

Maritime Interest Representation in the EU

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Abstract

The EU constitutes a supranational policy-making jurisdiction that has moved decisively into the maritime transport policy field. A variety of maritime interests has identified a new level of power with the EU decision-making process and has re-targeted its lobbying strategies in order to influence the Common Maritime Transport Policy (CMTP). This article examines the patterns and the capabilities of this mobilisation. The first part focuses on the structures of these Euro-groups. Then, the analysis turns on the lobbying practices of these interests groups in the context of the EU co-decision process of policy-making. The final part weighs the extent that the 'EU environment' and the 'economic environment' assist, or undermine, the governability of these lobbying activities and their capacity to be coherent policy actors that serve the interests of their members in the long-term.

Keywords: *Interests representation, EU maritime transport policy*

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1. Introduction

Since 1974 the European Union (EU) has attempted to develop a Common Maritime Transport Policy (CMTP). In recent years, the scope and depth of this policy have widened and discussions have shifted from the minimalist approach, which did not endorse the need for common initiatives, to an approach that considers comprehensive EU policies. A variety of stakeholders has identified a new level of power, and has formed EU-level interest groups seeking to 'shoot where the ducks are' (Mazey and Richardson 1996) and influence 'what', 'how', and 'when' will be changed. This led the European Commission (1991) to institutionalise the participation of organised maritime interests, via the creation of a Maritime Industries Forum in 1992.

Grounding on the role of these private policy actors in the CMTP making, and the questions generated by the cross-sectoral variance of interests representation in the EU (Section 2), this paper researches the patterns and the capabilities of the observed maritime interests mobilisation. First, it analyses the structures of maritime interests (membership numbers and types, location, internal structures and budget), aiming to conclude on whether the maritime sector is a unique case insofar as EU interests representation is concerned (Section 3). Then the paper focuses on the endorsed lobbying practices, in the context of the EU co-decision process of policy making (Section 4). Finally, it assesses their ability to become coherent policy actors and develop activities that serve the interests of their members in the CMTP making (Section 5). The analysis is based on a data-set of replies to a questionnaire that has been distributed to all the interest groups that are either members of the MIF, or are listed in relevant directories.

2. The Research Question

Since its creation the EU is characterised by a *sui generis* pattern of decision-making procedures that contributes to a Euro-centred format of interest representation. The number of EU-level interest groups augmented in the 1990s, as the Single European Act (1987) increased the EU competence and introduced qualified majority

vote as normal practice for policy decisions, and the Treaty of Amsterdam (1997) expanded the application of the co-decision process, increasing the role of the European Parliament (EP) in various policy areas, including maritime transport.

Explaining this institutional context, contemporary studies of the EU policy-making — irrespective of whether they define the EU as a liberal intergovernmental experiment (Moravcsik 1998), a distinctive west European effort to contain the consequences of globalisation (Wallace and Wallace 2000), a polity-like system (Richardson, 1996), a regulatory state (Mahone 1997), a system of multi-governance (Marks et al 1996), or a political system close to post-pluralism (Hix 1999) - suggest that the input of private actors in sectoral EU policies cannot be ignored.

The CMTP is one of these sectoral policies. Its basis is Article 84(2) of the Rome Treaty. Following a lengthy period of inertia that lasted almost three decades, the adoption of four Regulations targeting the improvement of the EU-flagged fleet's competitiveness (1986) marked the starting point of the systematic EU involvement in maritime affairs (Power 1992). In 1991 the EU adopted a 'horizontal approach' (European Commission 1991) which has contributed, along with the progress of European integration, to the replacement of the *ad hoc* crisis interventions by an all-embracing CMTP attempting to address the totality of the sector's problems. Since 1997, the application of the co-decision method has increased role of the EP in determining CMTP outcomes - a role that is as important as the Commission's role in setting the agenda and putting forward policy proposals.

Yet the EU policy-making has not necessarily produced collective policy outcomes. It took seven years (1985-92) for a Council agreement on cabotage liberalisation. In the absence of a common ground the Commission had to withdraw (1996) its 1989 proposal for a European Registry of Shipping. In 2006 the EP voted for a second time against a directive aiming to liberalise port services.

