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Applying the Open Method of Co-ordination back home: The case of Greek pension policy

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Εφαρμόζοντας την Ανοικτή Μέθοδο Συντονισμού: Η περίπτωση των συντάξεων στην Ελλάδα

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ABSTRACT

The launch of the Lisbon Strategy (original and revised) and the introduction of the Open Method of Co-ordination (OMC) mark a new phase in the Europeanization of social policy, characterized by a non-binding form of collaboration between member states. The aim of this paper is to contribute to the Europeanization debate by analyzing and assessing the Greek response to the OMC in the field of pensions. This will be done by focusing on the elaboration of the National Strategy Reports (NSRs), the participation of Greek representatives in European Committees and the mutual learning of the potential process in an attempt to identify the interaction of the administrative system with different elements of the OMC process. The empirical evidence reveals its isolated character and its failure to stimulate a reflection on existing policies, which in turn is explained by Greece's inability to come to terms with decentralized and participative processes.

ΠΕΡΙΛΗΨΗ

Η ιυιοθέτηση της Στρατηγικής της Λισσαβώνας (αρχικής και αναθεωρημένης) και η εισαγωγή της Ανοικτής Μέθοδου Συντονισμού (ΑΜΣ) σηματοδοτούν την έναρξη μιας νέας περιόδου όσον αφορά τον εξευρωπαϊσμό της κοινωνικής πολιτικής, ο οποίος χαρακτηρίζεται από τη μη δεσμευτική συνεργασία μεταξύ των κρατών μελών. Το παρόν άρθρο εξετάζει ειδικότερα τη συμβολή της ΑΜΣ στη διαδικασία μεταρρύθμισης του ελληνικού συστήματος κοινωνικής ασφάλισης, μέσω της εξέτασης της προετοιμασίας των Εθνικών Εκθέσεων Στρατηγικής (ΕΕΣ), της συμμετοχής των εθνικών εκπροσώπων στις ευρωπαϊκές επιτροπές και των δυνατοτήτων αμοιβαίας μάθησης που προσφέρει η διαδικασία. Η εμπειρική ανάλυση αναδεικνύει τον περιθωριακό χαρακτήρα της διαδικασίας και την αποτυχία της στην υποκίνηση μιας διαδικασίας επανεξέτασης των υφιστάμενων πολιτικών, στοιχεία που ερμηνεύονται από την αδυναμία ενσωμάτωσης από την Ελλάδα διαδικασιών που δίνουν έμφαση στην αποκέντρωση και τη συμμετοχικότητα.

KEY WORDS: Europeanization, Open Method of Co-ordination, pensions, reform, Greece

ΛΕΞΕΙΣ-ΚΛΕΙΔΙΑ: Εξευρωπαϊσμός, Ανοικτή Μέθοδος Συντονισμού, συντάξεις, μεταρρύθμιση, Ελλάδα

1. Introduction

The OMC –officially introduced at the Lisbon Summit in 2000– aims at organizing a learning process about how to cope with the common challenges of the global economy in a coordinated way, while also respecting national diversity (Council EU, 2000: 4). The method was

seen as an ideal solution for “tricky” policy domains that require European wide approaches, but not uniform policy responses, as well as an ideal platform for policy deliberation and experimental learning (Chalmers and Lodge, 2003). National governments remain responsible for the adoption of specific policy solutions, yet they are required to focus on jointly defined problems and policy objectives and to consider their own policy choices in relation to these “common concerns” (Scharpf, 2002: 654).

