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Contents

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Food Security and Biofuels Regulations: the Emulsifying Effect of International Regime Complexes

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Abstract

International institutions are proliferating over a wide range of issue areas, creating what have recently been described as regime complexes. More than complicated arrangements, regime complexes are structures: they are more than the sum of their parts, i.e. individual international regimes. While the concept of international regimes holds strong promise in this direction, academic research on regime complexes has mostly focused on how agents shape regime complexes but less on how complexes influence agents. This contribution aims at filling this gap by studying the effects that regime complexes might have on global governance, focusing more narrowly on the effects of regime complexes on non-state actors' (NSAs) strategies with regard to agenda setting for new international regulations. More precisely, we hypothesise that regime complexes create an 'emulsifying effect' for pro-active NSAs to push for new regulations whereby the collective effect of non-state actors within and across regime complexes become greater than the sum of their individual effects within individual regimes. We use the examples of food security and biofuels regulations at the international level as a case study with a special focus on the European Union.

Keywords

International institutions are proliferating over a wide range of issue areas, creating what has recently been described as 'regime complexes' (Orsini, Morin and Young 2013). For instance, no fewer than five key international institutions including the Food and Agriculture Organisation (FAO), the World Trade Organisation (WTO) and the G20 deal with food security[1] (FS) at the international level. The analytical added value of regime complexes, with respect to the former conceptualisation of world politics, is to focus on the structure in which international institutions are embedded. More than complicated arrangements, regime complexes are structures: they are more than the sum of their parts, i.e. individual international regimes. While the concept of international regimes holds strong promise in this direction, academic research on regime complexes has mostly focused on how agents shape regime complexes most of the time through forum shopping, forum shifting or forum linking strategies (Orsini 2013). For example, Florian Rabitz explains how states influence the different elements of the regime complex of genetic resources to maintain their privileged position in managing worldwide genetic resources (Rabitz 2016). However, there is far less focus on how complexes influence agents. What does it mean for international actors to evolve in a context of regime complexes? Do regime complexes change the strategies of international actors? And if so, in what ways?

This contribution seeks to fill this gap by studying the effects that regime complexes have on global governance. While this research ambition is vast, we narrow it down by looking at the effects of regime complexes on non-state actors' (NSAs) strategies with regard to agenda setting for new international regulations. More precisely, we hypothesise that regime complexes create an 'emulsifying effect' for pro-active NSAs to push for new regulations whereby the collective effect of non-state actors within and across regime complexes become greater than the sum of their

individual effects within individual regimes. We use the examples of FS and biofuels regulations at the international level as a case study, with a special focus on the European Union. We illustrate how NSAs failed to push for new worldwide FS regulations in 2008 and how, later, in 2012, they used the biofuels regime complex as a backdoor to bring back FS onto the European negotiation table. Our analysis relies on secondary literature, on official documents and on a set of interviews with key actors using a snowball sampling methodology (asking each new interviewee about other important players to interview) and respecting triangulation (including interviews with actors from different categories, see Annex).

The following developments are organised in four parts. Part 1 discusses the theoretical and analytical framework of the study and presents our research hypothesis. Part 2 illustrates the situation of the case study in 2008. Part 3 looks at the situation of the case study in 2012. Part 4 goes back to the conceptual framework and discusses the emulsifying effect.

ANALYTICAL FRAMEWORK: REGIME COMPLEXES AND THEIR CONSEQUENCES FOR THE POWER OF NSAS IN GLOBAL GOVERNANCE

A Brief State of the Art on Regime Complexes

Regime complexes were first identified in 2004 (Raustiala and Victor 2004) and later precisely defined as 'networks of three or more international regimes that relate to a common subject-matter, exhibit overlapping membership, and generate substantive, normative or operative interactions recognized as potentially problematic, whether or not they are managed effectively' (Orsini, Morin and Young 2013: 28). Regime complexes are networked structures, made of regimes, within which states and NSAs interact. The success of the concept has been contemporaneous to the identification of regime complexes in an increasing number of international domains, such as peace building, FS or trade, to cite but a few. This success also led to the development of numerous similar concepts in the scientific literature, such as 'institutional interactions', 'institutional linkages', 'inter-organisationalism' or 'institutional fragmentation' (for a synthesis see Zelli and van Assel 2013; Biermann 2008).

Research on regime complexes has so far followed three paths. First, scholars have concentrated their efforts on identifying, describing and characterising regime interactions (Sanderink, Widerberg, Kristensen and Pattberg 2017; Morin and Orsini 2013; Oberthür and Gehring 2006; Rosendal 2001) Second, scholars have analysed the origins of regime interactions, asking the question of who shaped regime complexes in the first place, highlighting the role of important state and non-state actors in multiplying negotiation venues through forum shopping, forum shifting and forum linking (Rabitz 2016; Morse and Keohane 2013; Orsini 2013; Graeger and Haugevik 2011). Third, scholars have investigated the management of regime complexes, defined as 'conscious efforts by any relevant actor or group of actors, in whatever form or forum, to address and improve institutional interaction and its effects' (Oberthür and Stokke 2011: 6. See also Logmani, Krott, Tymoteusz Lecyk and Giessen 2017; Young 2017; Naiki 2016).

As a result, research on regime complexes has so far concentrated on the description, creation and management of complexes understood as independent variables. To be sure, the existence of such studies already says a lot about the phenomenon of regime complexes. However, it is also time to investigate the consequences that regime complexes have for global governance, using them as dependent variables. How do regime complexes affect the governing of global issues? With this idea in mind, the next sub-section proposes a reflection on the changes regime complexes bring to international affairs.

Power within and across Regime Complexes: the Emulsifying Effect

We contend that the existence of regime complexes creates an emulsifying effect, helping actors to push for the agenda setting of new regulations. This emulsifying effect is different from the sum of the individual effects each actor might have in each individual regime. It is therefore likely to boost the power of actors. Linking different regimes and different regime complexes helps actors to amplify the scope of their actions. More precisely, two emulsifying mechanisms – to which so far few publications implicitly refer – are likely to be at play.

First, regime complexes multiply the numbers of actors concerned and increase networking activities. The networked governance structures of regime complexes, as networks of regimes, foster the creation of new networks of international actors. As early as 2004, Haas noted that

> there is the potential for replacing the traditional dichotomous concepts of global governance organized hierarchically or anarchically with a network model of decentralized global governance performed by multiple actors, whose interactive effects in practice would yield more effective global coordination and performance of major governance functions' (Haas 2004: 12, our emphasis).

Research on regime complexes has shown that NSAs play an increasingly political role within them. For instance, the regime complexes for sustainable fisheries or forestry involve a high number of non-governmental environmental organisations (ENGOs) (Auld 2014). The distribution of authority between different categories of actors is likely to change in a context of regime complexes.

Second, regime complexes are likely to foster the use of new advocacy frames.[2] Authors have recognised that regime complexes present opportunities for players to pursue their strategic agenda (Urpelainen and Van de Graaf 2015). For instance, on intellectual property issues Rabitz (2014) shows how developed and developing countries are continuously fighting about norms and how they strategically use one entry of the complex instead of another to push for their political preferences. If levels are multiplied within regime complexes, it seems fair to announce that these political opportunities are also available to external constituencies willing to influence the political issues at play within regime complexes. There are already indications that certain norms and actors navigate from one regime complex to another (Allan 2014; Orsini 2013). This means that actors active in one complex can try to push for their preferences in other regime complexes and, by doing so, can bring new frames within these regime complexes or even hybridise their frames with other actors. When several regimes are concerned, the potentiality to use different strategic thinking and frames is amplified.

Both mechanisms are needed for an emulsion to happen. Without actors to support frames, these frames are unlikely to resonate. Without frames, actors are unlikely to be able to shape the political agenda. Moreover, we hypothesise that the emulsifying effect will take place for pro-active actors who are in favour of the regulatory agenda. Because regime complexes are regulations, it seems logical to foresee that they will help foster new regulations. It is also important to keep in mind the extent to which this hypothesis could be falsified. Because of the multiplication of actors or forums, there might be a risk that complexes dilute policy solutions instead of enabling new regulations. Strategic players could also deviate from important political claims by orientating them toward less dynamic parts of regime complexes.

Talking about the appearance of new actors' networks and of new frames for the emulsifying effect resonates with the literature of transnational advocacy networks (TAN). Traditionally, TANs 'include those actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services' (Keck and Sikkink 1999: 89). In

our case, the existence of new regime complexes fosters the creation of new TANs that enter into horizontal interactions, mobilising international institutions working on different issue areas.

As a first step towards proposing a fully testable model, this paper looks at one empirical illustration that gives insights into the plausibility of the research claims made in this part. More precisely, we use the examples of FS and biofuels regulations as a case study and we concentrate on NSAs who have been particularly active on these issues. We illustrate how NSAs failed to push for new FS regulations during the 2008 FS crisis (part 2) and how, later, in 2012, they benefited from the emulsifying effect and used the biofuels regime complex as a backdoor to bring back FS onto the negotiation table (part 3). Part 4 then goes back to the conceptualisation to analyse the case further.