The presence of maritime interest groups and their contribution to bringing about and solving controversies, or defining CMTP details are well documented. Even in the late 1980s, when scholars con-

ceived, either explicitly (Cafruny 1991; Bredima-Savopoulou 1990) or implicitly (Tzoannos 1989, Hart et al 1993), the EU as an inter-governmental organisation defined by member states preferences, the political power of shipping interests was acknowledged as the origin of domestic pressures and a major influence on the political will to achieve collective agreements.

The actions of elite non-governmental interest groups play a major role in regulating shipping, as a competitive pluralistic lobbying environment has emerged over the course of the 1980s in which the interests of shipowners, consumers, and labour were represented at the peak level albeit not equally effectively (Aspinwall 1995). The search for a EU port policy is also marked by the conflicts between contending interest groups (Pallis 1997; Chlomoudis and Pallis 2002). The CMTP developments are the outcome of a process wherein organised interests with various capacities, EU institutions, and member states are 'autonomous yet interdependent' actors involved in a triangular relationship (Pallis 2002; Stevens 2003). Each one strengthens its bargaining position against the other by referring to its relationships to the third. The hunt for a balance that advances policy responses to the changing economic environment, intensify exchanges and the search for 'winning' coalitions (also: Selkou and Roe 2004).

The observed inequality of the input of the contending maritime interests in this multi-dimensional EU policy-making game, can partly be explained by the limits posed by the economic environment (i.e. shipowners enjoy the ability of asset mobility).

However, the relative powers of the mobilised maritime interests also depend on the organisation, the lobbying practices and the governability of the Euro-level interest groups. As there is not an autonomous public clearly defined decision-making but a policy arena where power is fragmented, interest groups have a number of access points in the unregulated Brussels game and might adopt various strategies for the successful pursuit of their interests.

Hence, several studies observe major cross-sectoral or cross-industry variations in both organisation and methods of interests representation (Greenwood and Aspinwall, 1998; Greenwood 2003;

Mazey and Richardson 2003). There is neither a dominant model of EU interest group nor a static relationship between interest groups and EU institutions. Membership, resources, status, capacities and influence vary. Still, the knowledge on the patterns of interests organisation in the maritime case, both regarding the structures and the lobbying practices observed is limited. The next section examines whether these patterns differ from the most common practices of EU-level interests representation.

An additional research question relates to the ability of maritime interest groups to be ‘governable’. This capacity stands as a condition to promote their interest representation strategies and serve the interest of their members in the long-term. The key output in terms of effective representation is a significant influence on developments at European level. But this output is almost impossible to measure and might not be evident until years later. So, effectiveness is generally measured in terms of three key inputs (Boleat 2002): an effective intelligence mechanism, so that the association knows what is going on in Brussels; top quality policy representations; and lobbying ability. The first one depends on the resources that an interest group has available. The other two are largely dependent on the cohesiveness of interest groups. The ability of some groups to be cohesive when acting within this system has often been questioned, leading to reports about ‘economic giants but political dwarfs’ that are often unable to state their interests in a changing environment due to the obstacles that complicate the identification of these interests (Grossman 2004). For these reasons this research assesses which different factors of the ‘EU environment’, and the ‘economic environment’, facilitate or impede the governability of EU level maritime interests organisations.

3. Contending Maritime Interest Groups

Today, there are 37 groups representing maritime interests (*Table 1*). The majority of them are business associations (30 interest groups –82%), with the rest being either trade unions (4–10%), or organisations representing regional maritime interests (3–8%). Four of these interest groups represent interests that are collectively

associated at an international level and acknowledge the need to a more cohesive European sub-committee.

European shipowners were among the first market players to form in 1962 an association based on EU membership, the Comité des Associations d'Armateurs du Marché Communautaire. Following the first EU enlargement (1973) its secretariat moved from Paris to Brussels and adopted the English version of its name (European Community Shipowners' Association-ECSA). ECSA keeps up a long shipowners' tradition that combines collective interests representation (the International Chamber of Shipping was founded in 1921) but individualistic secrecy regarding commercial practices (Ronit 1995). A major development occurred in 1993, when the [European Liner Affairs Association \(ELAA\)](#) was established to represent the world's liner shipping industry's interest. Cruise companies also expressed an interest to establish a pan-European interest group, in order to lobby for (de)regulatory reforms, a restructuring of interest representation that is explicitly grounded on the progress of integration and the expansion of the EU membership (Lekakou et al 2004).

