evolutionary shift is visible at the level of substantive policy orientations, in terms of a growing emphasis on social objectives in the EU's priorities (as defined by the Commission's AGS and other official documents) and especially the CSRs. The latter have expanded considerably from year to year in social scope and ambition, placing increasing stress on the need for Member States to ensure the adequacy, accessibility, and effectiveness of their social security, pension and health care systems; to combat poverty and social exclusion on a variety of dimensions; and to improve their education, training, and activation services – even if the expanding volume and coverage of these social CSRs is still counterbalanced by other imperative recommendations on fiscal consolidation under the Stability and Growth Pact.

The progressive socialization of the European Semester is equally visible at the level of governance procedures, in terms of an enhanced role for social and employment policy actors – especially EMCO and the SPC, but also DG EMPL and the EPSCO Council – in monitoring, reviewing, and amending the CSRs. Jurisdictional struggles continue with the economic policy actors (EFC, EPC, DG ECFIN, ECOFIN) about overlapping issues, especially those linked to the SGP and the MIP. But the revised procedural framework for the European Semester introduced in 2013, coupled with the detailed knowledge of the situation in the Member States built up through intensified monitoring, multilateral surveillance, and peer review, has made it possible for EMCO and the SPC to feed their views into the process at key moments and obtain amendments of the Commission's draft CSRs on both larger and smaller issues – provided that they work together and argue their case effectively in joint meetings with their counterparts on the ECOFIN side. The example of the pension CSRs, discussed at length in previous sections, illustrates both the opportunities for and the constraints on such amendments.

In addition to carving out a place within the European Semester process, the SPC has made effective use of the knowledge base, governance instruments, and working methods developed through the Social OMC to play a proactive role in monitoring and assessing national performance against the EU's common social objectives and indicators, extending beyond the Europe 2020 poverty targets and social inclusion guideline. Thus Member State representatives in the committee have exploited the flexibility of the Social OMC as a voluntary process to develop their own social reporting initiatives at both national and EU level across all three of its policy strands (inclusion, pensions, health and long-term care). And they have also taken the lead in the development of *ex ante* review of major social reforms, which DG EMPL now sees as the next major step in deepening policy debate, peer review, and mutual learning within the European Semester itself (2014 interviews).

Our interviewees are more ambivalent about the new social monitoring instruments introduced as a result of the 2013 EU-wide debate on strengthening the social dimension of the EMU. The December 2013 European Council approved the integration of a scoreboard of key employment and social indicators into the working of the 2014 European Semester. But contrary to the original hopes of EPSCO and the Commission that this scoreboard would be used as an early warning system comparable to the MIP for signaling 'serious employment and social imbalances…that could threaten the stability of the EMU', the European Council concluded instead that 'the use of this wider range of indicators will have the sole purpose of allowing a broader understanding of social developments (European Council 2013: pars. 38-9; EPSCO Ministers of Employment and Social Affairs 2013; European Commission 2013b). Some of our interviewees emphasized that the inclusion of this scoreboard in the JER and the Commission communication on the CSRs had succeeded in making the social and employment policy domain more visible in the EU debate on the European Semester. According to one Commission interviewee, DG EMPL successfully used the indicators included in the Social Scoreboard to push for recommendations to certain countries on issues such as poverty reduction and the youth guarantee. But other highly placed interviewees wondered whether how much had really been accomplished given the intensity of the political struggle needed to get this scoreboard adopted, and its initial use in the Commission's 2014 communication on the CSRs was rather critically received by social NGOs, trade unions and MEPs (Euractiv 2014a, 2014b).

As regards the auxiliary social indicators incorporated into the MIP, our interviewees were similarly divided. Like other auxiliary indicators which

form part of the MIP, there are no thresholds attached to these social indicators, which are primarily used to interpret the situation in Member States which have already been selected for In-Depth Review, and to assess the social consequences of proposed corrective measures. Some interviewees considered that the inclusion of these auxiliary indicators in the MIP had been used by economic policy actors to expand their influence over social issues, as the SPC had originally feared. But other interviewees viewed the role of the auxiliary indicators less defensively, arguing that these had already had a positive influence on the content of the IDRs and could over time serve as a 'learning tool' for the economic policy actors by inducing them to 'take account of certain social outcomes' and to 'internalize this' in their analysis of macroeconomic imbalances (2014 interviews).