THE FAILURE TO ADVANCE THE FOOD SECURITY AGENDA IN 2008 AND THE FIRST (UNSUCCESSFUL) ATTEMPT TO LINK FOOD SECURITY AND BIOFUEL ISSUES

Setting the Institutional Scene: the Food Security and Biofuels Regime Complexes in 2008

The regime complex for food security appeared in the 1990s. Initially, one unique international regime for FS was created around the desire to eradicate hunger. It was mainly embodied by the Rome-based UN food agencies: the FAO, the World Food Programme (WFP) and the International Fund for Agricultural Development (IFAD). Progressively, other institutions got involved in this regime such as the World Bank, the Consultative Group on International Agricultural Research or the UN Standing Committee on Food and Nutrition, to the point that in the 1990s, the proliferation of institutions marked the emergence of diverging views and to the constitution of a regime complex for FS. This complex is organised around three international regimes.[3]

The first regime is the international trade regime with the WTO as a core institution. Since its creation and the discussions on the *Agreement on Agriculture* (AoA), FS has been at the centre of WTO negotiations. Indeed, the AoA rules on domestic food assistance, the operation of food reserve and the financial support permitted to strategic FS commodities. The second international regime is the agriculture regime. Many institutions in charge of agricultural matters are also in charge of FS. This is the case, for example, of the FAO (the main UN agency in charge of FS and agriculture) or of the European DG on Agriculture, Fisheries and Food. Moreover, FS issues are often discussed in agreements on agricultural matters (e.g. the European Common Agricultural Policy). The third regime is the international human rights regime. Even though the right to food is not a new concept, it took on a greater salience after the 1996 World Food Summit. It complemented the FS concept. Rather than a technical or an economic issue, FS was now seen as a legal issue. Three important institutions of this regime are the Office of the High Commissioner of Human Rights (OHCHR), the International Covenant on Economic, Social and Cultural Rights (ICECSR) and the UN Council of Human Rights through the Special Rapporteur on the right to food. NGOs, such as Oxfam or Action Aid, are also part of this international regime. Some of them work particularly in times of crisis, others focus on small farmers' rights or on fair trade for agricultural commodities. They interact with the two other international regimes but they broadly work for the respect of human rights.

In 2008, the FS regime complex was partly fragmented, and the three international regimes conflicted on many issues – for example, the WTO pushed for a greater access of agricultural commodities to the global free market, while the OHCHR and the FAO encouraged the development of local agriculture – but it was also well established.

On the other hand, in 2008, there was no regime complex for biofuels. Discussions on biofuels were rather new on the international agenda, and international institutions were only slowly beginning to

develop an interest in the topic. More precisely, two criteria to identify a regime complex were not fulfilled in 2008. First, fewer than three international regimes were active on the issue at that time. The development regime, through the World Bank, started financing biofuels projects in 2007. The energy regime, with the European Directive 2003/30/EC on biofuels, promoted the use of biofuels in transportation as early as 2003. But no other international institution had, by that time, entered into sustained discussions on biofuels. Within the environmental regime, no projects and no particular discussion on biofuels were specifically on the agenda of the United Nations Framework Convention on Climate Change. Also, discussions in the WTO on the status of biofuels (see below) were starting but were not institutionalised and no cases had been brought to the dispute settlement body. Second, the definition of regime complexes also mentions that interactions are recognised as potentially problematic. This was not the case in 2008 when there was a general consensus on biofuels being a useful source of energy, beneficial to the environment and potentially positive for development.

The First Failed Attempts to Link Food Security and Biofuels and to Establish Regulations in 2008

In 2008, a food price crisis drew several international institutions' attention to a recurring phenomenon. From 2005 to 2008, food prices rose by 83 per cent. At the beginning of 2008, basic food commodity (corn, wheat, maize, rice) prices doubled (and in some cases tripled) in a few weeks, leaving 963 million people suffering from undernourishment, compared to 923 million in 2007 (UNCTAD 2009: 1).

Reactions to solve the crisis developed. Several international organisations discussed solutions to regulate the food commodity markets; the UN Special Rapporteur met with several political leaders to advance on the FS agenda; NGOs such as ActionAid or Oxfam International launched campaigns to raise awareness (ActionAid International 2008; Oxfam International 2008). However, disagreements concerning the origin of the food crisis impeded the adoption of new international regulations. Many usual suspects were blamed: the worldwide economic crisis; speculation on food commodities that distorted market prices; repeated drought in Asia and in the USA that reduced supply. But one new factor was pointed out as a potential explanation of FS problems: the production of biofuels.

Biofuel production has a complicated relationship with FS, leading to a 'food vs. fuel scenario' (Margulis 2015; see also UNCTAD 2009: 6). Before the 2008 crisis, several actors had already made a link between the two issues. In 2004, the UK' s Renewable Transport Fuel Obligation required oil suppliers to blend an increasing amount of biofuel into their petrol and diesel. Many concerns were raised and British civil society questioned whether there would be enough land available to meet this obligation (Department of Transport 2008). In 2006, the European Commission required more investigation into the matter (European Commission 2006: 7). More controversially, in 2007, the first Special Rapporteur, Jean Ziegler, announced to the UN General Assembly: 'it is a crime against humanity to convert agricultural productive soil into soil which produces food stuff that will be burned into biofuel' (UN News Centre 2007).

But for the first time, during the 2008 food crisis, several international organisations tried to embrace the biofuels vs food debate. In June 2008, the FAO, together with the WFP, IFAD and Biodiversity International on behalf of the CGIAR system hosted the 'High-level Conference on World Food Security: the Challenges of Climate Change and Bioenergy', where 181 heads of states and the European Community adopted a declaration of principle that reasserted the necessity for national governments to prioritise FS over bioenergy (FAO 2008). In 2009, the G20 summit called for more analyses on the topic and in 2011 commissioned a report, co-authored by ten international

organisations (including FAO, WTO and the World Bank) (FAO, IFAD, IMF et al. 2011), on the interactions between biofuels policies and food.

Despite these debates and the pressures of several NSAs, no concrete measures were taken on food security globally or on biofuel production, as illustrated in Graph 1a below. Several international and regional organisations, including the WTO and the European Union, refused to link the two issues (red crosses on Graph 1a). In 2009, states also tried to persuade the Committee on World Food Security to re-orientate its work towards biofuels. But this led to a major backlash as explained by one former representative of the EU at the time: 'Now the moment the High Level Panel of Experts published this report […] about biofuels, that was considered a political report and non-objective by the DG Energy' (interview 3) and the EU stopped supporting the reform.

Graph 1a. The first failed attempts to establish food security regulations in 2008
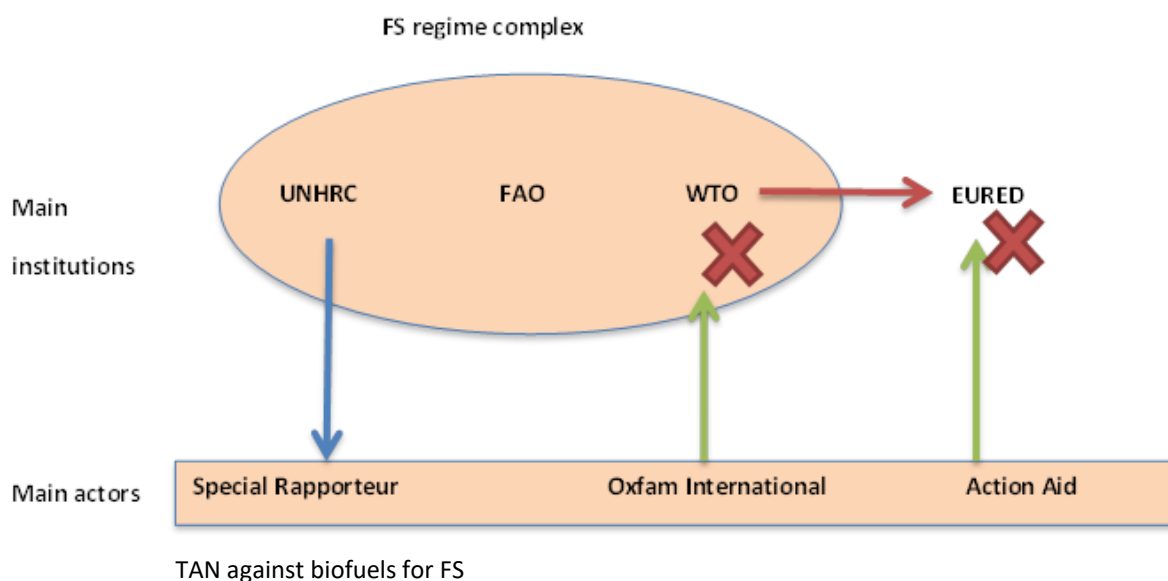
The European level is particularly illustrative of the failure encountered by FS advocates. At the European level, 2008 was also a period of negotiation for the adoption of a renewable energy directive: the RED Directive. While food security advocates had already warned the Commission of the potential links between biofuels and food security, DG Development, in charge of FS in the EU, remained silent during the whole process. Biofuel discussions were not part of its priority and the DG was not yet totally convinced of the negative link between biofuels and FS (interviews 5 and 7). In 2008 already, a study conducted for DG Development on the impact of biofuels in developing countries was somewhat buried (interview 3). Another objective pursued by NGOs was to include obligatory sustainability criteria for biofuels within the RED. The adopted text stipulated that biofuels used in the EU had to meet certain sustainability certification schemes to be eligible for funding or to count towards national targets. Environmental obligations were mandatory while social ones (including FS) were not. The consideration of FS is also light in the 2009 directive. Business lobbies and the Commission indeed feared that mandatory obligations would create legal uncertainty (Sharman and Holmes 2010). Moreover, while drafting the directive, the EU was conscious of potential WTO conflicts (interview 4). As a result, the 2009 RED mostly rests on voluntary measures and does not restrict the use of biofuels.

