

Where are the MEPs from the accession countries?

Rapporteurship assignments in the European Parliament after Enlargement



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This article seeks to identify factors that influence the chances of Members of the European Parliament (MEPs) becoming rapporteurs. More specifically, it attempts to answer the question of how MEPs from the accession countries were integrated into the report allocation process, which is crucial for EU legislative decision-making. Drawing on extended data from the last three legislative terms (1994-2009), the results confirm and challenge existing knowledge. First, the allocation of rapporteurship does not mirror the composition of the full plenary, but points towards strong under-representation of certain national delegations. Most important is the virtual absence of MEPs from the accession countries. Representing 22% of the full plenary, they reported on only 9% of all co-decision procedures concluded in the first legislative term after the 2004 enlargement. This pattern of under-representation is evident even when comparing the figures with first-time MEPs from the longer-standing Member States.

Power of rapporteurs in a changing institutional setting

The *Gebhardt* report on the Services Directive, the *Sacconi* report on REACH (regulation on chemical products), the *Gauzès* report on alternative investment (hedge) funds, the *El Khadraoui* report on the Eurovignette, the *Estrela* report on parental leave, or the *Száyer* report on the power of legislative delegation. These reports are exemplary of two important aspects of EU decision-making: First, introduced in 1993, the so-called co-decision procedure has emerged as the dominant policy-making procedure in Brussels. Especially with Amsterdam (1999), its adjusted procedure extended its applicability considerably. The number of co-decision reports has been multiplied by sixteen between the fourth (1994-1999: 30) and sixth legislative terms (2004-2009: 477). With new policy areas such as agriculture, police and judicial cooperation on criminal matters added by the

Treaty of Lisbon, which came into force on 1st December 2009, the co-decision procedure has also officially been turned into the ordinary legislative procedure of EU policy-making.

The second important aspect relates to the European Parliament (EP), the European co-legislator under the co-decision procedure. With a growing dominance of the co-decision procedure, not only the EP's overall role in EU policy-making is strengthened (Häge and Kaeding, 2007), but especially a distinct and small group of actors within the EP has gained considerable powers. This group is composed of individual Members of the European Parliament (MEPs), who are 'the most powerful of parliamentarians in terms of influencing the content of legislative outcomes' (Benedetto, 2005:85; see also Ringe, 2009), so-called rapporteurs.

Rapporteurs – among the most powerful legislative entrepreneurs in EU policy-making

Rapporteurs are normally to be found in parliamentary committees, where much of the detailed legislative work of the EP is carried out. They are fully responsible for drafting the committee's report and for following the proposal from the beginning to the very end. Rapporteurs monitor the progress of the EP's opinion on a European Commission (Commission) proposal; are among the members expected to table compromise amendments; propose that a vote is postponed based on the legal status of a Commission proposal or on the Commission rejecting amendments tabled in advance of the vote, and, eventually, make recommendations for a vote. In order to carry out this demanding legislative work, rapporteurs have a set of instruments at their disposal.

They are provided with exclusive access to resources unavailable to other MEPs (Kaeding 2005). They enjoy a priority to speak (along with leaders of political groups); may speak more than other members; are the only members allowed to speak during a Plenary vote, to outline their committee's position on amendments; may speak when a proposal or motion is considered without amendment and debate; may be heard under an urgent procedure; and may speak before a procedural motion (Corbett *et al.* 2005: 133). To put it differently, *who* is being selected as rapporteur determines 'the range of political opinions that are represented in the policy positions of the European Parliament' (Hausemer 2006: 512).

Legislative role of rapporteurs correlates with steady growth in use of informal dialogues

In addition to the rapporteurs' increasing formal powers, informal changes to the EU decision-making architecture have further strengthened their legislative weight. Systematically introduced by the stakeholders, so-called informal dialogues have forged more and more early reading agreements over the last years, i.e. 1st reading agreements and so-called 'early second reading deals'.