The introduction, in particular, of the OMC in the field of pensions in 2001 has added another stimulus to the Europeanization of social protection systems. Positive integration in the field of social protection no longer entails a transfer of sovereignty from the national to the EU level, but is rather geared towards a non-binding form of collaboration between member states (Kvist and Saari, 2007: 247). Studies conducted thus far regarding the impact of the OMC on pension reform have not been particularly encouraging though, focusing on its potential rather than on its actual influence. Natali and De la Porte (2004) in their study on the effectiveness and usefulness of the OMC on pension reform across the EU highlight the national rootedness of pension reform, despite some evidence of convergence between social insurance and multi-pillar systems. The same authors also emphasize the limited influence exercised by the OMC at the cognitive, normative and procedural level. On a similar tone, Casey (2004), in an article on the OMC and mutual learning in an enlarged Europe, argues that, given the strength of path-dependence with respect to pension systems, learning will most likely involve reforms at the margins, and that an incremental or parametric reform will be more likely than a paradigmatic one. However, even in the case of incremental changes, he expects the effect of learning to be limited. Eckhardt (2005) –in her analysis on the potential effects of the OMC on pension reforms in the EU– argues that although the OMC might prove a useful instrument for improving the quality and quantity of information about successful policies adopted in other member states, the variety and complexity of pension systems limit its learning potential, while its impact on national policy making will remain low as long as it reflects the struggle between economically and socially oriented actors found at the national level. The OMC’s potential rather than factual impact is also highlighted by Ervik (2006) in his study on the OMC –seen as representing a particular policy discourse– and the way it relates to national pension policy in three countries: two member states –Germany and the UK– and one non member country, Norway. Ervik in particular argues that the OMC pension edifice implies a shift at both the institutional and normative level, “through greater reliance on more market conform systems of provision through occupational and private pension institutions and, secondly, by a partial internal normative identity shift characterized by a more prominent role of core elements from private pension schemes” (2006: 37). Notwithstanding this shift, it is still possible to identify social justice or solidaristic elements such as the acknowledgement of unpaid care work in determining pension benefits, the focus on equality between men and women and the prevention of social exclusion. In terms of the OMC’s impact on national reform, this can be found in “its ability to reinforce reform topics on the national agenda that are in line with the OMC on pensions and provide national actors promoting such measures with an additional support” (Ervik, 2006: 38).

The present paper seeks to contribute to the Europeanization literature through an empirical study of the Greek response to the OMC in the field of pensions. The remainder of the paper analyzes and assesses the elaboration of the NSRs, the participation of Greek representatives in European Committees and the mutual learning potential of the process. Rather than looking for changes in national policy as a result of the implementation of the OMC, the paper focuses instead on the procedural aspect of the process; in particular, it seeks to identify shifts in policy making

arrangements, as a response to the need to prepare the NSRs, as well as the extent to which the participation of national representatives in European Committees and the peer review session has caused a debate and reflection on existing domestic policies.

2. The Greek response to the OMC in the field of pensions

Empirical studies concerning the domestic impact of the OMC rely heavily on the Europeanization literature. Assessing, however, the causal impact of processes of non-binding character based on the collaboration between the EU and member states is not always straightforward (Zeitlin, 2005). As pointed out by Armstrong, it is necessary to distinguish between the adaptation to the OMC, i.e. the extent to which the national system is prepared to engage with the different elements of the OMC, and the consequential impact of the OMC on domestic policy (2006: 84).

The present part focuses on the domestic response to the OMC in the field of pensions. The focus is on the preparation of the NSRs, the participation of Greek representatives in European Committees and the mutual learning potential in an attempt to identify the interaction of the Greek administrative system with the different elements of the OMC process. The analysis is based on a series of anonymous semi-structured interviews, conducted by the author with politicians, policy makers, civil servants and social partners, as well as on national and EU documents related to the OMC in the field of pensions.

2.1 *The preparation of the National Strategy Reports (NSRs)*

Greece has thus far submitted three NSRs in 2002, 2005 and 2006, the latter being part of the NSR on Social Protection and Social Inclusion prepared under the new streamlined process adopted in 2003. Responsibility for the preparation of the first NSR was assigned to a technocrat from the Prime Minister's office, while the Ministry of Economy and Finance participated in the process mainly by providing background material. Therefore, even though the NSR appears as the product of the collaboration between the Ministry of Employment and the Ministry of Economy and Finance (at least according to the Report's title), it has been an isolated process, that took place outside the respective Ministries' structure. In terms of content, the NSR submitted in 2002 was to a large extent a presentation of Law 3029/2002 which had been passed in June and was in turn portrayed as including measures that contributed towards the attainment of all three objectives, i.e. adequacy, financial sustainability and modernization (MEF/MLSS, 2002).