The 2009 RED contains a 10 per cent target for energy from renewable sources in transport. For the Commission, the RED pursued three objectives: (i) climate change mitigation; (ii) energy security; (iii) and regional development in Europe (interview 4).[4] At the time, for the Commission, promoting biofuels was seen as a way to sustain the agricultural sector by supporting small European farmers. Following the 2008 crisis, however, Oxfam International was present and wanted to take the opportunity to include FS provisions and propose biofuels limits within RED. The target was finally turned into a 10 per cent renewable energy target, and no longer specified biofuels (the initial wording was a 10 per cent biofuels target), an important breakthrough for several anti-biofuels advocates, that however had no link to food security issues and that was still a target, not a limit.

As summarised by one interviewee:

> Yes, lots of people talked about FS in 2008 but if you then really look at the real action after that it was minor. I think in the end very cynically you could say that the topic was not long enough high on the political agenda' (interview 2).

A number of concrete reasons have been given to explain this lack of action after 2008, such as the fact that prices came back to normal quickly, that other issues entered the international political agenda like climate change or economic crises. Overall, FS was also seen as a very contested and complicated issue (interview 2).

In the discussion of the 2009 RED, the EU did not take into account FS, despite NSAs' attempts. While several landmark studies on the importance of warranting FS were published in 2008, including in the Science magazine (Fargione, Hill, Tilman, et al. 2008; Scharlemann and Laurance 2008), these studies came too late to resonate with the NSA's campaign.[5] While no concrete results were visible when FS advocates asked for biofuels limitation in 2008, we develop below the argument about how, during the revision of the European RED Directive, FS advocates again inserted the issue onto the international political agenda through the biofuel backdoor, this time to translate it successfully into EU energy policies. In that process, FS advocates benefited from the emulsifying effect of the biofuels regime complex to further their political agenda (as discussed further below).

SUCCESS IN ADVANCING THE FOOD SECURITY AGENDA IN 2012 THANKS TO THE (SUCCESSFUL) LINKS TO BIOFUELS

Setting the Institutional Scene after 2008: the Biofuels Regime Complex as a New Independent Variable

Despite its growing international relevance (debates about green energy, climate change or energy prices), several authors consider that there is no international regime on biofuels (Margulis 2015; Bastos Lima and Gupta 2013), in the sense that there is no treaty or organisation dealing with biofuels regulation, producing consensual knowledge on this topic or setting international standards. In fact, the regime is not unique. After 2008, the international governance architecture for biofuels slowly transformed into a regime complex comprising four different international regimes: trade, climate change, development and energy regimes.

Biofuels are negotiated within the trade regime. The WTO is a key arena for debates about trade in biofuels. Within this context, biofuels are classified as agricultural or industrial goods, depending on their production process. This has implications when determining the level of national subsidies

permitted. More precisely, more subsidies are allowed for agricultural and industrial goods than for environmental ones. Exporting countries such as Brazil therefore push for biofuels to be classified as environmental goods to open the worldwide market further, facing opposition from, among others, the EU, which favours national subsidies. As a result, several emerging economies have brought cases in front of the dispute settlement mechanism to denounce biofuels subsidies. More precisely, four disputes are under way: three by Argentina against the EU (in August 2012; May 2013; December 2013) and one by Indonesia against the EU (June 2014).

The second regime is the climate change regime. The UNFCCC guides member states to mitigate climate change by limiting the use of fossil fuel energy and is therefore a key actor of the complex (interview 1). Two Clean Development Mechanism projects of the UNFCCC include biofuels. The first was approved in September 2012 and the second in May 2013. Biofuel projects are rather hard to validate as CDM projects. While the use of biofuels is clearly seen as a way to mitigate climate change, their production process is known for being carbon consuming. Moreover, in the past, there have been problems of double counting of emission reductions by biofuel producers and users (CDM executive board n.d.).

The development regime is represented by one additional institution dealing with biofuels, the World Bank, which since 2007 has invested in 15 biofuel projects in developing countries. By doing so, the Bank recognises the potential of biofuels for climate mitigation and development goals. Finally, the energy regime is present through the 2015 EU renewable energy directive, the revised version of RED 2009/28/EC that sets biofuels limits in the name of food security objectives (see below).

The biofuels regime complex is at an early stage, fragmented, and covers different specialisations. Progressively, the two regime complexes – FS and biofuels – have several institutions in common, notably the WTO, the World Bank and the EU.

The Revision of the 2009 RED: a Major Breakthrough for the Food Security Agenda

While FS advocates failed to influence the 2009 RED, to please NGOs, a bi-annual reporting obligation was included in the text that could lead, if appropriate, to a revision of the directive. As explained by one representative from Oxfam International: 'we […] managed to include a review of the policy that should have happened in 2010 in light of the scientific progress' (interview 7). On this basis, FS advocates continued to be active and to push for a revision:

> there was a continuous discussion on whether the sustainability criteria that were agreed upon were enough, whether they were far reaching enough, whether they were doing their proper job. So, from that moment in the political arena there was a kind of a continuous asking for a review of biofuel policies, which then came on the table in 2012 (interview 2).

Soon, FS issues reappeared on the agenda and the food vs fuel debate shifted to the centre of the EU RED Directive. The fact that the EU became a key forum in this debate is explained by several factors. First, the EU is progressively party to both regime complexes. Second, it was under international influence already in 2008, meaning that it worked as a model laboratory of what was at hand: 'there was a debate at the FAO and at the UN level so […] all these discussions were there and had also an impact on what was discussed at the European level' (interview 2). Third, the EU situation has been important for major exporters like Brazil, Malaysia and Indonesia who were also active on both issues (interview 2). This was also true for NSAs: 'there were also a lot of non-

European NGOs influencing the EU debate because they knew that the outcome of the European debate would influence other policies around the world' (interview 2).

On 28 April 2015, the European Parliament voted to approve new legislation, which limits the way member states can meet the target of 10 per cent for renewables in transport fuels by 2020. The legislative process ended in September 2015 with the adoption of the text by the Council (European Union 2015). More precisely, the revised RED sets a cap (7 per cent) on the contribution of food and feed biofuels and puts a greater emphasis on the production of advanced biofuels from waste feedstock. Member states are invited to include the law into national legislation by 2017. The issue of FS is central in the revised RED, with more than 30 occurrences of the word 'food' in the final version.

The 7 per cent cap is actually the result of a bargaining process that is not totally in favour of ENGOs and development NGOs. For the revision of RED, at the beginning, the Commission proposed a 5 per cent limit for biofuels. Such a proposal still gave space to growth, because the market share at that time (October 2012) was about 4.5 per cent (interviews 3 and 4). ENGOs and development NGOs aligned themselves with the Commission, and proposed a period of transition towards 0 per cent biofuels. Pro-biofuel lobbies, to the contrary, pushed for a higher percentage. In the end, the adopted 7 per cent is a compromise between DG Env, DG Trade and DG NRJ (interviews 4, 5 and 7). For biofuels versus FS campaigners, 7 per cent is not a real victory.

Yet, the main victory in 2012 was the FS advocates' ability to bring back FS issues into the debate. What is achieved concretely might seem fragile but as explained by one campaigner:

> […] I don't think the reform will do very much in the real world in terms of making a difference to FS or a big difference in the quantity of biofuels that will be used [...] because the ambition of the reform became weakened during the legislative process (…). But what it represents is a bigger political change […] Policy-makers in the European Parliament, in the Commission and in some Member States, generally no longer see biofuels as a sustainable viable alternative for transport (interview 7).

And this political change is a major achievement for campaigners against the use of biofuels, being ENGOs or development NGOs.