The International Transport workers Federation (ITF) was among the first trade unions to lobby EU authorities. In the late 1990s they developed a European section (ETF). The European Shippers Council (ESC) was also formed as early as 1963, with a mission to coordinate shippers' commercial activities *vis-à-vis* liner lines. Eventually, it turned to a group representing interests before moving to Brussels in 1993. Port authorities, port operators, freight forwarders and other industries came to the scene later, as they established their EU interest groups the late 1980s or early 1990s.

Euro-federations having a membership constituency of national associations are the favour format of maritime EU interest groups (26 interest groups –68%). This leads to membership closely related to the number of the maritime EU member-states. Still, these groups admit non-EU members, in the majority federations of maritime nations which are perspective EU member states or associated countries. The second most preferred format is 'direct firm membership' (7-21%), followed by mixed half-way house structures which admit both associations and direct firm

membership (4–11%). This pattern is not surprising as Euro-federations are historically the most likely to be consulted by the EU institutions (Butt Philip 1985; Mazey and Richardson 1993), while offering opportunities to gather consistent reliable sources of information and maintain network contacts.

Table 1: Maritime interest groups in the EU policy-making

Interest Group	Type	Format	Member States Represented	Members
1. AMSI (Association of Marine Scientific Industries)	ba	dfm	4	17 EU 1 non-EU
2. CEMT (Confederation of European Maritime Technology Societies)	ba	f	8	9 EU
3. CESA (Community of European Shipyards Association)	ba	f	12	12 EU 2 non-EU
4. CLECAT (Liaison Committee of European Forwarders)	ba	f	14	21 EU 5 non-EU
5. EBA (European Boating Association)	ba	f	14	22 EU 4 non-EU
6. EBU (European Barge Union)	ba	f	7	9 EU
7. ECASBA (EC Association of Ship Brokers & Agents)	ba	f	20	21 EU 1 non-EU
8. ECSA (European Community Shipowners Association)	ba	f	15	15 EU 1 non-EU
9. EIA (European Intermodal Association)	ba	dfm	20	81 EU 4 non-EU
10. EMEC (European Marine Equipment Council)	ba	f	8	10 EU 2 non-EU
11. ESC (European Shippers Council)	ba	f	9	9 EU 3 non-EU
12. ESPO (European SeaPort Organisation)	ba	f	20	20 EU 3 non-EU
13. EUDA (European Dredging Association)	ba	dfm	9	11 EU 9 non-EU
14. EUROGIF (European Oil & Gas Innovation Forum)	ba	m	5	10 EU 5 non-EU
15. FEPORT (Federation of European Ports Private Operators)	ba	f	13	13 EU
16. CRPM (Conference of Peripheral Maritime Regions)	r	f	20	15 EU 6 non-EU
17. HELCOM (Baltic Marine Environment Protection Com)	r	f	8	8 EU 1 non-EU
18. EHMC (European Harbour Masters Committee)	tu	f	19	94 EU 15 non-EU
19. ETF (European Transport workers Federation)	tu	f	25	215 EU 15 non-EU

20.	ELAA (European Liner Affairs Association)	ba	dfm	24	24 companies
21.	OCEAN (Organisation of European Community Ship Suppliers)	ba	F	12	12 EU 1 non-EU
22.	FEMAS (Federation of European Maritime Associations of Surveyors and Consultants)	ba	f	8	9 EU
23.	INE (Inland Navigation Europe)	ba	m	6	6 EU
24.	EFIP (European Federation of Inland Ports)	ba	m	11	17 EU 8 non-EU
25.	EUROPIA (European Petroleum Industry Association)	ba	dfm	0	20 multinational-als
26.	FEAP (Federation of European Aquaculture Producers)	ba	f	20	19 EU 2 non-EU
27.	EURMIG (European Recreational Marine Industry Group)	ba	F	16	sca
28.	EURACS (European Association of Classification Societies)	ba	dfm	3	sca
29.	IIMS(EG) (International Institute of Marine Surveyors)	ba	dfm	na	sca
30.	EMPA (European Maritime Pilots Association)	tu	f	na	na
31.	EMF (European Metalworkers Federation)	tu	f	na	65 members
32.	AMRIE (Alliance of Maritime Regions in Europe)	r	m	11	44 EU
33.	ETA (European Tug Operators)	ba	f	na	na
34.	ETTC (European Towing Tank Community)	ba	m	na	na
35.	EAFPO (European Association of Fish Producer Organisations)	ba	f	na	na
36.	EUROPECHE (Association of National Organisations of Fishing Enterprises)	ba	f	na	na
37.	IAMI (EU) (Organisation of Maritime Institutes of the EU)	ba	dfm	na	na