The new streamlined approach adopted in 2003 foresees an integrated reporting mechanism covering all three pillars, i.e. social inclusion, pensions, health and long-term care (Commission EC, 2003). Greece argued in favor of maintaining the distinct identity of each strand in the framework of the new streamlined process, in order for them to maintain their functionality (MESP, 2005). In parallel and following the 2004 elections and the advent of the Conservatives in power, a new model was adopted for the preparation of the NSRs. A working group has since been formed for that purpose within the General Secretariat of Social Insurance of the Ministry of Employment, involving officials from different levels of hierarchy. The Ministry of Economy and Finance participates in the process through a member of its Economic Affairs Committee, while the overall responsibility lies within the Ministry of Employment. Notwithstanding the fact that this new approach could suggest an attempt to attribute greater importance to the OMC, this does not seem to be confirmed; on the contrary, as argued by a former Minister, this change is related to the Ministry's need to reconfirm its leading role on issues pertaining to social protection, while

guaranteeing a better dissemination of information within the Ministry. This latter point is also highlighted in the Greek response to the questionnaire on the evaluation of the OMC, stating that “the OMC has helped initiate a process of co-ordination and cooperation at national level, both intra- and inter- ministerial” (MESP, 2005: 5). In terms of content, the 2005 NSR presented the way in which Greece had attained the common objectives, while it was also expected to contribute to the social dialogue process that was taking place at the time (MESP/ MEF, 2005: 3).

In terms of the pension strategy, the 2006 Report is clearly less important; the section concerning pensions is limited to six pages (on a total of 95), as the Report’s focus is on social inclusion. Nonetheless, the major difference between the 2006 Report and the previous ones –in terms of content– is that for the first time the former is future oriented. In the field of pensions, the policy priorities for the 2006-2008 period relate to the need for limiting contribution evasion and the modernization of the legislative framework concerning the management of pension schemes’ assets, measures that will limit fragmentation (MESP, 2006a). As argued by the Secretary General of Employment, an effort is made in order for the NSR to constitute a “national compass” for policy priorities, instead of a mere bureaucratic exercise. It is evident though that the policy priorities mentioned above are of a highly generalized character, thus requiring further elaboration.

Following the preparation of the NSR, the Ministry of Employment presents its content during a press conference. In parallel, the NSR is sent to all actors involved in the process, as well as to members of the academic community and journalists. The NSRs are also available at the Ministry’s website.

The Parliament is informed on the NSR’s content through its Standing Committee on Economic and Social Affairs (one of the Standing Committees exercising both legislative work and parliamentary control), following its preparation and in the context of parliamentary control. The process has a purely informative character; the NSR does not contain any new information, as all new initiatives are brought to the Parliament in the form of legislative Acts. As noted by several politicians, the parliamentary debate does not allow any in-depth discussion to take place and so it is limited to a superficial presentation of the NSR’s content. The fact that there is no formal requirement for the government’s approval ultimately prevents it from having an active role in the process, thereby limiting the openness and legitimacy of the OMC process, while also explaining the lack of interest on the part of MPs. In parallel, even if key policy makers internalize the objectives promoted by soft law, due to the absence of parliamentary involvement it might take time for soft law to move from ministries to parliament.

The NSR is a political, not a legal document, with no economic implications and no connection to the budget process. It can only have an indirect influence to the extent that “the policy priorities expressed through the NAPs are taken into consideration during the formulation of the social, as well as of the national budget” (MESP 2005: 6).

