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Research Article

The Participation of Slovenian Civil Society Organisations in EU Policymaking: Explaining their Different Routes

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Abstract

While discussing the inclusion of civil society organisations (CSOs) in EU policymaking, academic research has chiefly focused on EU-level umbrella CSOs and activities organised at the EU level. In this article, we show that the activities of national CSOs involved in EU politics are also relevant when it comes to EU policymaking. Some scholars note that national CSOs may use different routes to advocate their interests in EU policymaking. In this article, we take an empirical approach and examine the routes to which Slovenian CSOs are turning their attention and activities on EU issues during the policy formulation and policy implementation stages. The Europeanization process has transformed national CSOs to make them become involved in EU policymaking in different ways. The results show that, despite CSOs being characterised as weak in Central and Eastern Europe and as only rarely contacting EU institutions directly, they participate in EU policymaking by engaging in other ways: either through membership in EU-level umbrella CSOs or by becoming more active at the national level by directing their activities to national decision-makers. Some differences can also be observed among the policy fields under study.

Keywords

Civil society organisations; Europeanization; EU policymaking; Slovenia

Membership in the European Union (EU) means that national governments no longer hold a monopoly on policymaking. At the same time, national civil society organisations (CSOs) are given the opportunity to participate in EU policymaking as new access points to decision-makers become available (Beyers 2002). EU institutions and policies create additional opportunities for national CSOs to influence policymaking. In fact, national CSOs can now follow a 'dual strategy' and promote their interests in relation to national and EU institutions (Eising 2008; Kohler-Koch 1997). EU policymaking is not only influenced by EU-level umbrella CSOs and CSOs with headquarters in Brussels, but the EU-related activities of national CSOs are also becoming equally relevant in EU politics. Not all national CSOs manage to become present in Brussels. Although not every national CSO decides to take advantage of all the new access points opened up by the EU decision-making arena (Beyers & Kerremans 2007), especially the opportunities for multi-venue shopping (Binderkrantz & Rasmussen 2015), they may also participate in EU policymaking by remaining predominantly active at the national level. After all, the population of CSOs active in EU policymaking exceeds the population of CSOs active in Brussels (Hafner-Fink, Novak, Fink-Hafner, Eising et al. 2016; Binderkrantz & Rasmussen 2015). Although lobbying in Brussels is the most direct way of influencing EU policies, many national CSOs prefer to contact national policymakers in charge of EU policies. The EU not only affects professionalised CSOs that lobby in Brussels, but has also contributed to transforming national CSOs in a variety of ways (Sanchez Salgado 2014: 277). The Europeanization process impacts national CSOs through EU opportunity structures such as access opportunities, protest and funding opportunities (Sanchez Salgado & Demidov 2018). CSO activities have been transformed by involvement in EU policymaking in the direction of lobbying national actors and institutions or by active participation in EU-level umbrella CSOs. EU-level activity or membership in EU-level umbrella CSOs may also be used at the national level to influence the processes of transposing and implementing EU policies (Beyers 2002; Beyers & Kerremans 2007) or, in general, when pursuing interests in national policymaking (Fink-Hafner 2007: 33). CSOs' inclusion in EU-level policymaking differs greatly by member state for the following reasons: the varying distances from Brussels, economic resources, population size, and national political structures (Hafner-Fink et al. 2016;

Wessels 2004; Wonka, Baumgartner, Mahoney & Berkhout 2010). Strategies used by national CSOs to influence EU public policies therefore do not depend solely on the EU environment, but largely on national institutional factors and CSO access to national policymakers (Beyers 2002).

This article discusses the inclusion of national CSOs in EU policymaking beyond lobbying in Brussels. While some scholars have already predicted different ways for national CSOs to participate in EU policymaking (e.g. Balme & Chabanet 2008; Beyers 2002; Ruzza & Bozzini 2008; Wessels 2004), in this article we fill a gap concerning top-down Europeanization – by taking an empirical approach and showing that the EU integration process has transformed national CSOs to make them become involved in EU policymaking in different ways. The data are drawn from a survey on the inclusion of 23 Slovenian CSOs in the formation of national positions and in the transposition and implementation of EU legislation in three policy areas: environment & energy, finance & economy and rights. Slovenia provides an interesting case since it is one of the newer member states with a socialist past and a neo-corporatist system. CSOs from Central and Eastern Europe traditionally use fewer EU funding and access opportunities and are under-represented in Brussels (Wonka et al. 2010) compared to those in older member states. At the same time, CSOs are traditionally perceived as weak with low levels of membership and participation (Howard 2003). On the other hand, national CSOs from neo-corporatist systems are less motivated to contact EU-level authorities (Beyers & Keremans 2012). Despite indicators suggesting Slovenian CSOs are less included in EU policymaking, the ‘transactional activism’ of CSOs from Central and Eastern Europe is more robust than individual-level participation, challenging the claim of a weakness in civil society (Petrova & Tarrow 2007). In addition, the support of foreign CSOs that would, in fact, have hindered the development of national CSOs (Petrova 2007; McMahon 2001) has almost been absent in Slovenia.

Civil society in Slovenia – as was the case with Western civil societies – has been built from the bottom up, and was quite lively already before the 1980s. Today, the number of CSOs in Slovenia is one of the highest per capita in Europe (Črnak-Meglič & Rakar 2009; Meyer, Moder, Neumayr, Traxler et al. 2017) and networking with EU-level umbrella CSOs has helped strengthen the visibility and influence of national CSOs in the policymaking process ever since the mid-1990s (Fink-Hafner 1998). While most statistics show the Slovenian civil society sector is vibrant, the inclusion of CSOs in decision-making processes in practice, at either the national or EU level, is unclear. Previous studies have found little evidence of Slovenian CSOs having direct access to EU institutions (e.g. Hafner-Fink et al. 2016; Mihelič 2016).