Notes: ba=business association; tu=trade union; r=regional interests; dfm=direct firm membership; f=federation; m=mixed; sca=sub-committee of international association. The first 19 listed interest groups participated in the study.

3.1 Location, Secretariat, Internal structures, Resources

Brussels is the preferred location of 55% of the EU maritime interest groups for which data are available (*Table 2*). With the Belgian capital being the most obvious preference, as EU institutions are also located there, one might have expected this percentage to be higher. The international character of the sector, the presence of global maritime centres, and international maritime fora also has an impact on the choice of location. Some interest groups are attracted

by the fact that London remains a key world maritime and trade centre and the location of IMO (International Maritime Organisation) headquarters; therefore they prefer to operate from the UK. The decision of some of these interest groups (i.e., the European Harbour Masters Committee - EHMC) is also influenced by the fact that they represent branches of international associations with a membership broader than the EU.

Table 2: Country of Secretariat's location

Country of Secretariat's location	No	Interest Group
Belgium	18	ESPO, ECSA, ELLA, EIA, ESC, ETF, EMEC, EUDA, CLECAT, FEPORT, EUROPIA, INE, EURACS, EMF, AMRIE, OCEAN, EFIP, FEAP,
UK	4 Interest Groups 3 Sub-committees of International Groups	AMSI, EBA, EHMC, EURMIG, EURACS, EMPA IIMS (EG),
UK / Office in Brussels	1 Sub-committee of International Group	ECASBA
Netherlands	2	CEMT, FEMAS
Netherlands/ Office in Brussels	1	EBU,
Other Country	3	EUROGIF (Scotland), CESA (Spain), HELCOM (Finland)
Other Country / Office in Brussels	1	CRPM (France)

Given the commuting facilities (Eurostar, airplane) these interest groups are still quite close to Brussels. Counting the two interest groups located in the Netherlands, and those three interest groups which have headquarters in another country but also maintain an office in Brussels, 67% of the EU maritime interest groups are located in a less than two hours distance from the EU institutions headquarters. The fact that 12 interest groups (36%) have relocated their secretariats from another city in order to be closer to the EU institutions strengthens the validity of the view (Griekingen et al 2005) that, despite the progress in information technologies, physical proximity to the EU institutions and other interest groups results in the localisation of interest groups residence in, or nearby, 'Europe's capital'.

All the interest groups are organised on the basis of a secretariat, the median size of which is 5,2 employees. Groups representing maritime regions tend to employ more people than other types of interest groups. The Conference of Peripheral Maritime Regions (CRPM) and the Baltic Marine Environment Protection Committee (HELCOM) have a secretariat size of 18 and 16 respectively. The average secretariat size of the rest of the interest groups is three or four employees, a number that is not different from the one observed in wider samples of EU interest groups (3-3,5 employees).

The formal decision making structures of maritime interest groups also follow a predictable pattern of interests articulation in the EU. The engine houses of building policy positions are either the special working groups, or a number of functional policy committees. The presence of committees of special interests (such as shipping policy, transport, social affairs, environment, etc) operate in the case of 68,4% of the maritime interest groups (median committees number: 3,4) and that of working groups in 57,9% (median working groups number: 4,2). These lower organisation tiers then report to a further tier of authority, the General Assembly.

Regardless the organisational format, financial resources are directly linked to the organisational capacity established norms of behaviour based on sophisticated advocacy alliances that express clearly defined interests and monitor day-to-day the regulatory process (Coen and Dunrether 2003). Five groups representing maritime interests (26%) have stated an annual budget which is in excess of 500.000 Euros. At least one of the interest groups that did not offer a reply to the particular question (Community of European Shipyards Association-CESA) falls in the same category as well. The majority of the maritime interest groups (approximately 40%) have a budget between fifty and five hundred thousand euros, and only one out of five groups representing maritime interests in the EU has a budget of less than 50.000 euros per year.