As table 1 displays, first reading agreements have considerably increased over the last 15 years. Starting from 19% of all dossiers concluded between 1999- 2000, almost three-quarters (75%) of all dossiers between 2004-2009 were adopted in first reading. In addition, the data shows that 11% of all co-decision files in 2004-2009 were adopted at 'early second reading'. This means that the Council's position is approved by the EP because it has negotiated

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it with the Council in the phase between the 1st reading in the EP and the Council's adoption of its common position. These negotiations are then formalised by a letter from the chair of the responsible committee to the president of COREPER indicating a 'recommendation to the plenary to accept the Council common position without amendment.' While, formally speaking, procedures concluded in this way are concluded at second reading stage, in reality a political agreement has already been reached before the Council completes its first reading (see also Farrell and Héritier, 2004).

This has, amongst other things,¹ concrete implications for the role of rapporteurs, who negotiate on behalf of the EP in this increasing number of informal dialogues. These informal arrangements empower rapporteurs considerably, because EP committees and plenary sessions (where all party groups and MEPs are represented) are not allowed to change a 'dot or comma' of the 'compromise' position agreed in informal dialogue meetings (Rasmussen and Shackleton, 2005). The EP negotiators are tied in a deal to deliver the votes to push through

the deal agreed in informal negotiations, which makes them very influential. Who are these rapporteurs? How are they selected?

Curiously, knowledge about this group of 'legislative entrepreneurs' is relatively scarce. We only know that rapporteurs are selected based upon an obscure 'auction-like' system which has not guaranteed a proportional distribution of reports (Kaeding, 2004; Hoyland, 2006). But do these findings still hold after the 2004 enlargement? What effect has enlargement had on the distribution of powerful positions, such as rapporteurships, within the EP? What roles have MEPs from the accession countries played over the last five years? Our data hints at serious shortcomings with regard to the distribution of reports, particularly for MEPs from the accession countries.

What determines the selection of rapporteurs?

Whereas the composition of the committees and the selection of the office holders are regulated in the standing orders of the EP, the allocation of rapporteurships within committees is not. Instead, party groups have developed an auction-like system– an 'obscure and complicated' bidding system between party groups and coordinators. As Ken Collins, former chairman of the Environment Committee, noted in an interview, the selection of rapporteurs is 'a combination of a kind of auction, and a kind of elaborate game of poker'.

Rapporteurs: Information provider or preference outlier?

Experts see the assignment of rapporteurs driven by different logics: distribution or information. On the one hand, the allocation of reports is considered to be a self-selection process where members of parliament

Table 1:
Number of co-decision dossiers from 1994-2009 broken down by number of readings

Time period	Total co-decision	Dossiers concluded at 1 st reading	Dossiers concluded at 2 nd reading	Dossiers concluded at 3 rd reading
Total 1994-1999	30	--	18 (60%)	12 (40%)
Total 1999-2004	403	115 (29%)	200 (50%)	88 (22%)
Total 2004-2009	477	340 (72%)	107 (23%)*	23 (5%)

Source: European Parliament. * Out of which 11% early 2nd reading agreements

Selection of rapporteurs:

'The choice of rapporteurs and draftsmen is normally decided upon within individual committees by a system whose broad lines are common to all committees. Each political group receives a quota of points according to its size. Reports and opinions to be distributed are then discussed by the committee coordinators who decide on the number of points each subject is worth, and then make bids on behalf of their group, the strength of their claim being based in theory (but not always in practice) on the relationship between the number of points already used by the group and their original quota.' (Corbett et al. 2005: 117).

seek reports that reflect their particular interests (concept of demanding rapporteurs). Accordingly, the group of rapporteurs tends to consist of policy outliers; members with a high demand for the policies in their jurisdiction. On the other hand, one could foresee a preponderance of a non-outlier group of rapporteurs that is a 'microcosm of the house'. According to this concept of informative rapporteurs, the underlying logic is information. In other words, the group of rapporteurs is composed of 'natural' adversaries, specialists with heterogeneous preferences representing both sides of the policy spectrum in order to guarantee that critical information is signalled to the full plenary.