Media attention is almost absent, limited to a few references concerning the submission of the Report to Brussels, without further elaboration on the content of the OMC or the Lisbon Strategy. In the case of the 2002 Report, the lack of interest could be attributed to the fact that Law 3029/2002 reforming the pension system had only been passed a few months before and by consequence the pensions’ issue was perceived as being resolved. By contrast, in the case of the 2005 Report, even though there was concern that the content of the NSR was an indication of the government’s intentions in view of the social dialogue that would precede the elaboration of a new pension reform, it did not lead to a wider debate (Eleftherotypia, 25/09/2005).

Overall and as stated in the Greek response to the Commission's questionnaire "the degree of publicity and diffusion of information regarding the OMC is limited, and the efforts should continue towards further developing the institution of structured dialogue, enhancing participation of all stakeholders and advancing the related issues on the national political agenda" (MESP, 2005: 6). This finding is in accordance with those of Natali and De la Porte (2004) highlighting the absence of the OMC process from the media in several member states. Nevertheless, whereas the Greek NSRs have attracted such limited attention, recommendations emanating from the EU or other international organizations are overstated by Greek media, despite their non-binding character.

Social partners' involvement in the preparation of the NSRs has in general been described as limited, even though several member states report having consulted to varying extents social partners and NGOs (Commission EC, 2006a; Sakellaropoulos, 2004). To a large extent, the degree of their involvement seems to reflect national traditions and practices.

In the Greek case, given the absence of institutionalized relations between the government and the social partners, limited participation is expected on their part during the preparation of the NSRs. Both the 2002 and 2005 NSR make no reference to their involvement or to the consultation of other actors with an interest in the area of pensions (MEF/MLSP 2002; MESP/MEF 2005). By contrast, the 2006-2008 NSR states the significant contribution of social partners, yet this should be attributed to their active involvement in the social inclusion process (already evident in previous NAP/incl.) rather than in the area of pensions (MESP, 2006a). Despite the absence of reference to their role in the preparation of the NSRs, social partners had the opportunity to submit their positions to the Ministry, while they were also able to express them in the framework of the National Committee for Social Protection established in 2003 as a permanent forum for dialogue. Their participation has nonetheless been described by both parties –i.e. the government and the social partners– as inadequate. Furthermore, GSEE (private sector trade union) is rather skeptical of the OMC process, perceiving it as an indirect attempt of the EU to intervene in a policy area where responsibility still rests on the national level. Overall, no significant change is observed in the government-social partners' relations and/or social dialogue routines as a result of the implementation of the OMC.

The Greek Economic and Social Committee (OKE) in her Opinion on the NSR on Social Protection and Social Inclusion emphasized the need for a systematic and in-depth dialogue between the government and the social partners, regarding the identification of the basic priorities of the national strategy in the specific policy domains, while assessing the current practice of ad hoc (and of limited duration) consultations during the elaboration of the NSRs as insufficient (OKE, 2006). Recognizing the need to strengthen the social dialogue process as well as civil society's involvement in the policy making process, the government proceeded to the establishment of a National Council for Social Protection. The latter is expected to provide a co-ordination, monitoring and evaluation framework for social protection policies as well as a forum for consultation before the submission of the NSR to the EU (MESP, 2006b). In view of the streamlined process, a better coordination is therefore expected to be attained through the establishment of the National Council (MESP, 2005).

2.2 Mutual Learning

As pointed out in the introductory section, while national governments remain responsible for the adoption of specific policy solutions, through the OMC they are required to focus on jointly defined problems and policy objectives and to consider their own policy choices in relation to

these common concerns (Scharpf, 2002). Various elements in particular of the OMC methodology offer the opportunity of stimulating a reflection on existing policies and practices, that can in turn lead to shifts in domestic policy thinking. The following paragraphs focus on the extent at which the participation in European Committees and the peer review session contribute to a reflection on domestic policies and approaches. This will be done by examining the administrative practices adopted for the preparation of the Greek representatives participating in European Committees and the peer review session.