In this article, we focus on other ways Slovenian CSOs can become involved in EU policymaking and implementation and show that Slovenian CSOs participate in EU policies in multiple ways. Our *main research question* is thus: how has the EU affected Slovenian CSOs’ participation in the EU policy process at different levels across policy fields and stages of the policy process? To answer this research question, we apply a Europeanization analytical framework and focus on different opportunities available for Slovenian CSOs’ participation in EU policymaking, such as a direct route by lobbying EU institutions; an indirect route by participating in EU-level umbrella CSOs; and a national route by influencing national-level authorities (Beyers 2002; Ruzza & Bozzini 2008) during the policy formulation and policy implementation phases. Since there may be significant variations between policy sectors, we will observe legislative proposals in three different, highly salient policy fields on the EU agenda between 2008 and 2010: environment & energy; finance & economy; and rights (human rights, patients’ rights and animal rights). Our argument is that, despite Slovenian CSOs rarely being in direct contact with EU institutions, they still remain relevant actors in EU policymaking by using more affordable routes to influence EU policymaking such as contacting national officials and via membership in EU-level umbrella CSOs. Although in this article we focus on conventional strategies of CSOs for inclusion in EU policymaking, CSOs use also other strategies such as mobilisation protest and contentious strategies. Some variations across policy fields are expected.

The article is structured as follows. In the second section, we present the analytical framework for studying the Europeanization effects on national CSOs and the involvement of national civil society in EU policymaking. The third section brings an empirical analysis of Slovenian CSOs' participation in EU policymaking, where we show that Slovenian CSOs are active in EU policymaking despite not actually being present in Brussels. Finally, the fourth section summarises the main findings and explains the inclusion of national CSOs in EU policymaking.

ANALYTICAL FRAMEWORK

Considering that Slovenia is a newer member state and that we are interested in the effects of European integration processes on the transformation of civil society, we apply a top-down Europeanization-effect analytical framework. The concept of Europeanization attracts many different definitions. In their definition of Europeanization, Maurer, Mittag and Wessels (2003: 54) discuss the importance of policy actors. They state that Europeanization is a process in which governmental, parliamentary and civil society actors shift their attention to EU decision-making, an area in which they invest their time and resources. This definition is also useful for our study when we observe the Europeanization effects on CSOs. We understand the Europeanization of CSOs as the increased role of national civil society in EU policymaking and taking on the European dimension instead of the national (Warleigh 2001: 260), as well as the use of EU opportunities for national CSOs (Johansson & Jacobsson 2016). The Europeanization process may transform CSOs' strategies into four different types: 1) internalisation – CSOs are predominantly active at the domestic level; 2) externalisation – CSOs bypass the national level and are active at the EU level; 3) supranationalisation – CSOs join associations at the EU level to influence EU policies; and 4) transnationalisation – CSOs transform into a global actor (Balme & Chabanet 2008). This implies that the Europeanization process sees CSOs tailor their strategies to their involvement in EU policies. CSOs are not only shaped by European policies but also participate in their shaping. Their all-present role in Europeanization processes is thus seen as 'subject, objects and mediators' (Johansson & Jacobsson 2016: 7). They are not simply regulated by rules and legislation but may also receive different opportunities such as funding opportunities through EU programmes and projects, networking opportunities by joining EU-level umbrella CSOs, or by newly opened arenas for advocating their interests (Johansson & Jacobsson 2016: 7–8).

The EU has created bigger opportunities for national CSOs to participate in policymaking. However, not all national organisations take advantage of the EU access points open to them in Brussels. How CSOs participate in EU policymaking is determined not solely by the EU political system but by the role of CSOs in the national context as well (Beyers & Kerremans 2007: 460). The majority of organisations start advocating their interests at the national level and prefer to use the national route. According to the positive persistence hypothesis, CSOs with privileged access at the national level have the opportunity to invest in their network at the EU level and use a direct route to EU decision-makers (Beyers 2002: 608). Therefore, national structural conditions have a considerable impact on EU public policymaking. Yet previous research also shows that some organisations bypass the national level and are active at the EU level (the compensation hypothesis). According to the compensation hypothesis, organisations that are weak in the national context and enjoy limited access to national decision-makers may compensate for their lack of influence at home by actively participating in Brussels (Beyers 2002: 592). Yet while an important share of organisations remains active only at the national level, this does not mean they do not influence EU policymaking.

Accessing the EU level is a demanding task. CSOs need funds, human resources and expert knowledge, which are often in short supply (Dür 2008; Lundberg & Sedelius 2014). This does not refer exclusively to monetary resources but also permanent employees who during their career can

upgrade their knowledge and expertise by participating in different educational opportunities and can use and extend networks they have established. Expert knowledge can be generated by different studies and surveys CSOs may conduct in order to obtain relevant knowledge and expertise, which are later exchanged for access to policy-makers.

EU public policymaking is quite complex in terms of skills and knowledge and requires these organisations to make an impact in the competitive environment at the EU level (Beyers & Kerremans 2007: 462). CSOs may thus prefer to use less demanding ways to participate in EU policymaking, either by taking an indirect route to EU policies through membership in EU-level organisations where the costs are shared with other members, or by influencing national decision-makers (national route). After all, even though national governments no longer have a monopoly on policymaking, they still play a decisive role (Beyers 2002: 591) and have an active role during the policy negotiation stage as part of the Council of the EU.