A continuing weakness of the EU's evolving socio-economic governance architecture is the limited involvement of non-governmental stakeholders at both EU and national level. Neither social partners nor civil society organizations currently play any significant role in the European Semester, though both the Commission and the EPSCO Council have called for strengthening social dialogue, while EMCO meets periodically with the EU social partner organizations (EPSCO Ministers of Employment and Social Affairs 2013; European Commission 2013b; EMCO 2014c). At Member State level, the continuation of voluntary NSRs has not compensated for the very restricted participation of both civil society and subnational actors in the preparation of the NRPs (EAPN 2012; European Commission 2013d: 45-6; Committee of the Regions 2014). Here, too, however, there are some signs of movement, as the new Structural Funds Regulation enacted in 2013 earmarks 20 per cent of all European Social Fund (ESF) monies for 'promoting social inclusion and combating poverty', and makes access to this funding conditional on the adoption of 'a national strategic framework for poverty reduction aiming at the active inclusion of people excluded from the labour market', involving 'relevant stakeholders' and providing 'a sufficient evidence base to…monitor developments' (Regulation No. 1303/2013: Annex XI, Thematic objective 9). Already, there are indications that civil society networks in some countries such as Poland have begun to use this commitment to enhance their involvement in the preparation of the NRPs (Szarfenberg 2013). In the spring of 2014, a coalition of 15 major civil society organizations and trade unions, coordinated by the European Anti-Poverty Network, established the 'EU Semester Alliance', aimed at supporting 'progress towards a more democratic, social and sustainable Europe 2020 Strategy, through strengthening civil dialogue engagement in the European Semester at national and EU levels'. In addition to critically addressing EU

decision-makers and institutions, the Semester Alliance has published its own independent assessment of and proposals for the 2014 NRPs and CSRs, as well as a *Toolkit for engaging with Europe 2020 and the European Semester,* supported by funding from the European Commission under the PROGRESS programme (http://semesteralliance.net/).

6.2 Intergovernmentalism vs. supranationalism?

As regards the second set of questions raised at the outset about the relationship between EU institutions and the Member States, the evolution of the European Semester illustrates the limited ability of received categories like 'intergovernmentalism' and 'supranationalism' to capture the dynamics of post-crisis socio-economic governance. The European Council, to be sure, remains the political master of the Semester process, formally responsible for approving all documents and decisions, including the CSRs, and is the final arbiter of any disputes (at least until the Court of Justice becomes involved). But the European Council cannot and does not run the machinery of the Semester itself. In procedural terms, the role of the Commission has been greatly reinforced by the Six-Pack, the Two-Pack, and other post-crisis measures, since it is now formally responsible for setting the Union's socio-economic priorities through the AGS, for selecting Member States for In-Depth Review under the MIP, for issuing draft CSRs, and for proposing eventual sanctions under the EDP and EIP. The Commission's abilities to oversee Member States' economic, social, and employment policies have also increased significantly since the crisis, through the build-up of analytical capacities within DG ECFIN and more recently DG EMPL, the appointment of dedicated 'European Semester officers' in national capitals, and the establishment of cross-DG Country Teams led by SECGEN.

But the Commission's grasp of national situations remains relatively broad-gauge and cannot really compete with the fine-grained knowledge and understanding of policy challenges and developments on the ground built up within specialized committees of Member State officials like EMCO and the SPC. These committees are therefore able to add very substantial value to the European Semester process through their monitoring, multilateral surveillance, and peer review activities, which they have continuously extended and intensified since the crisis. These committees have also been able to push back against what Member State representatives perceive as 'over-prescriptive', 'one-size-fits-all' recommendations from the Commission, which seek to lay down not only the objectives of necessary reforms, but also the specific way to reach them, without taking proper account of national contexts and competences. In so doing, however, these committees have not

generally sought to 'water down' the Commission's recommendations or 'give Member States leeway', but rather, as their leaders insist, to build national support for social and employment policy reforms by adapting them better to domestic institutional and political realities, based on an emerging 'European view' of how such reforms should be carried out in different policy fields. By demonstrating their ability to amend the Commission's draft CSRs through QMV, these committees have also been able to force the latter to engage more deliberatively with Member States about their content in multilateral as well as bilateral fora. Although significant differences in perspective persist between the Commission and some of the committees – as for example on the relative priority of increasing the statutory vs. the effective age of retirement – there is growing cross-fertilization and complementarity between their analytical and evidence-gathering work. The same could be said of the relationship between the Commission, the Council, and Member State administrations within the European Semester more generally.