All these findings suggest that the pattern of maritime interests organisation does not represent a unique sectoral case at least as regards the type of Euro-groups, that have been formed by the stakeholders, the location, the size and the internal structures of the secretariats of these Euro-groups, and the resources devoted by their

membership. The preceding research results are in line with studies on the kind of organised interest in the EU that have historically prevailed.

4. Lobbying Practices

The main lobbying priority of organised maritime interests is the European Commission (*Table 3*). 21% of these groups has a daily contact with Commission officials, 5% meets them twice a week and 21% once per week. Maritime policy initiatives are frequently very technical issues, and the Commission is a small but relatively open bureaucracy, not least because it depends on outside governmental and non-governmental experts for the development of comprehensive policy proposals. It has systematically opened channels of access (via the MIF) and has succeeded in bringing together under a common policy agenda a wide spectrum of sea-related industrial, regional and social interests, which were never thought possible to be worked out together (Heretier 1999). The Directorate Generals responsible for transport (ex 'DG VII' renamed DG-TREN') and industry (ex 'DG III') have developed a record as a maritime policy innovator, notably based on the building of coalitions with private actors (Alexopoulos 2000; Pallis 2006).

The record of these DGs transforms them to the main focus of lobbying activities, particularly DG-TREN. However, other DGs are lobbying targets as well. When asked, interest groups mention more frequently the DGs dealing with the Environment, Research, and Enterprises, than those dealing with Competition, Employment and Social Affairs, Enlargement, Fisheries, and Regional development. The association of the EU transport policy with environmental issues, and the direct benefits of R&D are additional explanations as regards the former list. On the other hand, the DG-TREN capacity to identify 'policy windows' and the view that maritime transport is a unique sector have allowed this DG to set, almost alone, the CMTTP agenda. Issues of competition (i.e. liner shipping competition, liberalisation of port services) and employment are two cases in which DG-TREN has assumed the role of policy promoter, limiting the potential of intervention by other DGs.

Table 3: Frequency of Contacts with EU institutions (%)

	daily	twice per week	weekly	monthly	annually/ rarely	never	n.a.
Commission	21	5	21	37	11		5
European Parliament	5	16	37	32	5		5
Council Secretariat		5	5		53	32	5
Coreper				16	47	26	11
Ministers				16	58	21	5
Other EU institutions			16	21	32	21	11

The European Parliament is the second locus of power intensively lobbied by maritime interest groups. Whilst only 5% retains a daily contact with MEPs, as Euro-parliamentarians spend a part of the week in their constituencies, 16% meets MEPs twice weekly and 37% weekly. These practices match the frequency of the contacts with the Commission. Perhaps more importantly than the *de jure* power to co-decide along with the Council on which maritime policies to adopt, the EP has demonstrated *de facto* capacities to act in line with stakeholders' preferences and reject policy proposals against the preferences of the Council and the Commission (it has done so twice in the case of the port services directive). Individual MEPs and the EP Transport Committee have given informal and formal (i.e. public hearings) access to interests groups in order to understand policy proposals and build authority. Seemingly, maritime interests have positively responded, aiming to iron or promote the rejection of Commission initiatives.

The most active maritime interest groups are those representing shipowners (ECSA), shipbuilding (CESA), port authorities (ESPO), the marine equipment industry (EMEC), and transport workers (ETF). The same interest groups act as the five coordinators of all the working groups of the Maritime Industries Forum (MIF), a forum that has been initiated by the Commission for an efficient and permanent dialogue between representatives from all the industries concerned, trade unions, research institutes, MEPs, the Ecosoc, representatives of national administrations, and the Commission itself (European Commission 1991). Representatives from the Director-

ates General for Enterprise, and Transport and Energy, also participate in and coordinate the MIF.