The EU may be an attractive policymaking venue for a wide range of actors and issues, but this depends on what the actor wants to achieve and whether the EU can help in achieving that objective. The particular CSOs and other stakeholders engaging in a policy process vary with the type of policy at stake. In the EU, the policy in question also influences the level of governance at which authority lies and which decision rules apply at the EU level (Young 2010: 50). Political actors may also have different motives for moving what are essentially domestic issues up to the EU decision-making level. Princen (2009: 28–29) discerns three such motives: circumventing domestic constraints, providing a ‘level playing field’ and missionary zeal. Whether the EU is the most attractive venue for a specific policy actor also depends on the institutional opportunities available at the EU level (Princen 2009: 30–31).

However, although an actor may want to place an issue high on the EU agenda, this does not mean it will be successful. Determining what to decide is crucial and constitutes the first part of the policymaking process (Young 2010: 52). This usually requires two steps: 1) policy initiation, the agenda-setting process; and 2) policy formulation, the process of writing the policy proposal.¹ Policy initiation indicates the ‘institutional setting’ responsible for the initial thinking that new rules, regulations or directives need to be pursued (Chari & Kritzinger 2006: 6). Policy initiation in the EU is frequently linked to agenda-setting in domestic politics and its three concepts: conflict expansion, issue framing, and institutional opportunities and constraints (see Princen 2009: 31–35). It includes a significant number of policy entrepreneurs – politicians, bureaucrats, members of civil society and others – identifying and exploiting opportunities to push for a policy and framing it in a way that resounds politically. Although the Council or the European Parliament can ask the European Commission to advance a policy initiative, the European Commission is the pre-eminent policy entrepreneur in the EU and actively frames policy proposals to construct political support (Young 2010: 52–53). Before policy decisions can be made, the range of alternatives must be narrowed.

The policy formulation stage is marked by consultation procedures and the use of expertise. As in the policy initiation stage, the European Commission is also the central actor in policy formulation. This gives the European Commission a significant say in many EU policies, even if its role in decision-making is limited (Hix 2005; Wallace, Pollack & Young 2010). During the policy negotiation stage, the European Parliament and the Council of the EU take over the role of decision-maker in the ordinary legislative procedure. CSOs’ representatives may approach members of the European Parliament based on ideological, geographical and sectoral cleavages, either the party group of which they are a member, the country they come from or the committee membership. They may even take advantage of petitions at the European Parliament and file a complaint over the implementation of EU policies.

Since the decision-making role is shared with the Council, the CSOs may contact ministers or officials from Permanent Representations in Brussels. CSOs that decide to take the national route may

contact the national officials responsible for preparing national positions negotiated at Council meetings (Lajh & Novak 2015). However, according to the legislative arrangement of the coordination of EU affairs in Slovenia (Lajh & Novak 2016), Slovenian civil society actors are excluded from the formal process of forming national positions on EU legislative proposals. The current legislation defining relations between the executive and the national parliament as well as the existing internal governmental acts defining the coordination of EU affairs does not assign any role to civil society actors. Hence, CSOs require a proactive approach, employing different strategies for influencing decision-makers at either the bureaucratic or political level (Lajh & Novak 2016). CSOs unsuccessful at the stages of policy formulation and policy negotiations can still pursue their interests by being active during the transposition of European legislation or in the policy implementation phase. Unlike EU regulations, EU directives take the differences in member states' legal and administrative systems into account and leave them at least some space to transfer the legislation in line with their interests (Craig & de Burca 2008).

METHOD AND DATA

To answer our research question, we use data gathered within the framework of two surveys:

1. The INTEREURO survey (Beyers, Chaqués Bonafont, Dür, Eising et al. 2014a; Intereuro 2014): Based on a sample of the 20 most salient EU legislative proposals on the EU agenda between 2008 and 2010 (Beyers, Dür, Marshall & Wonka 2014b), we selected the most salient EU legislative proposals according to their mass media prominence. We decided on policy-centred sampling and to include the most salient issues to ensure that lobbying would take place (Beyers et al. 2014b). If we had used a simple random sample of EU-level legislation, this might have resulted in a highly technical proposal that could mean the mobilisation of fewer or no CSOs. After all, many pieces of EU legislation are very technical and not of much interest to the public. Although our study focuses on the case of Slovenia, the measure of saliency was not based on Slovenian national media sources because EU topics, in particular issues relating to EU legislative proposals, are not sufficiently covered by Slovenian national sources. For this reason, we selected proposals covered by at least one European source (Agence Europe or European Voice), and by at least two national sources (Frankfurter Allgemeine Zeitung, Le Monde or the Financial Times)². After the sampling, we crosschecked the presence of selected EU legislative proposals in the Slovenian national daily newspapers Delo and Dnevnik.³ 19 of 20 legislative proposals were mentioned in at least one of these newspapers, showing these issues were also salient in Slovenia. The most salient proposals cover three policy sectors: (1) energy & the environment; (2) finance & economy; and (3) rights.⁴ Depending on the EU legislative proposals selected, we conducted 23 face-to-face structured interviews⁵ involving a combination of closed questions, open-ended questions and recorded comments of respondents within national CSOs⁶ recognised by national officials as being active in relation to these directives and 35 interviews with national policy officials responsible for these proposed directives. All interviews were conducted by one interviewer. The interviews were conducted between July 2013 and July 2014.