6.3 Compliance vs. learning?

What of the third set of key questions raised at the outset about the relationship between compliance and learning within the European Semester? Many prominent actors within both the Commission and the Council certainly understand the Semester first and foremost as a framework for enforcing national compliance with EU rules and policy recommendations, and overcoming past implementation deficits. And the Semester has undoubtedly been used by the EU institutions to put pressure on Member States to address the specific policy challenges flagged by the CSRs. But there is wide disagreement among analysts and policy makers about the extent to which the CSRs have in fact been implemented. The Commission claims that 80 percent of the CSRs have been implemented, while others (including German ECB Director Jörg Asmussen and Chancellor Angela Merkel) have complained that it is more like 10-20%, and a detailed analysis carried out on behalf of the European Parliament shows a more mixed picture (Commission interviews 2014; Müller et al. 2013; European Parliament 2013). Both EMCO and the SPC have produced lengthy reports on social and employment policy reforms introduced by Member States since the crisis (e.g. EMCO 2014d; SPC 2013), but these do not show to what extent these reforms correspond to the CSRs, and as we have seen, there has been considerable pushback against over-prescriptiveness in terms of detailed approach and timetables for specific measures.

No sanctions have yet been imposed on any Member State under the European Semester, including under the MIP, and this seems likely to occur if at all

only under very exceptional circumstances.[24] There can be no question of formal sanctions for failure to implement recommendations issued under the Employment Guidelines, though there can be consequences in relation to the structural funds. Under the new Structural Funds Regulation covering the 2014-2020 programming period, there are three levers the Commission can use to bring pressure on Member States to implement the CSRs. The first is *ex ante* conditionality: Member States are expected in their Operational Programmes (OPs) to target expenditure on priorities related to the CSRs, and the Commission can refuse to approve their OPs if they fail to do so. Thus for example as one DG EMPL official noted,

> We have a couple of countries with Roma issues. Well, we expect to see in the Operational Programmes the investment priority related to Roma. And that allows us to make that clear link, and that's very important for us.

The second lever is reprogramming: where new priorities emerge through the CSRs, the Commission can request that Member States redirect a proportion of their structural funding to meet these priorities, to which the Member State in question is obliged to respond. The final lever is suspension: if a Member State fails to comply with recommendations under the corrective arm of the EDP or the MIP, the Commission is obliged to bring forward a proposal for the progressive suspension of its structural funding. Significantly, from the perspective of this report, 'programmes or priorities which are of critical importance to addressing adverse economic or social conditions' are exempted from both suspension and reprogramming, including investments related to the youth guarantee scheme or 'supporting poverty reduction', while the maximum rate of suspension of funding is reduced for Member States experiencing above average rates of unemployment or poverty. So far, no such proposals for suspension of structural funding to any Member State have been tabled by the Commission, though according to our interviewees some reprogramming has occurred, in some cases at the request of Member

[24] In a public lecture at the Catholic University of Leuven (KUL) on 26 April 2013, Koen Lennaerts, the Vice-President of the Court of Justice of the EU, raised serious doubts about whether sanctions under the Excessive Imbalances Procedure of the MIP could be properly applied within the scope of the EU Treaties, because this would involve a decision by the Council to impose financial penalties on a Member State for failing to follow a recommendation, which according to past precedent has always been considered a non-binding instrument under EU law ('Economic Integration, Solidarity and Legitimacy: The EU in Times of Crisis', closing remarks to Euroforum Colloquium on 'Europe 2020: Academics and Policymakers in Dialogue). This observation is not included in the written version of Judge Lennaerts' lecture, available online at http://www.kuleuven.be/euroforum/page.php?LAN=E&FILE=policy-papers.

States themselves (Regulation No. 1303/2013: Art. 23 and Annex III; European Commission 2014c; 2014 interviews DG EMPL and DG REGIO).