COMPARING 2008 AND 2012: NON-STATE STRATEGIES AND THE EMULSIFYING EFFECT OF REGIME COMPLEXES

Regime Complexes as New Networking Potentialities for NSAs

The emergence of the biofuels regime complex enabled NGOs to create new networks that were helpful in overcoming resource scarcity. In 2008, FS NGOs, which are mostly development NGOs, had limited funds and human resources to sustain a long-term campaign for food security globally. In 2012, within the European forum, they initiated networking with environmental NGOs that were preparing for the revision of the RED and were opposed to biofuels for environmental reasons (see Graph 1b representing both the coalition against biofuels for FS reasons and against biofuels for environmental reasons). Progressively, a TAN bridging FS advocates and environmental protection advocates emerged (see Graph 1b for the names of the main organisations included). One consultant who wrote a report on the organisation of the NGO coalition at the time explains:

> Because of the timing of the campaign there was the inability to sustain funding for all of them for such a long period of time because this legislation process is very long. And it is not very sexy to campaign on, to find supporters and to translate […] it is very very technical. But there are a few very biofuel-passionate people in Brussels (interview 3).

These passionate people put their resources together. It was also difficult for campaigners to build networks outside the EU (interview 7), but the FS issue was a good opportunity to do this.

The 2008 international controversy planted the seeds of a stronger organisation around the biofuels vs food debate. More precisely, NGOs started to create networks that they would never have thought of, had they not been put in initial contact during the 2008 crisis:

> there was a lobby group in Brussels where environmental and development NGOs have joined to work on biofuels, which has been quite unprecedented because they usually work on kind of separate agendas: Oxfam, ActionAid, Greenpeace, Friends of the Earth (FOE), Birdlife International (interview 3).

Contacts were made between organisations and within some of them: for instance, after the 2008 crisis and the adoption of the RED

> FOE groups in the South, particularly in Latin America and in South Africa and in Indonesia (…) were reporting to us that biofuels were being used as the main excuse for expanding industrial plantations which they saw as a threat to food sovereignty, to communities as well as to the environment, with the land grab issue. It coincided with policy discussions in the EU 2020 package […] It's that coincidence that motivated us to advocate on the campaign (interview 7).

Several NGOs developed specific campaigns linking both issues. Development NGOs started to include biofuel concerns and ENGOs included FS ones. For instance, in September 2012, Oxfam International launched a joint FS/biofuels campaign targeting more precisely the EU and entitled 'The Hunger Grains. The fight is on. Time to scrap EU biofuels mandates'. ENGOs progressively included social requirements in their positions. WWF started noting that the directive was not satisfactory with regard to social issues like FS: 'RED does not include mandatory requirements on maintaining and improving soil, water and air quality or consider social issues […], and *food security*' (WWF 2013, our emphasis).[6]

These new collaborations helped NSAs to sustain campaigns that they would otherwise not have been able to sustain, enabling them to keep on putting the issue onto the European agenda. In their fight against the inclusion of biofuels in any European renewable energy targets, they also found new potential allies: food companies (e.g. Unilever, Nestlé) were supporting the same political agenda.

Coordination mostly benefited actors who were in favour of proving that biofuels were posing a threat to FS. By contrast, lobbies advocating a positive relationship between biofuels and FS continued to lobby mostly on an individual basis. These were lobbies representing biofuel companies (e.g. BusinessEurope, Novozyme), oil companies (e.g. Shell, Total, FuelsEurope) and European and non-European farmers.

Rapidly, biofuels vs FS NSAs also found support in the person of the Special Rapporteur to the UN (interviews 1, 3 and 7). He indeed regularly navigated through the different institutions of the FS and biofuels regime complexes, expressing concerns regarding the 2009 RED. According to him, the EU

did not have enough arable lands to produce the amount of agricultural commodities to achieve its goals and therefore would need to import agricultural commodities from developing countries, depriving these countries of precious spaces to cultivate food (De Schutter 2013). The Special Rapporteur used the biofuel discussions to remind European institutions of their duties concerning FS issues, making a link between different European institutions that did not always communicate well, such as DG Energy and DG Development. As explained by one observer of several Parliamentary debates:

> he was also very active in the EU, visiting the European Parliament quite often […] I think he was the most outspoken person. You had of course also individual scientists and NGOs but Olivier had the UN position that gave him a lot of attention (interview 2).

The actions of the Special Rapporteur had great resonance within civil society organisations (Action Aid, Oxfam, Devex). Taken altogether, in a new advocacy network, they managed to put the FS security issue back on the EU agenda for the revision of the 2009 RED directive (green cross on Graph 1b), through the biofuels backdoor: 'I think as a parliamentarian of course you have to work on FS issues. […] I have to be honest in that in the European Parliament there has been more debate about biofuels than, per se, separately, FS […] that in that sense is really driven by the biofuels agenda' (interview 2).

Graph 1b. The success to advance on the food security agenda in 2012 thanks to the links to biofuels
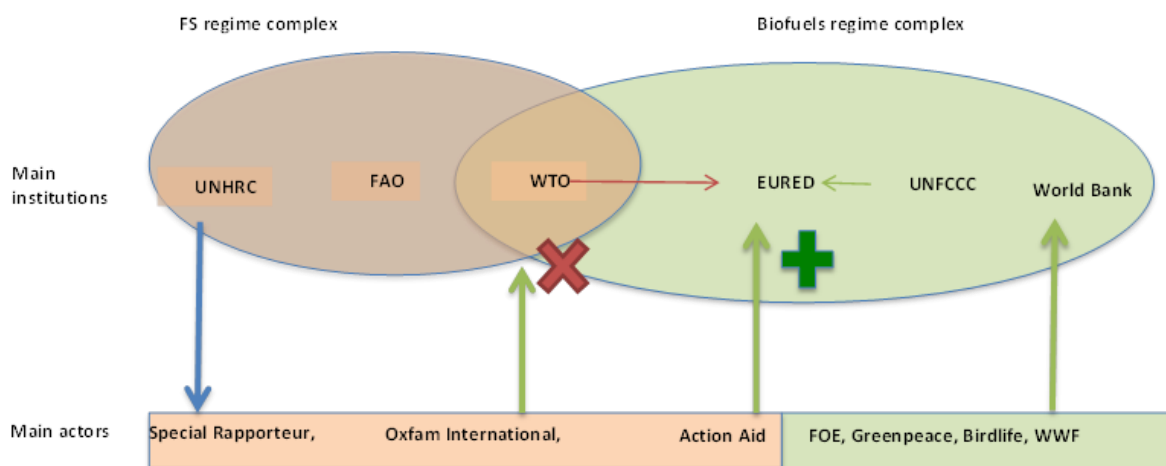
TAN against biofuels for FS and for environmental protection

Regime Complexes as New Framing Opportunities

The biofuels vs food NSAs network benefited from a second emulsifying effect that is the emergence of new hybrid frames. This time, NSAs successfully framed biofuel issues in FS terms. The FS frame itself was not new, but the link between FS and biofuels was, as NSAs' frames navigated from one issue to the other.

Within a few years of the 2008 crisis, several international organisations (the FAO, the World Bank, the WTO) produced contradictory reports on the positive or negative links between biofuels and FS.

In 2011, it was clear that international organisations were not sure whether it was pertinent to link the two issues and to what extent biofuel production impacted FS (G20 2011). Yet, they at least validated two aspects of the biofuels vs FS issue: (i) from an initially local issue, it became transnational, with biofuel policies in one country having resonance on climate change, land use or food accessibility issues in another; (ii) it reaffirmed the fact that both issues were linked, in one way or the other.

Having said that, knowledge on this link progressed over time as a whole:

> if you look at it between now versus eight years ago you would probably see an improvement in the sophistication of the methods used and the type of information […] Efforts in data sources regarding the link between the two, in the number of studies that have been done (interview 1).

Plus in more precise elements of the biofuels regime complex:

> if you contrast the 2007 and 2014 IPCC reports I think you will see an increasing sophistication on FS. And so in 2007 risks to crop production and livestock production were not very well understood at all. Then in the subsequent seven years we have seen the Matrix change on that. And also a huge extension in the understanding of all of our land use trade-offs (interview 1).

The growing number of scientific publications is key to understanding this evolution. But so is the mobilisation of the different knowledge that NSAs shared from their different experiences through their participation in both regime complexes and framed into policy advice. Just like international organisations, different NSAs produced many reports and used scientific knowledge to support their positions. While some showed that biofuels could be an opportunity for small and European farmers and as such improve FS (interview 5), others indicated that biofuels were one of the causes of food insecurity in the South (interviews 4 and 7). Some did not expect this latter argument at the negotiation table and many reports were produced to support or contradict it (interviews 1 and 5), concluding with very different results: biofuels could help battle or aggravate food insecurity.

For the biofuels vs food NSAs network, more than these reports was needed to convince decision-makers (interviews 5 and 7). As explained by one interviewee: 'I think we can say that the idea that scientific knowledge was enough to give a direction to the link is not right because technical knowledge and political interest can be played against each other' (interview 3). This is where ENGOs and development NGOs took advantage of divergences:

> that was one thing that made our case easier to make with decision-makers and public opinion. A lot of people were arguing. Our concern about biofuels came first. While the other players were offloading the burden onto the others, NGOs proposed a very comprehensive view (interview 7).