2. Formation of Policy Networks and Lobbying in Slovenia (Fink-Hafner, Lajh, Hafner-Fink, Kustec Lipicer et al. 2012), where standardised interviews with representatives of 97 selected Slovenian CSOs⁷ were conducted on their activities and organisational maintenance in general (not limited to the 20 selected proposed directives).

The data obtained from the surveys were supported by analyses of three stakeholder meetings with representatives of legislative authorities, ministries and Slovenian CSOs conducted in 2013 and 2015 in Ljubljana.

In line with our research question, we analysed the different routes national CSOs may take to participate in the EU policy formulation and implementation stages. We operationalised each route using interview questions posed to 23 CSOs from the INTEREURO survey (Beyers et al. 2014a). Those routes and questions are:

- **Direct route operationalised by direct contacts with EU institutions** during policy formulation (how regularly have you provided information to the European Parliament, the European Commission, and the Council of the European Union?). We understand the direct route similarly to Beyers's (2002) definition of the direct route as advocating interests in EU policymaking via contacts with EU institutions. Although the specific structure of the Council of the European Union means national ministers are members who can also be targeted at the national level, we understand contacts with the Council as a direct route since the national minister represents only a small segment of this institution. At the same time working groups and COREPER where officials from Permanent representations are represented are located and active in Brussels.
- **Indirect route operationalised by participation in EU policymaking through membership in EU-level umbrella CSOs** during policy formulation (are you a member of at least one EU-level group that has sought to influence the outcome of a legislative proposal? During the time when the proposal has been/was debated and passed, has your organisation been represented (at least for some time) on the executive board of the EU-level group, the policy committees of the EU-level group that have dealt with this Directive proposal, any delegation that presented the position of the EU-level group on this proposal to the EU institutions? When your organisation formed its position on that proposal, to what extent did you adopt the position of the EU-level group that was most important to the representation of your interests at the EU level on these issues? During the time the proposal was being debated and passed, was your organisation represented on (at least for some time) an executive board, policy committee or delegation?). We understand the indirect route similarly to Beyers's (2002) definition of it as advocacy in EU policymaking through EU-level umbrella CSOs.
- **National route operationalised by resources used at the national level during the policy formulation and policy implementation stages** (If you consider all the resources that your organisation spent on getting its message across on this proposal, roughly what percentage was spent on policy formulation and what on policy implementation at the national level, at the EU level, and outside the EU?). Resources are understood very broadly, ranging from monetary resources to human resources as well as knowledge and expertise. We understand the national route similarly to Ruzza and Bozzini's (2008) definition of it as CSOs' influence on EU policymaking by being active at the national level.

We perform simple descriptive analysis to present an overview regarding Slovenian CSOs' inclusion in EU policymaking and implementation and combine it with in-depth interviews to explain the findings. Three policy fields are compared.

PARTICIPATION OF NATIONAL CSOS IN EU POLICY FORMULATION AND IMPLEMENTATION

Direct Route

As expected and shown by previous research (Hafner-Fink et al. 2016), Slovenian CSOs rarely employ a direct route in EU policy formulation in comparison to their counterparts in Germany and Great Britain and even in the Netherlands and Sweden (see Hafner-Fink et al. 2016). What we noticed is that, when they do use such a route, they contact Slovenian representatives working for EU institutions. EU institutions are relatively distant from Slovenia, and air tickets from Ljubljana to Brussels are quite expensive, while establishing contacts with EU-level officials requires knowledge of the functioning of relevant institutions and of foreign languages. These were identified as important obstacles (stakeholder meeting 2015a). When all of these obstacles are considered, it is no surprise that direct contacts with EU institutions in the Slovenian case are quite rare. As many as 15 of the organisations interviewed (more than two-thirds) had never approached any EU institution (Beyers et al. 2014a). The most active are organisations from the environment & energy policy field (see Table 1). Namely, one organisation from this policy field had approached six contacts at the EU level even if only rarely, one organisation had approached five contacts, one organisation had approached four contacts, two organisations had approached three contacts and two organisations had approached two contacts at the EU level, at least rarely. In addition, one organisation from the policy field of rights had approached three contacts at the EU level, at least rarely. Four organisations from the policy field of finances & economy had never approached any institution at the EU level regarding the 20 analysed legislative proposals. Slovenian CSOs have little contact with EU officials since most contacts seem to be directed toward individual MEPs (five organisations, see Table 1) and national officials in specialised working groups of the Council. In both cases, organisations approach national contacts (Slovenian MEPs and Slovenian ministers in the Council), who function as a bridge to EU institutions (Beyers et al. 2014a).

Table 1: Provision of information to officials at EU institutions by policy sector

	Frequency	Rarely	Sometimes	Frequently	Very frequently
Policy sector					
Environment & energy		11	5	1	/
Finance & economy		/	/	/	/
Rights		2	5	1	/

Source: Interviews with 23 CSOs, Intereuro; Beyers et al. 2014a.

Further, when we compare these figures with an analysis of 97 interest groups (Fink-Hafner et al. 2012), contacts with EU-level institutions are similarly rare. The low levels of lobbying EU-level institutions can be related to a lack of knowledge about the EU and its institutional framework. In the words of one CSO representative: 'I found the questions about political structure at the EU level hard. I did not know some actors. I did not even know they existed, with the exception of the Commissioner from Slovenia' (interview 6, 2013). Another common reason for the low levels of direct EU lobbying is the lack of staff and resources. CSOs are forced to prioritise and, although inclusion in EU policymaking may take place, this only occurs through national access points:

There was one directive ... where we had a very big interest, and it was very important for us; thus, we targeted all levels. ... When a proposal is really in our interest, we monitor the whole process and use all possible channels (interview 41, 2014).