Our 2014 interviewees suggested that there are wide differences between Member States in how seriously they take the CSRs, depending on a variety of domestic considerations, including public attitudes towards European integration, the political sensitivity of the issues at stake, the national fiscal situation, and the importance of the structural funds, as well as the quality of the analysis behind them. 'The more you need from Brussels, the more weight the CSRs carry', as one Member State official observed. Political attitudes towards the EU and issue salience are likewise crucial. In some countries, such as Belgium and the Netherlands, the CSRs make the evening news and are widely discussed, especially where they touch on hot-button issues like reform of wage indexation, pensions, or social housing, while in countries at the other extreme like the UK, where all messages coming from Brussels are politically suspect, the CSRs are largely ignored.

The national influence of the CSRs also depends on how they are used by domestic actors. 'Certain Member States are happy to receive a certain CSR', remarked one high Commission official, 'because it gives legitimacy, and the Commission gives it a push.' Governments sometimes go as far as to request a CSR on a particular issue, but our interviewees were unanimous in reporting that the Commission is unwilling to play this game. Conversely, CSRs are often picked up by opposition parties and other domestic actors to put pressure on the national government on controversial issues. As another Commission official put it, the 'opposition can use it to say, listen, government, you have not sufficiently addressed this and that, and this confirms our assessment….' The same Member State official quoted earlier concurred: 'if you have a healthy democracy, somebody will be able to use the CSRs. It's going to be very strange if there is a country where the whole Parliament, from left to right, says, no, this CSR we've received now, this is really not something we should do.' The broader question of the national influence and domestic usages of the European Semester and the CSRs is one that would fruitfully repay further empirical research.[25]

If there is little consensus on the effectiveness of the European Semester as a top-down compliance mechanism, our 2014 interviewees were surprisingly positive by contrast about the extent of joint exploration and mutual learning,

[25] Such research could profitably build on the substantial empirical literature produced over the past decade on the national influence of the OMC: see especially Zeitlin and Pochet (2005); Heidenreich and Zeitlin (2009); and Barcevičius et al. (2014).

both actual and potential, developing under the European Semester, especially within EMCO and the SPC. Such learning was generally considered to be most limited in the country reviews of CSR implementation, partly because of the routinized process and the intense time constraints involved. But even there, some prominent committee members argue that participants learn about what other Member States are doing and draw inspiration and lessons for their own policies, especially when they need to introduce something new (such as the minimum wage in Germany). Mutual learning and genuine policy exchange were considered to be more intense within the thematic reviews of CSRs in different policy areas, which take place in the fall during the 'low period' of the European Semester cycle, when 'there is a bit more time to dedicate to substance', framed by cross-national and over-time comparisons of Member State performance against the social and employment indicators and monitoring instruments of the JAF, the EPM, and the SPPM. Within the SPC, as we have seen, the thematic reviews cast weakly performing countries as examiners of their better performing peers, while encouraging them to focus on the identification of policy approaches which could and could not be transferred to meet their own domestic challenges. The thematic reviews are also the moment within both committees when the greatest efforts are made to mobilize specialized expertise across national ministries and the Commission services in order to pose probing questions and stimulate an open policy debate.

Participants in the review process likewise emphasize that its iterative character has produced a strong learning and consensus-building effect within the committees. The fact that 'you have the same issues appearing on the table year after year', one official observed,

> has brought about the need to have…horizontal discussions of certain issues and horizontal opinions, one can claim even, on certain issues. I'm thinking, for example, about pension reforms and what should be the way of extending working life….And in that sense, I think there has been a lot of…consensus building in the fact that you see Member States on the same challenges all together…so frequently, that again… in time you see that there is a certain sense of learning and…a certain sense of consensus-building towards what are the things to do, or what are the policy options that are preferable rather than others in certain specific cases.

Another prominent SPC member went still further, arguing that in policy fields like pensions and long-term care, Member State representatives in the

committee were moving, as a result of the Semester process and the adaptation to it of the working method of the OMC, towards 'a common European view on social issues', based on a shared knowledge base and understanding of national differences, coupled with a broad 'agreement that when you reform your…system, there are certain things you should and not do.'