As a result, 'in the end, NGOs managed to put together political pressure and scientific findings to convince the Commission to review the policy' (interview 7).

After the battle they lost in 2009 for the adoption of the RED, biofuels vs food campaigners tried 'to find whatever policy hooks they could to reduce the biofuels target' (interview 5). Initially, the main hook was indirect land use change and its consequences for climate change: 'it was clear that the main basis for the reform was about greenhouse gases and the true carbon footprints of biofuels.

That was the mechanism by which DG Climate started commissioning studies' (interview 7). Put more simply, this argument stated that biofuels were not green (interviews 3 and 4).

However, this environmental argument had not been sufficiently adequate to influence the 2009 RED. It soon became clear for the NSAs network that a more powerful argument, less technical and therefore easier to communicate to decision-makers, was to be found. FS appeared as the strong political argument they were looking for. Indeed, it seemed quite logical to limit the use of food commodities for purposes other than alimentation when people were starving. And environmental actors slowly took a backseat to let development NGOs take the lead (interviews 6 and 7), while they used the help of FS actors (e.g. ActionAid) to strengthen their argument (interviews 6 and 7).

By launching joint campaigns (interviews 4 and 7) the NSAs network aimed at convincing not just decision-makers but also public opinion, spreading the message through English newspapers that were read across Europe. Communication campaigns therefore had an impact in Brussels (interview 5). Just as for policy-makers, FS actors had a compelling argument to make: it was unconceivable to drive with food (interview 6) and public opinion quickly took their side. Even though biofuels of the second generation were meant to avoid these kinds of ethical questions, the battle for first generation biofuels was already successful (interview 5). As summarised by a former campaigner at the time:

> from a point of view of political expediency, we found that FS is one of the most powerful and resonant arguments that we could make with policy makers. Partly because it is a simpler issue to talk about […]. Partly because it is also an already existing concern that policy-makers have so that we can already link it as contributing to an ongoing issue to address (interview 7).

Twisting the initial environmental strategy into a FS one was useful to raise awareness about the FS negative impacts of biofuels. But still, because the issue was really controversial, NSAs started to realise that they needed to bring back environmental concerns to make up FS priorities. Indeed, officially, the revision was presented as driven by environmental preoccupations and mostly CO2 emissions concerns (European Commission 2015). As explained by one campaigner: 'I think that given the dispute there was around the link between biofuel policies and FS it was in the end crucial that also the link with climate change was made' (interview 2) (see also Graph 1b).

On their side, the defenders of biofuels were disappointed: 'they found the perfect suspect: biofuels. They used it as an excuse (…) They managed to put on the agenda something that should not be on this agenda because biofuels have no impact on FS' (interview 5). Biofuel producers estimate that they lost the war on a biofuels quota because they lost the communication battle (interview 5). For campaigners, the pro-biofuels lobby forgot to take feelings into account: 'they underestimated the emotional part of the debate. We really really used this emotional link' (interview 6).

Both Mechanisms are Important for Emulsion: the Limits of Non-State Strategies outside the European Context

Intuitively, networks are needed for frames to be supported, and frames are needed for networks to succeed in supporting a political agenda. The failure of FS and anti-biofuels advocates to succeed outside the EU is an illustration of the importance of both elements.

On the one hand, the Special Rapporteur replicated his interventions into other international organisations outside the EU but did not manage to foster the adoption of regulations as NSAs

networks to support his views were lacking outside the EU. For instance, the Special Rapporteur has also been active at the WTO. The WTO's policies have often been criticised for being contradictory to human rights, by concentrating on a particular, limited right, the right to property (Joseph 2013: 34-35). The Special Rapporteur denounced several times WTO rules on agricultural goods as 'bad for FS' (De Schutter 2011) and took the opportunity of the biofuel discussions to defend FS again. During his mission to the WTO in 2011, he insisted that trade should serve the well-being of all rather than blind economic goals (De Schutter 2011) and illustrated his argument by pointing out the problems related to the lack of biofuel regulation leading to unfair subsidies and tax incentives. However, the WTO never produced reports or regulations on the impact of biofuels for FS.

On the other hand, NSAs' networks developed to create biofuel certification schemes, to help comply with sustainable criteria. However, most of these networks did not mobilise the FS and anti-biofuels frames. In a 2013 report on the scope and effectiveness of the certification schemes recognised by the EU, WWF found that of the corresponding 13 schemes, only one, i.e. RSB (Roundtable of Sustainable Biomaterials EU RED), appeared satisfactory on the issue of FS (WWF 2013). Three of these schemes are however judged 'partially satisfactory', i.e. Buonsucro (Standard for Sustainable Sugarcane Production), ISCC (International Sustainability and Carbon Certification) and the NTA8080 (a multi-stakeholders scheme developed in the Netherlands). The common characteristics of these four schemes (with respect to the other nine) are that they are all global and multi-stakeholder schemes. Yet, researchers found that their implementation was not always satisfactory (Schut and Florin 2015; WWF 2013) and FS requirements are still minor.

CONCLUSION

This contribution investigated the institutional opportunities that regime complexes offer to NSAs in global governance. Its hypothesis was that regime complexes create amplifying effects that are not just additional but are emulsifying effects. The contribution looked at the FS and biofuel international regulations as illustrations of this claim.

The illustration shows that a number of international players have benefited from the emulsifying effect of the biofuels regime complex, bringing together organisations, knowledge and strategic thinking. More precisely, new TANs have been able commonly to reframe their argument on biofuels from an environmental to a FS imperative, managing to revise the RED to limit the use of biofuels. Even though they hardly influenced the final policy, the revision of the RED gave them the opportunity to bring FS back onto the international agenda. The empirical investigation seems to indicate that both components are crucial for an emulsion to happen.

The case presented is a fascinating example of how two seemingly stable regime complexes (food security and biofuels) are shaken up by the emergence of political contestation linking both regime complexes and their subject matter. It also shows how the increasing complexity of the food security regime positively *enabled* non-state actors advocating for stricter regulation of biofuels. Yet, because the results of this study are primarily illustrative, other cases should be analysed to create a more robust model of the emulsifying effect.

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ENDNOTES

[1] Food security is achieved 'when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life' (FAO 1996).
[2] Framing is here understood as organising 'an apparently diverse array of symbols, images and arguments, linking them through an underlying organizing idea that suggests what is at stake on the issue' (Gamson 2004: 245).
[3] This description of the FS regime complex is inspired from Margulis (2013).
[4] We refer to our interviews in an anonymous way, assigning one arbitrary number to each of them.
[5] We are very grateful to one of the anonymous reviewers for pointing out this element to us.
[6] Sometimes, divergences also appeared within the coalition with NGOs like WWF taking a rather pro-biofuels stance.

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ANNEX - LIST OF INTERVIEWS

The initial interviewees were chosen for their expertise on the matter and snowball sampling was then applied. To warrant triangulation, the interviewees include representatives of ENGOs, businesses or governmental agencies. The interviews were 60-90 minute discussions organised around a standardised questionnaire (available upon request).

Marc-Olivier Hermann, EU Economic Justice Policy Lead, Oxfam International, 01/10/2015.

Nour Amrani, manager of public affairs at Novozyme, 11/12/2015.

Jenny Walther Thos, spokesperson for Sustainable Biomass at WWF Germany, 03/12/2015.

Robbie Blake, campaigner Food, Agriculture and Biodiversity at FOE, 04/12/2015.

Magdalena Kropiwnicka, former representative of the EU at the World Food Programme (until 2008), former representative of ActionAid (until 2010) and Independent consultant on food and climate (since 2010), 08/12/2015.

Sonja Vermeulen, former Director of the business and sustainability group at the International Institute for Environment and Development (until the end of 2009) and Head of research for CGIAR climate change, agriculture and food security programme (since 2010), 14/12/2015.

Bas Eickhout, former representative of the Netherlands Environmental Assessment Agency (until 2009) and Member of the European Parliament, GROENLINKS (Dutch Greens) (since 2009), 05/01/2016.

Research Article

Issue Framing and Institutional Constraints in EU Agenda-Setting: An Analysis of European Union Sport Policy

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Abstract

The article uses agenda-setting to analyse the process which saw sport included in the new EU programme, Erasmus+, despite cuts in the EU's budget. In doing so, the article addresses gaps in two bodies of literature. On the one hand, it contributes to developing the study of EU agenda-setting. On the other hand, the article analyses recent developments in EU sport policy, a body of literature that has not paid attention yet to decisions taken after the entering into force of the Treaty of Lisbon (2009). The article applies conceptually guided process tracing through written documents and 25 semi-structured interviews with representatives from the European Commission, European Parliament and the Council of the European Union. The analysis shows how the Commission overcame blockades by framing sport initiatives as part of the wider agenda on economic growth through education, training and participation in grassroots sport, thus obtaining a funding stream for a new policy area in a time of austerity measures. The research illustrates that agenda-setting is a useful conceptual framework for explaining not just radical but also incremental policy changes on the EU agenda.