A selection bias in the European Parliament

Drawing on data from the fourth, fifth and sixth legislative terms (1994-2009)² covering the eight most important legislative parliamentary committees³, the results show that the group of rapporteurs is predominantly composed of policy outliers. The national origin of an MEP increases or decreases respectively the probability of rapporteurship assignment in the EP. In other words, the group of rapporteurs does not mirror the overall distribution of seats across national delegations in the full plenary. From a long term perspective, data even hints at shifts in selection patterns in favour of certain national delegations.

Most important, however, is the 'virtual absence' of MEPs from the accession countries. Representing 22% of the full plenary, they reported on only 9% of all co-decision procedures concluded in the first legislative term after the 2004 enlargement. Note that Estonian and Maltese parliamentarians did not draft any co-decision reports.

Some Member States are more equal...

Nationality has been a strong determinant of rapporteurship assignment over the last fifteen years. For example, in the Environment Committee, one of the more prestigious committees with the second highest number of members and the highest output with 31% of all co-decision dossiers adopted in 2004-2009, data shows the following pattern: coming from a green-minded Member State like Austria, Germany, Sweden, Luxembourg or the Netherlands, for example, increases the probability of being assigned rapporteur in the Environment Committee on average by 0.49. In other words, in the Environment Committee, there is a 50% higher chance to be appointed rapporteur for MEPs from green-minded Member States.

Table 2 illustrates that our findings are more nuanced. Some Member States, mostly so-called 'laggards' in the field of environmental policy, have become more passive over the years, whereas some, green-minded Member States, further strengthened their involvement in daily EU policy-making. Comparing the proportional share of seats of Member States in the EP Environment Committee relative to the number of reports in (+/-) percentage (1994-2009), Austria (+5), the Netherlands (+5) and Germany (+12) in particular increased their involvement considerably. Portugal, Italy and Spain, on the other hand, have fallen into almost total lethargy.

Next to these policy specific selection patterns (see also Kaeding, 2005), our data for the eight most active legislative committees from 1994-2009 displays that one particular bias holds across almost all policy areas: while Italian MEPs seem to be almost absent in parliamentary work (with a few exceptions such as in the Transport Committee), German MEPs appear to be the most active rapporteurs.

Table 2: Comparison between proportional share of seats of national delegations in EP relative to their total number of reports in (+/-) percentage 1994-2009 (part 1)

Member State	Culture, Youth, Education, Media and Sport			Industry, (External Trade), Research and Energy			Economic and Monetary Affairs			Employment and Social Affairs		
	1994-1999	1999-2004	2004-2009	1994-1999	1999-2004	2004-2009	1994-1999	1999-2004	2004-2009	1994-1999	1999-2004	2004-2009
B	+4	+2	-3	+3	-2	-3	+1	-2	+0	0	+1	-3
DK	-3	-1	-2	-1	-1	-2	-1	-3	+1	-1	+5	-2
E	+5	-2	-7	-3	+4	-4	+2	+11	-1	-6	-6	0
F	+4	-3	0	-6	-9	+26	-8	-6	+1	-8	-4	+3
I	-9	+4	-10	-5	-9	-7	-8	-8	-7	-6	-4	0
L	-1	-1	+10	+1	+11	-1	+1	-2	+5	-1	-1	+3
NL	+5	+1	-3	+3	+2	+2	+4	0	-4	+14	+4	+3
A	-4	+1	+5	-1	+2	+8	-4	0	+6	-2	-2	-2
P	-2	+3	+4	-2	-1	-3	-4	-3	-3	+2	+6	+4
FI	-1	0	+5	0	+3	+3	-1	+4	+7	0	-2	-2
S	-2	-3	-3	-3	0	-3	+3	0	-3	-1	+2	+14
UK	-2	-3	-10	+9	-4	0	-2	+3	+9	+1	+5	-3
D	+4	+4	+19	+7	+6	+6	+16	+5	+5	+11	-2	-6
GR	+3	0	+14	-1	0	-3	-1	+1	0	-3	-1	+4
IE	+2	-2	-2	0	-2	+1	0	+1	-2	-1	-1	+2