There is wide agreement, finally, among both committee members and Commission officials that the *ex ante* reviews of major policy reforms piloted by the SPC offer a particularly promising setting for mutual learning and genuine deliberation among Member States. 'This has the potential of being the next big thing' in the European Semester, commented one committee official, 'what it implies is basically that Member States would come into…a peer review type of setting to discuss plans for reforms before they happen.' 'You have one Member State, for example, saying'

> "Okay, I'm trying to revise my disability benefits system because of this and those problems. And this is what we are trying…what we're reflecting in terms of implementing." And then you had…Member States saying, you know, "we did this ten years ago, and it didn't work because of this and that. But have you considered something else?" So in that type of setting, and…maybe two or three…of the ones I attended were in that spirit. And I think it was…a moment of real exchange where you could say that there was some real value-added of putting all these people in the same room.

A high official in DG EMPL similarly remarked that 'this is the real place in the European Semester where learning is taking place.'

> Slovenia wants a reform [in its] health sector….They present to the Member States already how they want to do this, and there's an open discussion there, "should you not look at this, should you look at this?" And so this is an *ex-ante* discussion that is quite groundbreaking... And we want to, and there we've agreed to, that we will connect [the voluntary offline PROGRESS] peer reviews to that, because…you have only that much time in an SPC to do this, but then you go and set up quite quickly a support mechanism to have in-depth discussions with those that can offer support…. The next call for support [for] peer reviews will be totally in that direction, but it's already happening.

The multilateral surveillance of CSR implementation has driven the deepening of performance monitoring and peer review within EMCO and the SPC, by providing the evidence base for the amendment process and raising the stakes for the parties concerned. But the sheer volume of examinations to be conducted within the annual CSR review process also threatens to overwhelm the deliberative capacities of the committees and bury them in bureaucratic routine. Hence plans are underway within both EMCO and the SPC to streamline the process and focus the CSR reviews on policy change in Member States, in order to open greater space for genuine debate and mutual learning, through a combination of intensified *ex post* scrutiny of new developments and *ex ante* review of proposed reforms.

A final crucial question raised by the multiplication of CSRs on social issues and the widening of their policy scope is how far such mutual learning activities can contribute practically to helping Member States tackle complex, multi-dimensional problems to which no one has prefabricated solutions. Many of the Commission's CSRs, for example on increasing the efficiency and effectiveness of health care and social protection systems, remain at a highly generic level which provides limited guidance to Member States on how best to address these problems. But even where the recommendations are apparently much more precise, as in the case of labour market activation, the collective knowledge base on how to implement them effectively in different national and local contexts often remains surprisingly weak. Thus, for example, many Member States have received CSRs over the past few years enjoining them to enhance the quality and effectiveness of personalized activation services (including training and job search assistance), especially for disadvantaged groups (2012: CZ, ES, FR, HU, SK; 2013: BE, ES, FR, SI, SK; 2014: BE, BG, CZ, ES, SI, SK).[26] At the same time, however, a thematic review seminar conducted by EMCO as part of its Mutual Learning Programme, while reaffirming that 'emphasis needs to be placed on individualised and well targetted measures', nonetheless concluded that 'with regard to the effectiveness of ALMPs [active labour market policies], one of the key messages remains that current evaluation efforts are insufficient to provide a clear picture on effective measures for different target groups' (Thematic Review Seminar Report, Autumn 2012: 8; MLP Synthesis Report 2012: 7.) It is to be hoped that ongoing reforms of the multilateral surveillance, performance monitoring, peer review, and mutual learning programmes will enable EMCO, the SPC, and the Commission to tackle such problems more

[26] In 2014, 11 additional Member States (DE, EE, HR, HU, IR, IT, LT, LU, LV, PT, RO) also received CSRs to strengthen the targeting and effectiveness of their ALMPs and Public Employment Services, but without specific reference to personalization.

operationally, including by working more closely with front-line officials in the Member States, for example through the recently established Network of EU Public Employment Services.[27]