Despite the low levels of contacts between CSOs and EU institutions, this does not mean that Slovenian CSOs are not included in EU policymaking. We will also analyse the remaining two routes (indirect and national) to demonstrate that Europeanization has an effect on the activities of CSOs.

Table 2: Provision of information to officials at EU institutions

	Frequency	Rarely	Sometimes	Frequently	Very frequently
Information provided to					
Rapporteur of the EP Committee in charge of proposal	2	/	/	1	/
Shadow-rapporteur of the EP	2	/	/	/	/
Individual MEPs	2	3	/	/	/
Alliance of Liberals and Democrats for Europe (ALDE)	1	/	/	/	/
Greens European Free Alliance (Greens-EFA)	/	1	/	/	/
European Commission's DG	1	1	/	/	/
Commissioner and/or their Cabinet	/	3	/	/	/
National officials in specialised working groups of the Council	2	1	1	1	/
Ministers, the ministerial level of the Council of the EU	1	1	/	/	/
Presidency of the Council of the EU	/	/	/	1	/
European Economic and Social Committee	1	/	/	/	/
Committee of Regions	1	/	/	/	/
European regulatory agencies	1	/	/	/	/

Source: Interviews with 23 CSOs, Intereuro; Beyers et al. 2014a.

Indirect Route

Using a direct route to EU-level lobbying is not the only way national CSOs can participate in the EU policymaking process during the policy formulation stage. When advocating their interests in EU policymaking, Slovenian CSOs more often rely on an indirect route and work through EU-level umbrella CSOs. Their membership in EU umbrella CSOs may represent a more feasible option for advocating their interests in Brussels since resources, knowledge and expertise are shared in this way. Moreover, contact with representatives of the European Parliament and the European Commission may happen through EU-level umbrella CSOs. This was demonstrated in one interview in the area of environment & energy: 'Through the EU umbrella organisation, we have meetings twice a year. Based on them, we prepare some decisions and communicate about the politics in Brussels' (interview 7, 2013). Members of EU-level CSOs may even divide up their lobbying activities, especially when trying to influence decisions of the Council of the EU. Each national CSO can contact national representatives in the Council while the umbrella organisation may be in charge of approaching the officials in Brussels. A survey of 97 selected CSOs (Fink-Hafner et al. 2012) revealed that 76.3 per cent

of the CSOs are members of international or EU-level organisations, and 49.48 per cent of them obtain support from EU-level CSOs or CSOs from EU member states. This support mostly takes the form of knowledge, information and expertise (Fink-Hafner, Hafner-Fink & Novak 2015). CSOs also rely on EU umbrella CSOs when trying to influence EU-level policymaking – not just because solo activity at the EU level may be too demanding, but also because national institutions may be too closed for CSOs (stakeholder meeting 2015a). Therefore, they also use an indirect way to bypass national institutions and compensate for their lack of influence at the national level, which is in line with the compensation hypothesis (Beyers 2002: 592). In our case, more than half the organisations network with EU-level CSOs when participating in EU-level policy outcomes.

Table 3: Membership in EU-level umbrella CSOs

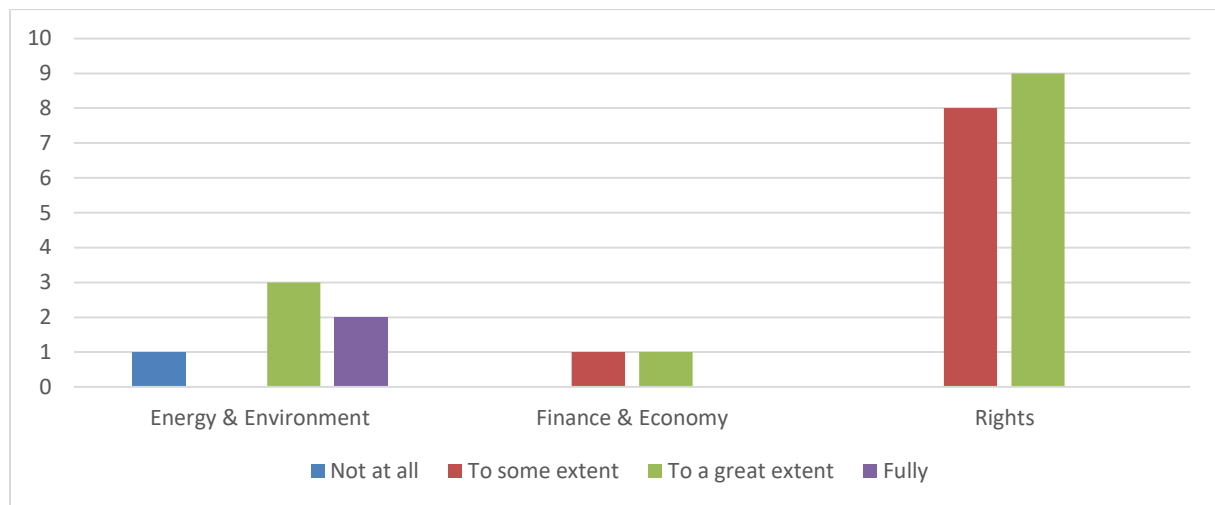
	Not a member	Member of EU level CSOs
Environment & energy	5	7
Finance & economy	1	3
Rights	1	6
Total	7	16

Source: Interviews with 23 CSOs, Intereuro; Beyers et al. 2014a.