The Transport Council, CORPER and the Council's secretariat are less focused lobbying bodies. Only 16% of interest groups contact Transport Ministers and the COREPER on a monthly basis. Approximately half of the interest groups rarely meet them, as they represent the last opportunity to influence a policy and are generally perceived as the least accessible and most secretive EU institutions. Besides, the Council represents national governments and it is likely that maritime interests try to influence this body mostly by using the 'national route to Brussels' (Calingeart 1993). National associations might lobby more effectively their own governments. As regards the Council's secretariat, the majority of organised maritime interests maintains rare contacts (53%) or ignores this bureaucracy altogether (32%). Only 10% meets officials of this secretariat on a weekly basis. This practice challenges the view that the Council working groups offer remarkable scope for the articulation of different interests affected by European policies (Bellier 1997).

As regards the other EU institutions, 37% of interest groups maintains a weekly or a monthly contact with at least one of them. The consultative Economic and Social Committee (Ecosoc) is the primary target, followed by the European Maritime Safety Agency, the European Environment Agency and the Committee of the Regions. Although all Commission proposals are considered by the Ecosoc before reaching the Council, the frequency of interest groups contacts with this institution is explained by the fact that this is an advisory body whose contribution is out of the boundaries of the legislative process.

5. Governability of Maritime Interest Groups

Which factors assist and which undermine the governability of the preceded maritime interest groups activity? The secretariats of groups articulating maritime interests were asked to assess 23 different factors, using a scale from -5 (for the most negative influence) to 5 (for the most positive influence), or judge a factor 'irrelevant'. The research design was based on a literature review regard-

ing interest groups governability (cf. Greenwood 2002) and was sent to all the 33 maritime interest groups for which data are available, with a response rate of 57,5% (for details: *Table 1*). *Table 4* illustrates the result of this scaling procedure. The set of the most positive factors consists of a couple scoring a positive mean reply over 3,0 and another two that score over 2,0.

The *'seeking of a specific regulatory regime'* is the most positive governability factor (mean price: 3,13). Since the operation of the maritime sector demands an extensive system of regulations, most interest groups have a membership aiming either at the stimulus, or the search for regulations. At the same time the EU assumes supra-national (de)regulatory competencies at the expense of national and international regulatory bodies. All these facilitate the work of Euro-groups. The low standard deviation (1,64) is a result of the fact that only 7% of the participants assess this membership seeking as a factor having a negative impact on their work.

The second factor facilitating governability is the *'presence of a European rather than a national market'* (mean price: 3). Whether they regard EU liberalism as part of the maritime policy problems, or as part of the solution of these problems, stakeholders acknowledge that European integration has led to the presence of the European market that redefines the dimension of policy questions and results in a EU authority in policy development.

The fact that the members of European interest groups are active benefit evaluators of their membership and seek added value from this membership, stands as the third most positive factor (mean reply: 2,62). There are also some negative implications since a number of answers hint that this *'membership benefits seeking'* might bring about pressures on an interest group to 'do what it has to do' and deliver the desired policy outcome – still, only 6% assesses this seeking as a serious nuisance for its operation.

Table 4: Governability Factors

Factor	Factor Assessed as relevant	Minimum value	Maximum Value	Negative value (%)	Mean	Standard deviation
Specific regulatory regime seeking	15	-1	5	7	3,13	1,641
The presence of a European rather than a national market	13	-3	5	14	3,00	2,345
Members actively seek for the benefits of membership	16	-3	5	6	2,62	2,125
The presence of a 'common enemy'	15	-2	5	14	2,12	2,186
The presence of trust between members	16	-3	5	19	1,93	2,489
Other incentives (access to other organisations)	13	-4	5	16	1,92	2,396
The degree of members' specialism in the product chain	13	-3	5	16	1,84	2,444
Autonomy of the interest group from its members	12	-3	5	8	1,66	2,229
Membership density	11	0	4	9	1,63	1,911
Degree of EU identity in global trade	11	-2	4	9	1,54	1,916
Member/non-member activity in Brussels	12	-3	5	8	1,50	2,067
Technology divisions	6	0	4	-	1,16	1,602
Interest group used as the 'second best' option for lobbying	11	-2	3	18	0,54	2,161
Degree of sector's concentration	11	-3	5	27	0,45	2,805
Interest group used by members just for information	14	-2	3	28	0,35	1,499
Threat of exit by member	10	-5	4	40	0,30	2,626
Merger and acquisition activities of your members	8	-4	3	26	0,12	2,100
Extent of competition within sector	11	-4	3	36	0,00	2,144
Presence of firms of similar size	8	-4	3	26	0,00	2,070
Members are prone to lowest-common-denominator positions	10	-3	3	40	-0,30	1,946
Members participate just to avoid the costs of non-membership	9	-4	2	33	-0,44	1,878
Counter-lobbying by your members	10	-5	2	60	-1,40	2,319
Interest group overcapacity	6	-5	2	50	-1,66	2,401