6.4 Socializing the European Semester: actors and processes

The progressive 'socialization' of the European Semester analyzed in this report can be interpreted as a response by the Commission and other EU institutions to external developments, notably rising social and political discontent among European citizens with the consequences of post-crisis austerity policies, as demonstrated for example by falling levels of public support for the EU in the Eurobarometer surveys and successive electoral defeats for incumbent governments in many Member States. But as the evidence presented in this report demonstrates, it should also be understood as the product of reflexive learning and creative adaptation on the part of EU social and employment actors to the new institutional conditions of the European Semester: another form of 'socialization'. This process began with the employment policy actors within EMCO and DG EMPL, who were already familiar with the challenges of debating their positions with the economic policy actors under the Integrated Guidelines of the revised Lisbon Strategy, and took the first steps to strengthen their intelligence-gathering and analytical capacities through the development of new monitoring instruments, the intensification of multilateral surveillance, and the introduction of QMV on amendments to the Commission's draft CSRs. But their example was quickly emulated by the social policy actors within the SPC and the Social Policies Directorate of DG EMPL, who not only followed suit in developing new instruments to monitor and analyze the social dimension of the European Semester, deepening multilateral surveillance of CSR implementation, and adopting QMV for amending the CSRs, but also proactively used the institutional *acquis* and flexibility of the Social OMC to introduce new social reporting initiatives at both national and EU level and to launch an innovative programme of *ex ante* peer review of major social reforms. Other EU policy communities, such as

[27] Decision No 573/2014/EU of the European Parliament and of the Council of 15 May 2014 on enhanced cooperation between Public Employment Services [PES], Official Journal of the EU L159/32, 28 May. The rationale for the establishment of this Network, was that 'The country-specific recommendations would benefit from being further supported by an enhanced evidence-based feedback on the success of policy implementation and cooperation between the PES of Member States. To this end, the Network should carry out concrete initiatives such as common evidence-based benchmarking systems, corresponding mutual learning activities, mutual assistance between the Network members and the implementation of strategic actions for the modernisation of PES. The specific knowledge of the Network and its individual members should also be used to provide, at the request of the European Parliament, the Council, the Commission or the Employment Committee (EMCO), evidence for the development of employment policies' (ibid., recital 5).

the public health actors around DG SANCO and WHPPSL, the education actors around the Education Committee and DG EAC, and the social NGOs and trade unions assembled in the Semester Alliance have likewise begun to mobilize organizationally and politically to make their voices heard within the European Semester and influence its outcomes. The mid-term review of the Europe 2020 Strategy, coupled with the appointment of a new Commission, represents a golden opportunity to build systematically on these emergent developments within the European Semester over the past few years to ensure that the EU's post-crisis socio-governance architecture continues to become more socially balanced, contextually sensitive, and learning-orientated.

7 Policy recommendations

The Europe 2020 Strategy is currently undergoing a mid-term review, which includes an evaluation of the European Semester. A public consultation conducted by the European Commission closed on 31 October 2014. As part of this review process, a wide range of reports, opinions, and recommendations have been submitted by key institutions and stakeholders, including the EU Employment and Social Protection Committees (EMCO-SPC 2014), civil society organizations (EU Semester Alliance 2014; Social Platform 2014; EAPN 2014a, 2014b), and the Committee of the Regions (CoR 2014). The European Commission itself has already outlined in its *Annual Growth Survey 2015* some preliminary proposals for 'streamlining and reinforcing the European Semester' in order 'to make it more effective and increase ownership' (European Commission 2014d: 16-20).

The policy recommendations below build directly on the evidence and analysis presented in this report, while seeking to exploit as far as possible the common ground among European social actors which has emerged from the mid-term review. Their goal is to reinforce the ongoing developments identified within this report towards making the European Semester more socially balanced, more contextually sensitive, and more learning-orientated, while at the same time enhancing its public acceptance and democratic legitimacy. Three 'P's are crucial to achieving these aims: parity, process, and participation.

7.1 Parity

There is wide agreement among EU social actors, including DG EMPL and the EPSCO Council, that a better balance is needed between the Union's social, economic, and financial objectives. To this end, the European Semester should be refocused on the delivery of the Europe 2020 objectives of smart, sustainable, and inclusive growth, as well as the social, education, and employment targets, which should be given equal weight alongside fiscal sustainability and the correction of macroeconomic imbalances. The Commission should accordingly adopt an integrated and holistic perspective on national reforms in its draft Country-Specific Recommendations, Staff Working Documents, and In-Depth Reviews, incorporating a social impact assessment, as proposed by President Juncker for all future EU Economic Adjustment Programmes (Juncker 2014: 7-8). It is likewise crucial to ensure parity for EU social and employment policy actors (committees, Council formations, Commission DGs) in the governance of the European Semester. The same is no less true for social and employment policy indicators: the

'Social Scoreboard' should play a more prominent role in the European Semester as an 'early warning system' for excessive social imbalances, as originally proposed by EPSCO labour and social affairs ministers.