EU legislative processes are often characterised by several lines of conflict around specific issues in the same legislative proposal. For example, in the case of a Proposal for a Directive of the European Parliament and of the Council on the energy performance of buildings (recast) (European Commission 2008), the following conflicting issues were identified: issue 1: competence of the EU in legislating building requirements (EU legislation vs. national rights – subsidiarity issues); issue 2: inclusiveness of the proposal (only technical requirements vs. technical and financial requirements); and issue 3: ‘level of ambition’ (how much should the directive intervene in the energy performance of buildings?) (Beyers et al. 2014a).

In order to advocate their interests relative to individual conflicting issues, national CSOs formed their positions. When there was general agreement on an issue, Slovenian CSOs did not form a special position on the issues (Beyers et al. 2014a). Although this is not always the case, EU umbrella CSOs often influence the position taken by Slovenian CSOs. Slovenian CSOs assume the positions of EU umbrella CSOs regarding particular issues relating to each legislative proposal for the following reasons: in some cases, national CSOs adopt the position because they have a staff shortage, in other cases the process of forming the position of the EU umbrella CSO is a joint effort of all national members, or national CSOs adopt the position of EU umbrella CSOs because they share goals. National CSOs sometimes do not completely adopt the EU umbrella CSO’s position because they adapt it to some national circumstances or their own interests. CSOs that relied on EU umbrella CSOs when influencing legislative proposals adopted the positions of EU umbrella organisations to some extent in 10 cases, to a great extent in 15 cases, fully in two cases and not at all in one case. CSOs in the area of rights formed a position on most issues, and, at least to some extent, adopted it from EU-level umbrella CSOs (Beyers et al. 2014a). Membership in EU-level umbrella CSOs may also mean inclusion at the policy initiation stage because the European Commission might consult relevant stakeholders before preparing legislative proposals. Inclusion at this stage of policy initiation may be advantageous in relation to other CSOs because, at this stage, an actor can have the greatest influence on legislative outcomes (interview 14, 2013).

Figure 1: National CSOs' adoption of EU-level organisations' position on individual issues



Source: Interviews with 23 CSOs, Intereuro; Beyers et al. 2014a.

EU-level umbrella CSOs along with actors from the national government have been the most important information sources for CSOs. Slovenian CSOs rely on EU umbrella CSOs to supply information because they do not receive much information from national institutions: 'For us, the most important source of information has been the EU-level umbrella CSO. All other information we have received has been from the national agency and ministry, but this is very little information' (interview 31, 2014).

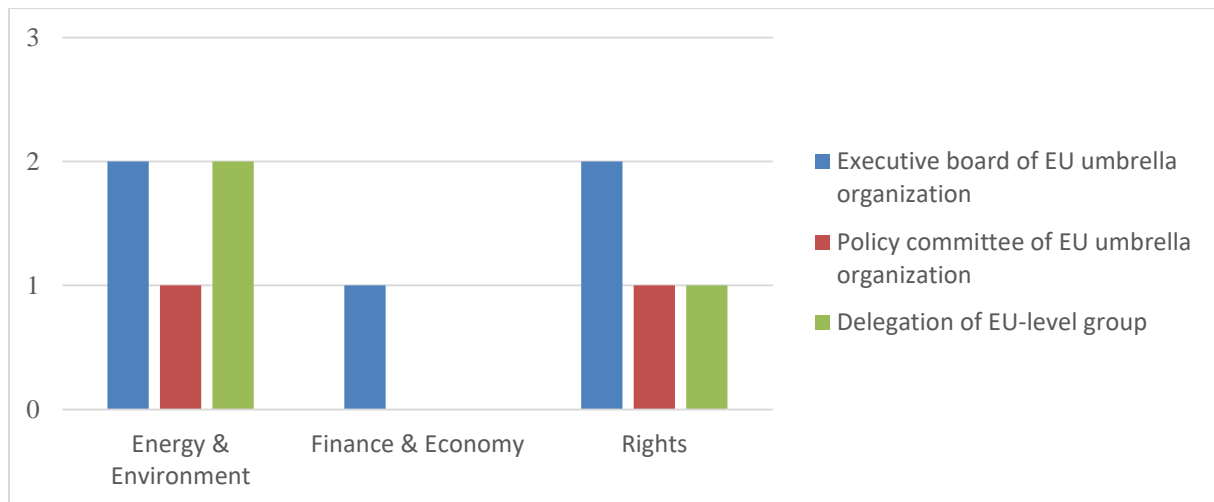
Some Slovenian CSOs, although they share efforts with other national CSOs as members of EU umbrella CSOs, are fairly active in this set-up since they are represented on executive boards, policy committees or delegations of EU umbrella organisations and are thereby more strongly involved in the activities of EU umbrella CSOs. Five Slovenian CSOs were members of executive boards, two organisations of policy committees, and three of delegations when advocating an EU legislative outcome (Beyers et al. 2014a). The active role of national CSOs in EU umbrella CSOs is important especially in respect of representation. National or even local CSOs are the ones that have direct contacts with their members, while the interest of the constituency in EU policymaking can be lost through layers of organisations and a longer chain of delegation (Kohler-Koch 2010: 111). When national CSOs take active part in umbrella CSOs it is more likely that the interest of members will not be filtered once the lobbying is taken over by the umbrella organisation. However, the level of activity of a national CSO depends on its resources and the level of its professionalisation:

Some members are very passive and do not respond to questions about the organisation's activity. For some phases, this is characteristic of us. After all, we are only amateurs in this field, not professionals. That is to say that we work for our organisation in the afternoon, which poses a difficulty in terms of traveling. Meetings are organised in Brussels, and we have a limited budget allowing three or four meetings a year. If you were not at the meeting, you were not able to express your interests. Organisations with bigger budgets are more effective in expressing their interests (interview 7, 2013).