Keywords

The Lisbon Treaty marks an important milestone for European Union (EU) sport policy. The EU, for the first time, was given direct competence on sport allowing EU institutions to develop a formal sport policy with a dedicated budget line (García and Weatherill 2012). However, despite having a legal basis in the field of sport, it was challenging for the European Commission's Directorate General for Education and Culture (DG EAC) - responsible for sport - to secure a budget line for the implementation of its initiatives under EU sport policy. The Erasmus+ Programme was finally chosen as the vehicle to facilitate the development of a European sport policy, hence becoming the 2014-2020 EU programme for education, training, youth, and *sport* (European Parliament and Council of the European Union 2013, emphasis added). With Erasmus+, sport for the first time received a dedicated funding stream as part of the EU's 2014-2020 Multiannual Financial Framework (MFF), colloquially known as the EU budget.

This paper adopts the theoretical lens of agenda-setting to explore the process that led to the adoption of the Erasmus+ sports chapter. While agenda-setting has been used extensively to study policymaking dynamics at national level (Baumgartner, Green-Pedersen and Jones 2006), it has only recently been employed to study EU decisions, and the academic literature which applies agenda-setting to policy making at the European level is in 'its relative infancy' (Stephenson 2012: 796). Therefore, the article represents a contribution to the growing academic work on that area (Princen and Rhinard 2006; Princen 2007, 2009, 2011, 2013; Moschella 2011; Littoz-Monnet 2012; Vanhoonacker and Pomorska 2013). In this regard, we use EU sport policy as a case study to help refine the existing literature that has developed theoretically the study of EU agenda-setting (Princen 2007, 2009, 2013).

Thus, the first research objective of the article is to analyse the process that led to the adoption of the Erasmus+ sports chapter as part of the development within EU's sport policy agenda. The article is not interested in the process that led to sport being initially introduced onto the EU policy agenda and incorporated in the treaties; this has been done at length elsewhere (see, for example, García and Weatherill 2012). The article additionally analyses the agenda-setting dynamics of an existing policy, i.e. sport. Building on the existing literature on EU agenda-setting (reviewed below) the second objective of the article is to discuss the role of issue framing and institutional constraints in EU agenda-setting. Thus, the article presents the case study of EU sport policy in order to contribute to the ongoing development of EU agenda-setting theory.

Our findings particularly illustrate the way institutional factors constrain the attention of EU policy actors, namely the Council of the European Union (we will refer to this institution also as the Council for stylistic reasons) and the European Parliament (EP); and how the strategic framing of sport by DG EAC recaptured their interest. Theoretically, these findings underline the importance of issue framing and its strategic use to overcome institutional constraints and the lack of attention from policy actors. The article proceeds in four steps. First, the literature on EU agenda-setting is reviewed. Second, the specific details of our methodology are outlined. Then, the process of sport's inclusion in Erasmus+ is explained. Finally, we reflect on our findings and conclude with the implications for the wider understanding of EU agenda-setting.

AGENDA-SETTING IN THE EU

The concept of issue framing is at the heart of agenda-setting theory (Littoz-Monnet 2012). It refers to the way in which issues are defined while being incorporated onto the agenda (Baumgartner and Jones 1993). It forms, together with issue initiation and issue specification, the core of agenda-setting (Cobb and Elder 1972; Cobb, Ross and Ross 1976). For agenda-setters, the challenge to incorporating an issue onto the political agenda is capturing the attention of policymakers and building credibility (Princen 2011) so that their proposals are considered. Consequently, an issue is unlikely to get incorporated onto the agenda unless it is expanded to attract the attention of enough decision-makers (Cobb et al. 1976; Princen 2011). This is even more so the case in the EU, as issues may be lost in the process due to the EU's multilevel governance system, which provides a multiplicity of venues for deliberation. Moreover, the complexity of the EU's institutional structure, with power and competences diffused across institutions (Buonanno and Nugent 2013), offers actors the ability to set, modify and block the agenda at different points.

Whereas the EU is defined as an 'agenda-setting paradise' (Peters 2001: 88), it is not that easy to get issues onto the political agenda because the multiple entry points to the policy process can be used by both those in favour or against. In the ordinary policymaking process of the EU, the European Commission acts as a main agenda-setter due to its right of legislative initiative. However, it needs to ensure that proposals expand from its technocratic internal services ('the low politics route') to 'the high politics route' involving the Council and the European Parliament (Princen and Rhinard 2006: 1121) in order to have a realistic chance of being accepted onto the decision agenda. Here, in this process of expansion from the initial policy agenda to the decision agenda of the Council and the European Parliament, is where issue framing is crucial. Issue framing has the potential to influence the degree of support by decision makers for the issue at hand, hence facilitating (or not, depending on the framing) the entrance onto the decision agenda (Moschella 2011). Thus, issue framing is considered to be central to agenda-setting's success (Littoz-Monnet 2012).

Agenda-setters, therefore, will use issue frames strategically in order to define them in a way to mobilise the attention of policy actors. Accordingly, Princen (2011) conceptualises a typology of strategies that are adopted by agenda-setting policy actors at the European level. Among those strategies, Princen defines the strategy that uses frames to increase the interest of decision-makers: 'arousing interest' (Princen 2011: 933). The success of such a strategy depends on whether a convincing link is created between a policy problem and a prospective solution (Kingdon 1995; Princen 2007; Littoz-Monnet 2012). Framing, according to Princen (2011: 933) can be constructed either through 'big words' or through 'small steps'. The former involves linking the issue with established overall values which are central to the EU's identity, such as democracy and human rights (Princen 2011). By emphasising certain values, policy entrepreneurs seek to attract attention and attempt to induce policy actors to look at issues from their preferred perspective (Vanhoonacker and Pomorska 2013). Another closely related strategy to the use of big words is to connect the issue to the stated policy priorities and commitments of the EU. For example, Princen (2011) highlights that a wide variety of issues was presented as contributing to the so-called Lisbon Agenda for economic development and growth when it officially became a top priority in the EU. The strategic use of frames through broader-level concepts or context is also in line with the general studies on framing. These emphasise the importance of new frames referring to existing meta-frames, whether being resonant with broader values or wider social concerns (Goldstein 1993; Schon and Rein 1994; Rhinard 2010).

An alternative strategy to the use of big words is to generate interest in the issue through 'small steps' such as debates of the issue, organising conferences and focusing on its non-controversial elements (Princen 2011). Although the small steps approach is more time consuming, it makes use of a variety of instruments at the disposal of agenda-setters and gets operationalised if the link to the broader values or concerns cannot be convincingly established (Princen 2011).

Beyond the strategic use of frames to gain attention, institutional constraints also significantly impact the agenda-setting process. Institutional constraints will dictate whether an issue can be considered or not, and the way in which it can be done. The institutional and political framework within which policy actors operate favours the consideration of some issues while hindering the consideration of others (Littoz-Monnet 2012). Thus, institutional constraints directly affect the possibilities for issue expansion in the agenda-setting process. The EU's institutional framework is characterised by fragmented decision-making and a multilevel system of governance, which makes the EU very receptive to agenda-setters (Peters 1994, 2001; Peters and Pierre 2004). There is always at least one actor, whether a member state, a DG of the Commission or a committee of the European Parliament, that could be receptive to an issue. Nonetheless, this is a double-edged sword. Given the multiplicity of institutions and policy venues that are part of EU policymaking, issue expansion might become problematic for agenda-setters because they need to overcome a large number of procedural stages where EU institutions enjoy agenda-blocking powers that can delay or force change (i.e. reframing). Indeed, successful agenda-setting in the EU 'requires a considerable degree of consensus among important actors about the need to address the issue' (Princen 2007: 33). In other words, whereas agenda-setting proposals might find a receptive EU policy venue/actor with relative ease, it is much more difficult to get the issue considered high enough on the political agenda because there are a large number of actors to get on board (Princen 2007).

These specific institutional characteristics of the EU can be rather constraining for agenda setters and underline the stark contrast between the ease of achieving access to the wider policy agenda and the difficulty of actual policy adoption and implementation (Peters 2001). Therefore, it is

claimed that 'the rise of issues on the political agenda depends on the availability of institutionally favourable conditions within the political system' (Littoz-Monnet 2012: 507).

Despite the growing academic interest that EU agenda-setting has attracted, the focus of the existing literature on issue framing and its strategic use is rather limited (Moschella 2011; Littoz-Monnet 2012; Stephenson 2012; Vanhoonacker and Pomorska 2013). Furthermore, among this limited academic work, there is only one study that highlights the interplay between institutional constraints and issue framing in EU agenda-setting (Littoz-Monnet 2012). In her examination of EU cultural policy, Littoz-Monnet (2012) underlined the way in which DG EAC framed culture strategically as a potential solution to the EU's economic problems by articulating its capacity to promote European growth and competitiveness. Littoz-Monnet, however, emphasised that such framing was only possible due to the power and salience of a pre-existing broader discursive framework: the establishment of the Lisbon Strategy under which the knowledge-based, competitive economy was the cornerstone of the EU's economic strategy. In other words, the Lisbon Strategy created a broader institutional condition which could have been rather constraining but DG EAC managed to link its creativity frame successfully to the broader priorities of the strategy.