7.2 Process

Process improvements are central to more effective and legitimate governance of the European Semester. To this end, the EU should institutionalize the revised procedural framework for the European Semester introduced over the past two years, based on a clearer and more balanced allocation of responsibilities and greater cooperation between the economic, social, and employment committees advising the EPSCO and ECOFIN Councils. The allocation of roles between these committees should be based on their substantive expertise and competences, rather than procedural formalities (such as whether an issue is addressed in the Macroeconomic Imbalances Procedure). Overlapping policy issues (such as pensions, health and long-term care) should be jointly reviewed, with decisions based on evidence and argument rather than appeals to hierarchical authority. Multilateral surveillance of the National Reform Programmes and CSRs should be orientated towards promoting mutual learning, not just compliance enforcement, and should be linked to *ex ante* peer reviews of proposed reforms, as is already occurring within the SPC and EMCO. The CSRs themselves should leave sufficient space for Member States to find their own ways of meeting reform challenges, while providing operationally useful guidance in helping them to do so, supported by EU mutual learning and peer review programmes, as well as the structural funds.

7.3 Participation

Wider stakeholder participation is essential to enhance the democratic legitimacy of the European Semester, as well as 'to ensure broader social acceptance of reforms', as both the EPSCO Council and the Commission have observed (EPSCO 2013: 8; European Commission 2014d: 16; cf. Juncker 2014: 9-10). Such participation should include civil society organizations at both EU and national levels, as well as social partners and parliaments. At national level, the Commission and the Council should provide stronger guidance to Member States about stakeholder participation in the drafting and implementation of the NRPs, as promised in the action programme of the European Platform Against Poverty, but never implemented (European Commission 2013f: initiative 49). The Commission should likewise exploit the European Social Fund requirements for the preparation of national poverty reduction strategies to encourage stakeholder engagement. Both the Commission and the Council should take the lead in opening up opportunities for civil society participation at EU level in each phase of the European

Semester cycle, from priority setting (AGS) to multilateral review of national reform implementation and future plans (NRPs, CSRs) to the adoption of new recommendations (CSRs). Involvement of non-governmental stakeholders with direct experience of policy implementation and delivery can make a distinctive contribution not only to the social legitimacy, but also to the epistemic quality of the European Semester as a deliberative, evidence-based process, as can be seen from the 'shadow reviews' of NRPs and CSRs produced by EU civil society networks such as EAPN and the Semester Alliance. Like the other process improvements recommended above, wider stakeholder participation in the European Semester requires a more realistic and less rushed timetable for deliberation and revision of key texts at both EU and national level. It is therefore welcome news that the Commission is proposing to accelerate the publication of its country-specific analysis to 'allow more time to examine and discuss EU guidance', as well as 'greater transparency and possible feedback' from both Member States and non-governmental stakeholders (European Commission 2014d: 18-20).

One promising vehicle for enhancing civil society participation in the European Semester would be to repurpose the European Platform Against Poverty, whose added value during the first four years of the Europe 2020 has been widely questioned, including by the Commission itself. To integrate the EPAP into the European Semester, the Platform should be tasked with following up, monitoring, and reviewing progress on the social dimension of Europe 2020, at both national and EU levels. At Member State level, national platforms should be created to support stakeholder input into the NRPs through a structured consultation process. The EPAP should also contribute to EU multilateral surveillance and peer review of NRPs and CSR implementation, by engaging with the EU Employment and Social Protection Committees as well as the Commission itself. Finally, the annual EPAP Convention should be transformed into the capstone of the European Semester cycle, serving as a forum for stocktaking and reporting, exchanging good practices, identifying promising approaches to common problems, and debating on ways forward, thereby helping to set the Union's priorities for the coming year.[28]

[28] For a fuller discussion of possible scenarios for the future of the EPAP, see Sabato and Vanhercke (2014: 16-20).