Table 2: Comparison between proportional share of seats of national delegations in EP relative to their total number of reports in (+/-) percentage 1994-2009 (part 2)

Member State	Consumer and Environment			Transport, (Regional Policy and Tourism)			Legal Affairs and Internal Market			Civil Liberties		
	1994-1999	1999-2004	2004-2009	1994-1999	1999-2004	2004-2009	1994-1999	1999-2004	2004-2009	1994-1999	1999-2004	2004-2009
B	+3	-1	+2	-3	1	-3	-3	1	-3			+2
DK	-3	-2	0	-3	-3	-2	-3	-3	-2			-2
E	+1	-4	-5	+13	+3	-5	+13	+3	-5			-7
F	-9	-7	0	-3	-7	-7	-3	-7	-7			-5
I	-10	-6	-2	-5	+7	+10	-5	+7	+10			-2
L	-1	-1	-1	-1	-1	-1	-1	-1	-1			-1
NL	+7	+5	+5	-2	-2	-1	-2	-2	-1			-1
A	-3	-2	+5	0	-1	-2	0	-1	-2			-2
P	-2	-4	-3	-4	-3	-3	-4	-3	-3			+8
FI	+10	+3	+1	+1	-3	+1	+1	-3	+1			+1
S	+5	+12	+3	-2	-3	-2	-2	-3	-2			+8
UK	+2	+4	-2	-8	+11	+14	-8	+11	+14			+12
D	0	0	+12	+15	+7	+5	+15	+7	+5			+1
GR	0	+2	0	0	-3	-3	0	-3	-3			-3
IE	0	+1	+3	+1	-2	-2	+1	-2	-2			-2



European Parliament, Brussels

What about the MEPs from the accession countries? : Republic, Hungary and Slovenia reported on Commission
 Apparently, the active involvement of MEPs representing the : proposals - the other six accession countries (Estonia,
 accession countries has been almost non-existent (with few : Lithuania, Latvia, Malta, Poland and Cyprus) reported on
 exceptions). In the Environment Committee (2004-2009) they : none. This does not correlate with their overall 22% share of
 were only selected rapporteurs in 10 out of the 140 reports : seats in the full plenary.
 (7%). As table 3 indicates, only the Slovak Republic, Czech :

Table 3: Proportional share of seats of Member States relative to the number of reports in (+/-) percentage

EU 10 (6 th term 2004-2009)								
	Consumer and Environment	Transport, (Regional Policy and Tourism)	Legal Affairs and Internal Market	Culture, Youth, Education, Media and Sport	Industry, (External Trade), Research and Energy	Economic and Monetary Affairs	Employment and Social Affairs	Civil Liberties
CZ	0	0	-3	-3	-3	-3	-3	-3
EE	-1	-1	-1	-1	-1	-1	-1	-1
LV	-1	-1	-1	-1	-1	+1	-1	-1
LT	-2	+4	-2	-2	-2	-2	+2	+1
HU	-2	-3	+15	0	+2	-2	+4	-3
MT	-1	-1	-1	-1	-1	-1	-1	-1
PO	-7	-3	+3	-7	-1	-7	-7	+1
SL	0	-1	-1	-1	-1	-1	-1	+2
SK	0	-2	-2	+5	-2	-2	-2	+1
CY	-1	-2	-1	-1	-1	-1	-1	+2

First-timers vs first-timers

In order to substantiate this claim of underrepresentation, we go one step further. We compare MEPs from the accession countries, who were first-timers by definition in the sixth EP with first-timers from the longer-standing Member States. The results in table 4 confirm, however, the nationality bias.

Table 4: Report Allocation for first-timers under co-decision, assent and consultation

Co-decision, assent or consultation report allocated?				
		No	Yes	Total
Accession country?	No	99 (50%)	98 (50%)	197 (100%)
	Yes	99 (67%)	49 (33%)	148 (100%)
	Total	198 (57%)	147 (43%)	345 (100%)

Note: In order to make the figures comparable, this table only includes the first-time MEPs who served the entire sixth legislative term (2004-2009). Romanian and Bulgarian MEPs are excluded for this reason.