As we have seen in this review, the academic literature argues that issue framing is at the heart of successful agenda-setting (Baumgartner and Jones 1993). Princen, through his work on the application of agenda-setting concepts to the European Union, has formulated a typology of strategies that policy actors follow in order to set the agenda and manage to get their issues incorporated onto the EU decision agenda. A limited number of case studies (Moschella 2011; Littoz-Monnet 2012; Stephenson 2012; Vanhoonacker and Pomorska 2013) have built on that work by exploring the strategic use of issue framing. Thus, this article represents the exploration of another case study (the adoption of the Erasmus+ sport chapter) to develop further the analysis of the relationship of issue framing and institutional constraints in EU agenda-setting. In doing so, we seek to refine the study of EU agenda-setters' strategy and to contribute to the existing literature on EU agenda-setting.

METHODOLOGY AND DATA

A case study approach is employed because it is particularly suited to investigating processes over time (Yin 2014). The research approach adopted is inductive, as the article seeks to contribute to existing theoretical debates rather than to generate theories or hypotheses. More specifically, our research design represents a form of 'case-centric process tracing' where the main aim is explain a particularly puzzling outcome (Beach and Pedersen 2013: 11), in particular: how do we explain the novel inclusion of earmarked funds for sport through Erasmus+? Rather than outright 'theory testing', the agenda-setting framework elaborated above is used pragmatically: as a heuristic instrument with analytical utility in explaining our case (Beach and Pedersen 2013: 13). Thus, agenda-setting theory is used to identify the intervening processes (George and Bennett 2005: 206–207). By submitting this case to careful process tracing and by presenting careful descriptions (Mahoney 2010: 125–131), however, the goal is also to evaluate this framework. Thus, while our aim is case-centric, we still draw some theoretical inferences.

Since case study research collects evidence from a multitude of sources in order to arrive at relevant conclusions (Yin 2014), this research draws from both primary and secondary sources. Specifically, we rely on written sources and interviews with policymakers. As for the former, the article uses official documents from EU institutions. The interviews informing this research comprise a total of 25 semi-structured interviews with officials involved in EU sport policy from the European

Commission, the European Parliament and the Council (see Table 1 appended to this article for interview details). These were undertaken face to face, except for two which had to be performed by telephone due to the interviewees' agenda. Interviews typically lasted between one and two hours. The interview guide design was informed by the review of the written documents, as specified above. Among other topics, interviewees were particularly asked about how Erasmus+ came to be adopted. These interviews formed part of a larger study (see De Wolff 2016), but the data used for this article is only concerned with the context and the process that led to the adoption of Erasmus+.

THE ADOPTION OF ERASMUS PLUS

The article now moves to explore the adoption of the Erasmus+ sport chapter. For the sake of brevity, highly stylised facts of process tracing are presented here in chronological order. Our analysis is divided into two stages that highlight the dynamics of EU agenda-setting within which DG EAC successfully worked to get sport onto the EU financial policy agenda and the subsequent funding stream for sport policy.

STAGE 1. THE TWO-YEAR EU SPORT PROGRAMME (2012-2013): FACING INSTITUTIONAL CONSTRAINTS

Following the entering into force of the Lisbon Treaty in December 2009, DG EAC started in early 2010 to develop suitable policy initiatives to implement the sport provisions in Art. 165 of the Treaty on the Functioning of the European Union (TFEU). The policy process involved a consultation exercise with all actors concerned, including inter-service dialogue with all connected Commission DGs and an informal ministerial meeting during the European Sport Forum in April 2010 (European Commission 2011a; 2011b). In line with the previous budget allocations via three annual work programmes (2009, 2010, 2011) adopted by the Commission for 'the preparatory actions in the field of sport' and 'special annual events' (European Commission 2011c: 9), DG EAC developed a proposal for a two-year Sport Programme (2012-2013) that had a limited spending scheme from the ongoing EU budget (European Commission 2011b).

On 30th July 2010, DG EAC submitted the perceptive impact assessment report to the Commission's Impact Assessment Board (IAB). For the purposes of funding, sport was linked in this proposal to the budget's Citizenship section under the 'Heading 3B' (European Commission 2011b: 5). This budget heading aimed at addressing issues that generally concerned the interest of the EU citizens including some negative trends such as organised crime, terrorism and illegal immigration, but also fostering European culture and diversity (European Commission 2004). In this connection, according to DG EAC, sport as a policy field possesses socio-cultural values which can be utilised to ensure 'the positive effects of sport are of greater benefit for EU citizens and for European society as a whole' (European Commission 2011b: 7). This framing of the issue was consistent with DG EAC's general belief system regarding EU sport policy, as this unit of the European Commission has been one of the main advocates of sport's socio-cultural benefits over the last two decades (Parrish 2003).

Different institutional constraints, nevertheless, prevented the proposed two-year programme even getting onto the decision agenda. Firstly, DG EAC was unable to mobilise internal support within the Commission, as the IAB sent it back on 3rd September 2010 for revision (European Commission 2011b). The IAB particularly underlined the existence of different types of institutional constraints against the proposal and its specific funding requirement (European Commission 2011b). First, there

was a budgetary limitation at the European level. The mobilisation of additional financial resources for the programme as requested by DG EAC from the very limited remaining margins of the ongoing Financial Perspectives 2007-2013 was rather problematic. According to the IAB, a potentially very small financial allocation for the programme would have not been sufficient to achieve its envisaged policy objectives (European Commission 2011b). Second, an evaluation of the Preparatory Actions of 2009 and 2010 had not been carried out yet, which meant that it was impossible to illustrate and justify the EU-added value of the proposed programme in an independent manner (European Commission 2011b). This was deemed to be the key substantial constraint against the proposal and its required funding scheme (interview, Commission official, 17 June 2014).

Besides failing to gain internal support within the Commission, the proposed programme also failed to get the endorsement of European sport ministers. DG EAC's idea was discussed at the Council meeting in May 2010 and the ministers did not explicitly endorse the creation of the two-year Sport Programme. They underlined EU action in the field of sport should have clear added value by comparison with national plans (Council of the European Union 2010). Therefore, in this regard, the lack of evaluation of the 2009 and 2010 Preparatory Actions to illustrate the added value of EU actions in the field of sport proved to be an issue for the Council as well. Furthermore, taking into account the limited potential funding that would be available for sport-related activities, the ministers agreed that 'a possible EU financial programme supporting sports activities for the years 2012 to 2013 ought to have a limited number of priorities' (Council of the European Union 2010: 10). The request for limited issue priorities by the ministers was also underpinned by the budgetary limitation that had been pointed out by the IAB.

As a result of the existing institutional constraints, the proposed two-year sport programme was consequently withdrawn by DG EAC and replaced with a political communication without a spending scheme for 2012-2013 (European Commission 2011b). The IAB subsequently approved the revised proposal and the *Communication on Developing European Dimension in Sport* (European Commission 2011a) was adopted on 18 January 2011. The communication prioritised a number of policy issues with related policy actions. As a response to the communication, the Council also adopted a resolution on a three-year EU work plan for sport for the period from 2011 up to mid-2014 underlining the priorities of the member states (Council of the European Union 2011). These two policy documents officially established a policy framework incorporating prioritised issues and related policy actions and became the backbone of EU sport policy (Geeraert 2016).

In agenda-setting terms, the two-year sport programme proposed by DG EAC failed to gain the attention of policy actors beyond DG EAC due to institutional constraints. Therefore, issue expansion did not take place from the low politics route of the Commission to the high politics route involving the Council and the EP. In fact, the career of the issue was short-lived and did not even survive internally within the Commission due to the opposition of the IAB. DG EAC realised that sport, as a standalone policy issue, failed to mobilise the support of enough actors to incorporate an adequate funding stream onto the decision agenda. Internally, the IAB clearly pointed out that 'the mere fact of a new Treaty basis for sport is an important *but not sufficient justification* for a proposal of a two-year EU sport programme at this point in time' (European Commission 2011b: 5, emphasis added). The discussion by the sport ministers in their Council meeting was indicative of an interest (i.e. it was on the political agenda), but not of enough support for the proposal (i.e. it was not on the decision agenda). Therefore, the challenge for DG EAC was now to construct a strategy that could secure enough institutional support for a sport programme funded in the upcoming financial budget for the period of 2014-2020, on which preparatory work had already been underway since mid-2010 (European Commission 2011c).

Such a strategy was needed to arouse the attention of EU policy actors with a view to overcome blockages to issue expansion within the Commission, but also to expand the issue to the agenda under the high politics route. In theoretical terms, the framing of sport had to be adjusted in order to overcome the institutional constraints that were evident after the first attempt.