The presence of a '*common enemy*', whether these are policy actors as such, or (de)regulatory regimes that might affect members life, is the fourth major facilitator of maritime interest groups activities (mean price: 2,12). As interest groups members need the guidance of an association in order to locate the threat and to have it interpreted for them, Euro-groups have the ability to provide accurate information and to outline problems, an ability that enhances their cohesiveness.

A second set of seven positive governance factors has scored an average positive assessment between 1,5–2,0. '*Trust*' is conceived as a factor that facilitates governability and enhances the secretariat's operational autonomy (mean price: 1,94). The more trusted they are to act and coordinate the activities and the policy position of their members, the stronger the EU interest groups become. Besides, when processing information obtained from (or for) members, these members place a high degree of trust in the association to protect potentially sensitive information (i.e. commercial practices) either from other policy actors, or even from other members.

The importance granted to the '*autonomy of the interest group from its members*' (mean price: 1,92) is in line with the view that associations need to be both resourceful and autonomous in order to define and sustain a course of action over the long run that is neither exclusively linked to the immediate preferences of their members nor dependent on the policies partners and agencies external to their domain (Smutter 1992). Those that acquire some autonomy from members' demands gain the status of a 'policy capable organisation' (Coleman 1988) which has the flexibility to participate in the daily life of EU policy-making without constantly returning to seek mandate.

'*Specialism*' (mean price: 1,8) enables interest groups to define their membership boundaries and exist without having to compete with other groups for members. It also eases the task of finding common positions between members because the constituent interests have a degree of similarity. The result is in line with the view that without specialisation, associational cohesiveness is virtually impossible to achieve (Bennet 1998). '*Membership density*' refers to the extent to which an association includes all potential members (mean price:

1,63). Interest groups with a high degree of membership density are considered authoritative and thus function better.

'Access to other organisations' also stands as a very positive factor (mean price: 1,93). The EU pressures to seek IMO membership and to represent member states in other international organisations might upgrade the weight of this factor in the future. To a certain extent, this factor is linked to another factor, 'the degree of EU identity in global trade' (mean price: 1,54), which is also upgraded as the EU membership expands.

The last of this group of positive factors is 'members and/non-member activity in Brussels' (mean price: 1,50). In the maritime case there are stakeholders which maintain an office in Brussels (i.e. Danish and Italian shipowners). However, this does not equal a direct by-pass and several interest groups assess this activity as an additional facilitator to achieve common goals. This assessment is largely based on the fragmented architecture of the EU institutional system. On the other hand, a substantial fluctuation of this factor's assessment may be observed, since some interest groups feel that such members' activities undermine their competencies (see the factor: 'counter lobbying').

The research pinpointed four negative factors as regards maritime interest groups governability. The problem of 'membership proneness to lowest-common-denominator positions' has been noted since the very first analyses of EU interest groups (Kirchner 1981, Butt Philip 1985). The extent to which an interest group is subject to this factor effect differs, yet this issue seems to affect all interest groups. Some interest groups feel that they gain capacity to act due to this proneness, but most feel that this factor complicates the life of their organisation (mean price: -0,30).

The fact that 'members participate just to avoid the costs of non-membership' is a second negative factor (mean price: -0,44). The decision of some national associations, trade unions or maritime firms to participate in a Euro-group might not be the outcome of the consideration of membership benefits, but just the reflection of a decision to avoid the potential costs of non-membership. Such costs

might include the loss of the ability to have access to information and the limited presence in wider networks.

'Counter-lobbying' by interest groups members stands as the second major difficulty faced by 60% of Euro-groups representing maritime interests (mean price: -1,40). It should be noted that there is no sector in which relations between the EU and business is conducted wholly through a single associational intermediary. Such bypass activities may be justified as either the hypothetical weakness of an interest group, or the consequences of the fragmented architecture of the EU institutional system disposing of multiple points of access and dispersing its power so as to facilitate access to outside interests (Greenwood, 2002).