Table 4 illustrates how the chances to obtain a report were distributed across first-timers from the 'new and old Member States'. Half of the 197 first-timers from the long-standing Member States were allocated at least one co-decision, assent or consultation report during the sixth EP term. However, only a third of the 148 first-timers from the accession countries managed to be allocated a report. This clearly supports the findings from the previous section that the chances of becoming rapporteur in the sixth term were significantly lower for MEPs from the accession countries than for MEPs from the long-standing Member States. Curiously this even remains true when we hold seniority constant and consider only MEPs who served for exactly the same time period. First-timers from the 'old' Member States were clearly advantaged in the report allocation process when compared with their colleagues from the accession countries.

Discussion

Enlargement has had almost no effect on the micro-management of the European Parliament (EP). MEPs representing the accession Member States have been almost absent in the allocation process for committee reports. This pattern appears across all powerful legislative committees of the EP. Comparing the proportional share of seats of Member States in the EP relative to the number of reports, we see that 'fresh input from the East' is lacking. Representing 22% of the full plenary, the new MEPs from the accession countries reported on only 9% of all co-decision procedures concluded between 2004-2009. Two Member States (Estonia and Malta), until now, have not even submitted one single co-decision report within the last five years. Poland, Hungary, Slovak Republic and the remaining two Baltic States (Lithuania and Latvia) have only recently started to get involved, albeit selectively. This almost 'non-existence' of rapporteurs from the accession countries could clearly question the integration efforts of the EP over the last five years.

Focusing on the last three legislative terms of the European Parliament (1994- 2009), another finding is striking: a strong bias towards a few Member States. In terms of rapporteurship assignment, some Member States (France and Finland) have caught up recently, while others have become less active (Spain) or almost invisible, falling into near total lethargy (Italy). Only one Member State has embellished systematically on a grand scale its lead in rapporteurship assignments over the last twelve years: Germany. Combining this finding with evidence that the EP's positions are significantly closer to the

positions of the rapporteurs' home countries (Costello and Thomson, 2007), we might just have paved the way for further research in the field.

All in all, our findings imply that the group of rapporteurs is clearly no microcosm of the full plenary, but that the allocation of reports appears to be a self-

selection process where MEPs seek reports that reflect their particular interests. This is astonishing if we acknowledge the evolving dominance of first reading agreements, the growing importance of informal dialogues, both in which rapporteurs are the key parliamentary negotiators with essential legislative powers. More generally, the strong country biases in the allocation processes of reports in the EP are even more striking in a Union where proportionality seems to play such an important role.

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NOTES

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- ¹ Another implication relates to the lively debate on efficiency vs. legitimacy of EU governance. On the one hand these figures indicate that EP decision-making is efficient and shows 'the institution's willingness to cooperate'. On the other hand, you may want to raise concerns about the transparency of trialogues, their undemocratic nature and the quality of legislation they produce.
- ² The list of MEPs that builds the foundation for this analysis was obtained from Kaeding (2004) and a new website that has just been launched in 2009 (<http://www.votewatch.eu>). In order to construct the dependent variable, data on report allocation

during the last three EP terms were collected from the EP website, which provides detailed information for every individual MEP. Not all of those MEPs served in the EP for the entire three terms. Some left the EP before the end of the legislative periods; others joined it at a later point in time. We controlled for this aspect, since MEPs who did not serve the entire term in the EP must be expected to have a lower a-priori chance of becoming rapporteurs. All MEPs who served a full term had a theoretical chance of attending all plenary meetings and were assigned a value of 1. Please consult the authors for additional information.

- ³ Environment; Transport; Legal Affairs; Culture and Education; Industry, Research and Energy; Economic and Monetary Affairs; Employment and Social Affairs; Civil Liberties

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