Under the Socialists, the elaboration of national positions was assigned to a small circle of technocrats close to the Prime Minister and the Minister of Employment. This practice prevented the dissemination of information regarding the national positions put forward in European fora, as well as the participation of civil servants, thus lowering the visibility of the process within the Greek public administration. Furthermore, the absence of political interest in the process and consequently of clear instructions resulted in national representatives expressing personal opinions or making statements of a rather general character (Sakellaropoulos, 2007). According to the Deputy Minister of Employment of that period, such practice –adopted both for the preparation of the NSRs and the elaboration of national positions– reflects the inability of the Greek state to incorporate European initiatives, especially those of soft character. The Greek input in European Committees was therefore dependent to a large extent on the personal capacities of national representatives. The working method followed in each Committee constituted another significant factor; as noted by one of the participants the round table discussion that took place in the framework of the Indicators Sub-Group (ISG) allowed a vivid exchange of ideas, whereas the process adopted during the peer review session where each country delegation had to wait its own turn limited significantly the potential for a meaningful and in-depth discussion.

Despite the limited attention given by the Greek government, participation in the framework of the Indicators Sub-Group has been described (by the Greek representative in ISG) as particularly active. More precisely, the emphasis placed on home ownership was presented as a Greek contribution. The OMC process has therefore provided the opportunity for “uploading” at the EU-level a specific domestic priority. As pointed out both at the NSR and the Joint Report, while in Greece –and in contrast to other European countries– old age is still the most significant factor in increasing the risk of poverty, attention should be paid to the fact that older people in Greece displayed much higher rates of home ownership and were much less likely than elsewhere in the EU to live in old people’s homes, hospitals or other communal institutions (less than 3% of the pensioner population). This ultimately implied the need for a more careful interpretation of the data related to poverty (Council EU, 2003: 114; MEF/MLSP, 2002: 13).

Following the rise of the Conservatives in power, a working group has been established within the Ministry of Employment in charge of both the preparation of the NSRs and the elaboration of the positions put forward in the framework of European Committees. Civil servants participating in these Committees or working groups have also set up a mechanism for more thorough dissemination of the relevant information among them, apart from the Report they are required to submit according to the practices of the Greek public administration. As for written reports, participants were not able to identify the exact audience they reached. In parallel, doubts were also raised by the civil servants participating in European Committees and working groups about the Greek input, given the absence of actuarial studies; these concerns though seem to be related more to the field of pensions than to the area of social inclusion, where a more active participation is acknowledged.

The peer review session constitutes another important element of the OMC in pensions. The first peer review session took place on the 23-24 October 2002, based on the NSRs submitted by the member states on September of that same year. The NSRs and the first peer review on pensions confirmed the existence a wide scope for mutual learning (Council EU, 2003). The second wave of NSRs, submitted in 2005, was discussed in a peer review in mid-September 2005, involving both the Social Protection Committee and the Economic Policy Committee (Commission EC, 2006b). In the Greek response, peer reviews on policies are described as a useful and instructive practice. The benefits from such a process relate to their usefulness for national experts in ensuring the quality and comparability of data, the acquisition of valuable experience and know how by the public administration and a better understanding of policies among member states (MESP, 2005). Nonetheless, the OMC has not succeeded in strengthening the role of the Actuarial Authority. In particular, while the elaboration of the 2005 NSR provided the opportunity for the enhancement of its technocratic authority as its preparation coincided with the opening up of the social dialogue process that would lead to a new pension reform, this was ultimately missed. Consequently, the government, in view of the elaboration of the pension reform process, had to rely once more to international experts (ILO).