In addition:

Our organisation's handicap is that we were not as active in the umbrella organisation. We were a member but, due to a staff shortage and lack of finances and other skills, we did not have an opportunity to act as intensively and as well (interview 33, 2014).

Figure 2: Representation in EU-level organisations when influencing an EU legislative proposal



Source: Interviews with 23 CSOs, Intereuro; Beyers et al. 2014a.

NATIONAL ROUTE

Although we can observe that networking and participation in EU policymaking through EU-level CSOs is quite present among Slovenian CSOs, Slovenian CSOs mainly employ the national route. This is evident from the resources spent at the national level in comparison to those spent at the EU level during the policy formulation and policy implementation stages. Slovenian CSOs are also more engaged at the stage of forming national positions on EU legislative proposals, and the implementation and transposition stages than in the drafting of an EU legislative proposal itself. All the policy stages mentioned are to a greater extent connected with national institutions. Although Slovenia's normative arrangement does not foresee the inclusion of CSOs in forming national positions on a proposal by the European Commission, national officials may decide and consult with civil society (Lajh & Novak 2016) or CSOs may proactively approach national officials and communicate their message. Influencing the national official position that is later negotiated at the Council meetings is one way CSOs can contribute to EU policymaking. A legislative proposal goes through several stages of the policy process: from policy initiation and policy formulation to policy implementation. Not all CSOs are active in all stages. According to Graver (2002), some are more active in the process of policy initiation; for others, the most feasible stages of involvement are policy transposition and implementation, the two stages that fall within the responsibility of national and subnational governments, administrations and their agencies:

We always acted in such a way that we would receive the European Commission's legislative proposal from the ministry. In fact, we did not directly influence the content of the directive. This means we did not participate during the process of preparing the directive, but only during its transposition. ... As an association, we deal with a lot of content. Given the amount of legislation that is relevant to us, we simply cannot act in detail during the preparation of a directive (interview 33, 2014).

Interviews with national officials responsible for 20 policy proposals (Beyers et al. 2014a) revealed CSOs' different levels of engagement at various stages of the policy process. The finance & economy area stands out in particular for engaging CSOs at the stage of drafting the national position. Due to the closed circle of civil society actors in the finance & economy area, they are often invited by the ministry to send their feedback on the European Commission's proposal and contribute to the national position. Actors in the field of energy & environment are more active in the transposition and implementation stages (Beyers et al. 2014a). CSOs from the environment & energy area also take on the role of watchdog during the transposition and implementation phases as they turn to and refer to EU legislation when trying to enforce their interests at home (stakeholder meeting 2013). In the area of rights, actors are mostly active at the stages of drafting a national position and of transposition (Beyers et al. 2014a).

Table 4: Engagement of CSOs in different phases of the policy process, as detected by policy officials

	Drafting of the European Commission's proposal	Drafting of the national position	Transposition	Implementation
Energy & environment	19	39	53	64
Finance & economy	6	20	7	3
Rights	6	27	24	17

Source: Interviews with 35 national officials, Intereuro; Beyers et al. 2014a.

CSOs spend most of their resources at the national level (Beyers et al. 2014a). Advocacy activities at the national level demand fewer resources while at the same time EU-level activities can be shared with EU-level umbrella CSOs:

I would say that, at this moment, due to a lack of human resources, we have spent more resources at the national level. We turn to the EU level only when EU-level umbrella CSOs ask us to, if they need our support (interview 41 2014).

However, the proportion of resources spent at the national level vs. the European level is slightly different for the policy formulation stage than for the policy implementation stage. Whereas approximately 70 per cent is spent at the national level in the policy formulation stage, as much as 85 per cent is spent at the national level in the policy implementation stage (Beyers et al. 2014a). This is expected since the implementation stage is more closely bound to the national level, whereas the EU can be present in the monitoring role.

Table 5: Resources for advocating spent in the policy formulation stage, in per cent (mean value)

	National level	European level	Outside EU
Energy & environment	72.73 (N=11)	26.36 (N=11)	0.91 (N=11)
Finance & economy	70.00 (N=4)	30.00 (N=4)	0.00 (N=4)
Rights	77.50 (N=4)	22.50 (N=4)	0.00 (N=4)

Source: Interviews with 23 CSOs, Intereuro; Beyers et al. 2014a.

Table 6: Resources for advocating spent in the policy implementation stage, in per cent (mean value)

	National level	European level	Outside EU
Energy & environment	87.78 (N=9)	11.11 (N=9)	1.11 (N=9)
Finance & economy	90.00 (N=4)	10.00 (N=4)	0.00 (N=4)
Rights	80.00 (N=7)	20.00 (N=7)	0.00 (N=7)

Source: Interviews with 23 CSOs, Intereuro; Beyers et al. 2014a.