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Sammanfattning på svenska

Sedan eurokrisens början 2009-2010 har EU introducerat en rad långtgående förändringar vad gäller det institutionella ramverket för ekonomisk och social styrning. I centrum för denna nya konstruktion finns den europeiska planeringsterminen där EU-kommissionen, ministerrådet och Europeiska rådet lägger fast prioriteringarna för unionen i den årliga tillväxtöversikten, går igenom de nationella reformprogrammen och ger länderspecifika rekommendationer till medlemsländerna, i en del fall förstärkta med möjligheten till finansiella sanktioner. Den europeiska planeringsterminen sammanför – inom ramen för en årlig samordningscykel – en rad styrmedel med olika rättslig grund och sanktionsbefogenheter. Styrmedlen omfattar allt ifrån stabilitets- och tillväxtpakten, förfarandet vid makroekonomiska obalanser och finanspakten till Europa 2020-strategin och de integrerade riktlinjerna för medlemsstaternas ekonomiska politik och sysselsättningspolitik. Den processen har i sin tur gett EU-institutionerna en mer synlig och ingripande roll än tidigare när det gäller att granska de enskilda medlemsstaternas finanspolitik och ge vägledning. Ett arbete som i första hand, men absolut inte enbart, omfattar länderna i eurozonen.

I den här rapporten granskas hur EU:s sociala mål och samordning har integrerats i Europa 2020-strategin och den europeiska planeringsterminen. Baserat på omfattande analys av såväl publicerade som opublicerade dokument samt en rad intervjuer med högt uppsatta beslutsfattare hävdas i rapporten att den europeiska planeringsterminen sedan 2011 har genomgått en ökad ”socialisering”. Bland annat genom starkare betoning av sociala mål i EU:s prioriteringar och länderspecifika rekommendationer, en ökad förekomst av social granskning, kontroll som involverar flera parter och användning av sakutlåtanden samt en förstärkt roll för framför allt arbetsmarknadens parter – i synnerhet expertorgan som EU:s sysselsättningskommitté (EMCO) och Kommittén för socialt skydd (SPC). I rapporten tolkas den utvecklingen inte bara som ett svar från kommissionen och andra EU-institutioner på de europeiska medborgarnas uttalade missnöje med konsekvenserna av de åtstramningsåtgärder som har följt i krisens spår, utan också som ett resultat av att de sociala aktörerna och arbetsmarknadens parter har anpassat sig till de nya institutionella villkor som den europeiska planeringsterminen har medfört. Således en annan form av ”socialisering”.

Rapporten utmynnar i en rad rekommendationer som bygger på framlagda belägg och analyser samtidigt som den tar fasta på det samförstånd mellan

de sociala aktörerna som har uppstått som ett resultat av den pågående halvtidsöversynen av såväl Europa 2020-strategin som den europeiska planeringsterminen. Syftet med rekommendationerna är att förstärka det som i rapporten har identifierats som sådant som utvecklar den europeiska planeringsterminen i mer social riktning, gör den mer innehållsligt sammanhängande och mer kunskapsorienterad samt förstärker dess förankring hos allmänheten och ökar dess demokratiska legitimitet. Tre saker är nödvändiga för att uppnå de målen: acceptans, process och deltagande. Det finns ett brett samförstånd bland EU:s sociala aktörer om att det behövs bättre balans mellan unionens sociala, ekonomiska och finansiella målsättningar för att åstadkomma ett mer effektivt och legitimt styre av den europeiska planeringsterminen. Ett bredare deltagande av viktiga intressenter, inklusive civilsamhällets organisationer och sociala parter och parlament på såväl EU- som nationell nivå, är avgörande för att öka den demokratiska legitimiteten för EU:s socioekonomiska samordning och för att säkra ett bredare allmänt stöd för reformer inom de nationella sysselsättnings- och välfärdssystemen. För att röra sig i riktning mot de målen föreslås därför i rapporten ett antal institutionella förändringar när det gäller styrningen av den europeiska planeringsterminen. Till de förändringarna hör att återanvända och omvandla Europeiska plattformen mot fattigdom och social utestängning – ett av sju särskilda initiativ inom ramen för Europa 2020-strategin – till ett redskap för civilsamhällets deltagande i EU:s socioekonomiska samordning.

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