'Interest group overcapacity', in other words the presence of a 'larger than wished' number of members, stands as the major obstacle to the cohesiveness of interest groups representing maritime interests (mean price: -1,66). This overcapacity is not always present (10 groups assessed this factor as 'irrelevant'). It might also result in the ability of interest groups' secretariats to act autonomously; hence the observed positive replies. Still, those interest groups that face 'overcapacity' claim that this factor seriously undermines their capacity to act.

Three factors demand further attention, even though they scored a mean positive reply just above zero. This outcome is the result of a remarkable standard deviation of the replies. The number of interest groups having registered a low positive impact of the factors '*degree of maritime sector's concentration*' and '*threat of exit by members*' on their governability is greater than those that registered a negative one. As the second group suggests that the negative impact of these factors is rather strong, the mean reply is around zero. As regards the third factor, there is a generalised opinion that the '*extent of competition within the sector*' is of minor (negative or positive) importance for the governability of maritime interest groups. Finally, the mean reply of the rest of the factors mentioned in the research data is in the range 0-0,5, with some of them ('*technology divisions*', '*mergers and acquisition activities of interest groups members*' and the '*presence of similar size firms*') being judged irrelevant by half of maritime interest groups, or more.

6. Conclusions

Maritime interests representation stands among the variables determining CMTP discourse, outputs or failures. The EU attempt to respond to prevailing economic conditions is a highly politicised process, wherein national governments and EU institutions have been joined by EU-level interests groups. The knowledge regarding the structures of this representation is limited and even though there is not a dominant model of EU interest groups, the unregulated relationship between interest groups and EU institutions is dynamic and the capacities of interest groups to act are vital. On these grounds, this paper focused on the patterns of maritime interests organisation researching their structures, lobbying practices, and the factors that facilitate or impede their governability.

The research identified 38 interest groups involved in EU maritime affairs, the majority being business associations. The common structure observed is that of Euro-federations of national associations with a wider than EU membership, located in Brussels, having a secretariat of 3-4 full time employees and variable financial resources at its disposal, organized on the basis of working groups and committees, and governed by a general assembly. The maritime sector hasn't studied the structures of its EU level interests' advocacy as a unique case insofar.

Concerning the contemporary lobbying practices, the paper concluded that in the era of co-decision, the Commission and the European Parliament stand as two targets of equal importance. Maritime interests representation focuses on those bureaucracies that have in practice demonstrated a capacity to determine policy developments. These have been the Commission's DG-TREN and DG for Enterprise, and the EP Transport Committee. EU-level maritime interests meet Commission officials and MEPs at least once per week, but maintain rare contacts with the other potential locus of power in the EU decision-making process, i.e the Council, the COREPER (or any other EU institutions).

As regards the governability of EU maritime interest groups, the undertaken research showed that the seeking of a specific regulatory regime, the development of a European market at the expense of a

national one, and the willingness of the members to cease the benefits of their membership, stand as the three major contributors towards the cohesiveness of these organisations and their potential to become a coherent policy actor in the making of the CMTP. On the other hand, interest groups overcapacity, when present, counterlobbying by members, and the fact that in some cases members participate in EU-level groups just to avoid the potential costs of non-membership, stand as the three major factors undermining this capacity. Furthermore, the research identified some factors, i.e. technology divisions, which might look important enough in other sectors (cf. Greenwood, 2002) but are comparatively irrelevant in the case of maritime interests representation.

This research contributes to the identification of the structures and practices of the contemporary EU level interests representation. It also provides a step towards the appreciation of the way that the influences exerted by the environment in which they operate, help or undermine the capacity of EU level interest groups to effectively serve their members. Similar case studies as regards other sectors, and comparisons with the established literature might help generalise these findings, or identify and explain variations in the structures practices and governability of EU interest groups. Besides, the research on governability followed an inductive investigation informed by interest groups secretariats. Secretariats tend to overestimate their capacities. They are also prone to speaking about the positive factors, rather than about the problems that they might face in representing their membership in the EU. The actual cohesiveness of the examined interest groups during the process of the transformation of policy proposals to EU policy outcomes can be the subject of further research as well.

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