Technocrats and civil servants who have participated in the peer review sessions do not seem to share the same positive view expressed in the Greek response; the process has been described as one of limited importance and impact, which in turn is attributed to its superficial character. In particular, the limited time available to each country prevented any in-depth discussion or a meaningful exchange of information and experiences. Several politicians, on the other hand, were to a large extent not familiar with the process, a fact that explains the lack of precision when answering the question about the potential contribution of the peer review session to the policy making process. In essence, this constitutes a proof of the inability of politicians to internalize soft law initiatives and subsequently shape parliamentary activities. Overall, while civil servants participating in the various Committees and the peer review as well as the Secretary Generals claim to have benefited from the comments made during these processes, such statement needs to be interpreted with more caution. The limited learning potential is also acknowledged in the Greek response stating that while "OMC methods and practices, such as peer reviews, transnational seminars, European networks –among others– offer the possibility for mutual learning and therefore advancing policy agendas in the long run towards common ends... the potential for the transfer of good practice from one country to another may be obstructed at first hand by each country's specificities, such as administrative structure, existing traditional practices, cultural behaviors and the degree of involvement of civil society" (MESP, 2005: 6).

3. Explaining the implementation of the OMC on pensions in Greece

The launch of the Lisbon Strategy (original and revised) and the introduction of the OMC mark a new phase in the Europeanisation of social policy. The impact, in particular, of the OMC on member states can be traced, firstly, in changes in the policy making process through the incorporation of EU concepts into domestic debates, ultimately resulting in changes in member states' policies, and, secondly, at the level of governance and policy making arrangements, namely administrative reorganization and institutional capacity building.

The present paper focused on the Greek response to the OMC by providing an analysis of the interaction of the administrative system with two elements of the OMC; the preparation of the NSRs and its ability to stimulate a reflection on existing policies. The analysis has revealed that institutional arrangements for the preparation are not yet fully in place, while an evaluation mechanism is absent. The approach adopted for the preparation of the NSRs reveals an isolated process, administered by a limited number of officials and seen as a bureaucratic obligation towards Brussels.

In terms of the mutual learning potential of the method, this has proven particularly limited, a fact attributed both to the superficial character of European level processes and to the limited attention received at the national level. Even though the OMC process has contributed –according to the Ministry of Employment– to a better understanding of policies among member states and the acquisition of valuable experience by the public administration, such effect has been limited to the participants in these committees. In parallel, doubts are raised regarding the extent to which lessons drawn feed back into the policy process in a meaningful way, as national representatives do not belong to the higher echelon of the Greek public administration and do not therefore have a direct input into policy formulation, while the NSR do not provide any assessment of previous ones.

Overall, the analysis of the implementation of the OMC on pensions in Greece indicates the lack of political support to the process. In other words, the government does not regard the OMC as an opportunity to stimulate reflection on existing policies. At the same time, the domestic stimulus to reform displays a high degree of path-dependence, that ultimately succeeds in overcoming the pressures stemming from the EU (Featherstone, 2005; Sotiropoulos, 2004; Sakellaropoulos and Economou, 2006).

This finding may seem odd at first sight, given that Greece perceives the EU project above all as a catch up process with the West in terms of salaries, incomes and social protection levels. At the same time though, she expects this catching up to take place through the old Community method. In essence, social Europe is understood in federal terms. Against this background, an approach based on intergovernmental principles does not seem to motivate politicians, policy makers or the public opinion. To a large extent, this can be related to the inability of the state-centered society to come to terms with decentralized structures and participative processes, the mistrust between the government and the trade unions regarding the former's intention to initiate a genuine social dialogue process and, ultimately, the absence of a civil society that could claim participation (Sakellaropoulos, 2007).

As the main problems of the Greek pension system remain largely unsolved, further reform is unavoidable. Future initiatives will once more revolve around the issues of equality, limiting fragmentation and the introduction of a social safety net. The success or failure of these initiatives will be conditional on the state's capacity to form broader advocacy coalitions. Against this background, the potential of the OMC could be found in its ability to stimulate a debate and reflection on existing policies and practices. Thus far though, OMC's isolated character has prevented it from having any impact on the policy making process.

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