When looking at the opportunities used by CSOs in EU policymaking, no large differences among policy fields are seen. Direct contacts with EU institutions and actors are rarely used when influencing legislative proposals. Membership in EU-level CSOs is more frequently used to advocate organisations' interests in EU policymaking. CSOs spend their resources at the national level more than at the EU level. This is more evident at the stage of implementation where the EU can only play a monitoring role than at the stages of policy formulation and formulation of a national position. To enter the EU level and directly advocate a legislative outcome requires a great deal of resources, staff, expertise, knowledge and experience. It thus comes as no surprise that national CSOs remain more active at the national level and try to promote their interests from there because that demands fewer resources or they use an indirect route and advocate their interest via EU-level umbrella CSOs:

This legislative proposal was not a priority for us. My colleagues from Brussels have been active on this proposal as they have more resources and influence. As a small association, we have to make priorities. Anyway, most of our activities are national activities (interview 28, 2014).

CONCLUSION

While previous research on Slovenian CSOs' participation revealed they are chiefly inactive at the EU level (Hafner-Fink et al. 2016; Mihelič 2016), this study shows this does not necessarily mean they are excluded from EU policymaking processes. This article did not analyse the whole population of Slovenian CSOs, but instead focussed on the small portion of CSOs we identified as being active in EU policymaking. Our primary research question considered the effects of the EU integration process on the transformation of Slovenian CSOs. Although we did not find much activity of national CSOs at the EU level in Brussels, we managed to show that Slovenian CSOs contact Slovenian representatives of EU institutions and frequently use an indirect route by participating in EU-level umbrella CSOs and a national route by directing their activities to the national level and towards national decision-makers when participating in EU policymaking. When CSOs decide to approach an EU-level institution, it is usually one that also has a national representative; for example, members of the European Parliament and national officials in the Council's specialised working groups. Inclusion in EU-level umbrella CSOs is more common. Membership in EU-level umbrella CSOs turned out to be significant for national organisations, even before full membership in the EU, because information and knowledge were passed from professionalised organisations to newly established ones (Fink-Hafner et al. 2015; Fink-Hafner 2007). Even today, membership in EU-level umbrella CSOs often means an opportunity to obtain first-hand information, but also an opportunity to be included in EU policymaking despite a lack of resources. Some organisations also adopt the position of EU-level umbrella CSOs and present it as their own interest. Membership in an EU umbrella CSO does not

mean passive inclusion in EU policymaking as a number of Slovenian CSOs are or were represented on the executive board, policy committees or delegations of EU-level umbrella CSOs.

It seems that, although Slovenian CSOs lack the capacity to be permanently present in Brussels, they find different routes to participate in EU policymaking; namely, by contacting institutions containing Slovenian representatives, being active at the stage of formulating the national position, the implementation and transposition stages, directing their activities to the national level and through active membership in EU-level umbrella CSOs. European integration has a clear effect on the transformation of national CSOs in Slovenia (also see Fink-Hafner et al. 2015). Although the majority of CSOs do not become involved in EU-level policymaking and contact EU institutions, they remain a relevant actor in EU policymaking. The European integration process has transformed them predominantly into internalisation and supranationalisation types (Balme & Chabanet 2008): the result is that national CSOs are becoming increasingly involved in EU policymaking and, although they primarily take the national route, this still means a European dimension (Warleigh 2001: 620). CSOs are thus at the same time shaped by European policies and actively participate in their shaping. Although these findings refer to the sample of Slovenia, a similar effect should be visible on national CSOs from other member states.

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ENDNOTES

¹ Here we differentiate between the policy initiation stage and the policy formulation stage in EU policymaking as two stages with different characteristics (see Chari & Kritzinger 2006: 6). Yet in the article we focus on the policy formulation stage, starting with the European Commission's official legislative proposal.

² The media prominence of legislative proposals has been checked in two European sources: *Agence Europe* or *European Voice* and three internationally known national sources, *Frankfurter Allgemeine Zeitung*, *Le Monde* or the *Financial Times*. National, non-English media sources have been important to avoid a sample biased towards the interest of some countries (Beyers et al. 2014a).

³ For the media prominence of legislative proposals in Slovenian media space we checked for a presence in the two most read daily broadsheet national newspapers, *Delo* and *Dnevnik*.

⁴ Twelve interviews with CSOs were conducted for the policy sector of environment & energy, four interviews for the policy sector of finance & economy, and seven interviews for the policy sector of rights. Thirteen interviews with national officials were carried out in the policy sector of environment & energy, eight interviews for the policy sector of finance & economy and fourteen for rights.

⁵ In fact, we conducted 40 interviews with non-state stakeholders. By 'non-state stakeholders', we mean non-state policy advocates, such as interest groups, firms, civil society organisations, regional representations and non-parliamentary parties. Because this definition is too broad for analysing the inclusion of CSOs in EU policymaking, we only considered interviews conducted with CSO representatives. We approached CSOs that in the interviews with national officials on the 20 legislative proposals were identified as being active in the formation of the final versions of legislative proposals.

⁶ We define national CSOs in line with this special issue's proposal as 'actors outside of the public and the market sector that pursue public policy goals and are formally democratically accountable and involve some degree of voluntary participation' (Sanchez Salgado & Demidov 2018). This may include also professional and business associations in the public

interest (ibid). We also take into account the definition of CSOs by Kohler- Koch (2010: 106) where CSOs bring citizens' interests into the formal political decision-making process.

⁷ Face-to-face interviews were conducted among selected CSOs from 11 policy fields (economic, social, housing and agricultural policy, policy on the disabled, environmental protection, health, education, culture, sports policy and policy in the field of marketing/public relations) from March to May 2012. CSOs identified as active in previous research or by consulting experts were invited to participate in the survey (also see Fink-Hafner et al. 2015). This survey data shows us a more general image of CSOs' activities in contrast to the INTEREURO survey data that are limited to 20 EU legislative proposals.

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