STAGE 2: A STRATEGIC FRAMING OF SPORT FOR ISSUE EXPANSION AND AGENDA ENTRANCE

Learning from its original failure of securing funding for sport, DG EAC devised a twofold strategy to adjust its position in line with the broader institutional framework of the post-Lisbon era. The strategy was based upon two components: the reframing of sport for issue expansion and the integration of sport into a larger spending programme for the purposes of agenda simplification. Firstly, the framing of sport was adjusted in line with the broader discursive context related to the Europe 2020 agenda. DG EAC developed a new issue definition in which sport was successfully framed with a convincing link between the EU's economic problems and sport as a potential solution. In doing so, DG EAC not only managed to overcome the original internal opposition within the Commission but also attracted the attention of the Council and the EP. Gaining the interest of the Council and the EP was significant because it allowed the expansion of the decision agenda to include sport and paved the way for a favourable adoption. The second aspect of the strategy was to overcome institutional constraints through simplification. This meant using an existing programme to incorporate the sport initiatives, rather than creating a specific programme for sport. Here, we will see how Erasmus+ was chosen by DG EAC in order to gain the approval of other policy actors. Before moving to the analysis of this twofold strategy, we provide a brief contextual look at the EU's Agenda 2020 strategy and the 2014-2020 MFF.

Devised by the Commission, the Europe 2020 strategy aims to turn the EU into a smart, sustainable, and inclusive economy that delivers high levels of employment, productivity and social cohesion (European Commission 2010). The priorities of the strategy consequently are 'smart growth' by developing an economy based on knowledge and innovation, 'sustainable growth' by promoting a more resource efficient and competitive economy and 'inclusive growth' by fostering a high-employment economy (European Commission 2010: 3). There are a number of headline economic targets set as a part of the strategy representing an overall view of where the Commission wants to see the EU on key parameters by 2020. The then-27 Heads of State and Government approved the Europe 2020 strategy in June 2010 (European Council 2010) and the member states in conjunction with the Commission have been working on the implementation since then.

Acknowledging that the success of the strategy would depend upon collective effort, the Commission decided to mobilise 'all EU policies' to pursue the strategy's objectives (European Commission 2010: 18). Subsequently, all programmes through which EU policies are implemented have also been redesigned to ensure their outputs and impacts support the key priorities of the strategy (European Commission 2011d). Additionally, with a view to improving EU financial efficiency, the Commission initiated a simplification process (European Commission 2012). The simplification aims to streamline spending programmes of the budget and to reduce the administration burden and cost for beneficiaries of funds. To achieve these objectives, the Commission agreed to rationalise EU programmes under the MFF by reducing the number of spending programmes and moving towards more integrated ones covering several policy areas (European Commission 2012).

It is against this backdrop of the Agenda 2020 and the effort to rationalise spending that DG EAC had to act in order to secure a funding programme to implement EU sport policy. The initial steps of this

second attempt were taken by the Commission with the publication in 2011 of a political communication to the Council and the Parliament on the future of EU sport policy (European Commission 2011a). This Communication was the first official policy document that presented the reframing of sport as contributing to the broader economic objectives of the EU under the Europe 2020 strategy. The document carefully articulated a link between sport and those broader economic goals at European level, in particular to turn the EU into a smart, sustainable and inclusive economy delivering high levels of employment, productivity and social cohesion. DG EAC claimed that in the field of sport,

> EU action also contributes to the overall goals of the Europe 2020 Strategy by improving employability and mobility, notably through actions promoting social inclusion in and through sport, education and training (including through the European Qualifications Framework) and European guidelines for physical activity (European Commission 2011a: 3).

The economic dimension of the sport sector was also underlined to illustrate directly its potential to contribute to economic growth in Europe:

> Sport represents a large and fast-growing sector of the economy and makes an important contribution to growth and jobs, with value added and employment effects exceeding average growth rates. Around 2% of global GDP is generated by the sport sector. Major sport events and competitions provide strong potential for increased development of tourism in Europe. Sport is thus a contributor to the Europe 2020 strategy (European Commission 2011a: 8).

Thus, while the objectives of a sport programme were still the same, DG EAC framed the idea in a completely different way in order to fit ongoing broader policy discourses concerned with economic growth. This reframing of the issue of *sport* succeeded in gaining the attention of the Council and the EP. Additionally, through the Communication, DG EAC also hoped to spark political declarations from the Parliament and the Council with a view to using them in internal Commission discussions on the need for a sport programme (interview, Commission official, 16 May 2014).

First, it was the Council who endorsed the role of sport for the Europe 2020 strategy by acknowledging that 'sport can contribute to the achievement of the objectives of the Europe 2020 strategy for smart, sustainable and inclusive growth' (Council of the European Union 2011: 1). In addition, the Council invited both the member states and the Commission to be bolder in their arguments on the contribution of sport to EU's economy:

> [member states and the Commission should promote] better recognition of the contribution of sport to the overall goals of the Europe 2020 Strategy given the sector's strong potential to contribute to smart, sustainable and inclusive growth and new jobs and considering its positive effects on social inclusion, education and training as well as public health and active ageing (Council of the European Union 2011: 3).

Then, the EP welcomed the communication and recognised the potential of sport to help achieve the EU's strategic objectives due to its educational and cultural values and as a vector of integration linked to social cohesion (European Parliament 2011). The EP also explicitly urged the Commission to 'propose a dedicated and ambitious budget for sport policy under the future MFF' (European Parliament 2011: 8). Moreover, in these documents the idea of a sport programme gathered the institutional support it needed. Both the Council and the Parliament encouraged the Commission to go ahead and draft a new proposal for a sport programme (Council of the European Union 2011;

European Parliament 2011). This was a clear signal that both institutions were ready to receive it onto their decision agenda.

The second part of DG EAC's two-fold strategy was to integrate sport as a sub-programme under a broader and existing programme, Erasmus+, in order to overcome internally the constraints caused by the simplification agenda of the Commission (European Commission 2012). This largely meant recognising that 'there was no appetite inside the Commission to have a separate programme for sport' since the Commission's general strategy was to rationalise its programmes (interview, Commission official, 17 June 2014). Therefore, senior officials in DG EAC made a strategic decision: To *hide* sport within a larger programme, rather than having a programme on its own.

> That was a strategic decision of senior management, and I think they were right. I wasn't very happy when it happened [because] I wanted something separate because sport is so different […] We have much more flexibility now with this small programme. You lose visibility perhaps, but you get flexibility and in the end you are kind of under the umbrella of something which protects you (interview, Commission official, 16 May 2014).

The rationale for this strategic decision was to ensure that sport was shielded as part of a larger and quite popular programme because there were wider negative trends towards more spending at EU level, as explained by this Commission official:

> We made a conscious decision of not going with a separate programme for sport, and we packaged it within Erasmus+. I think that was the key because you are navigating very difficult straits in this political climate. One, of euroscepticism. Two, financial difficulties for absolutely everybody. If you try to navigate these straits with a little ship called 'Sports Programme', you will get blown out of the water in no time. So we packaged it on the bigger sort of ocean tanker called Erasmus+ (interview, Commission official, 12 May 2014).

With this proposal, DG EAC finally received a positive assessment on the Commission's internal impact assessment board (European Commission 2011c: 5), which also acknowledged the main benefit of including sport in Erasmus+ was mainly 'administrative efficiency' (European Commission 2011c: 36). DG EAC were thus successful in justifying sport's potential ability to contribute to Europe 2020 goals (issue framing) and negotiating institutional constraints by finding a suitable policy framework. DG EAC was then free to submit a proposal for the consideration of the EP and the Council.

Having adapted to the broader institutional conditions, DG EAC proceeded to draft a legislative proposal for Erasmus+. Sport was given a separate chapter in the Commission's proposal for Erasmus+, and two articles (11 and 12) which state specific objectives and activities (European Commission 2011e). Following the EU's ordinary legislative procedure, once the proposal is drafted and submitted, it is outside the Commission's hands and on the decision agenda of both the Council and the EP. Both the Council (2012a, 2012b) and the EP (2012) tabled amendments to the proposal and entered 'trilogue' negotiations throughout 2013 (European Parliament 2013: 4). There was very little contestation of the inclusion of sport (Council of the European Union 2013: 9–10; European Parliament 2013: 2–6). A couple of member states, most vocally Sweden, were opposed to including sport in Erasmus+ - a resistance based on strict subsidiarity concerns, i.e. that sport was best dealt with at the national level - but the vast majority were in favour and the resisting member states ultimately let go of their reservations, not least because the decision would be adopted under qualified majority (interview, member state representative, Working Party level, 21 May 2014).

The representatives of the member states working in the Council were finally happy to see the Commission's proposal adopted. They realised the chosen frame was probably the correct one for it allowed successful agenda inclusion and consequent policy adoption:

> The general thing was that we were all very happy that sport was going to be getting its own dedicated budget as part of Erasmus+. Of course we would have liked it to be more. But I think there was recognition that even just getting this was a first, good step (interview, member state representative, Working Party level, 20 May 2014).

Moreover, a substantial majority of the EP's Committee on Culture and Education favoured sport's inclusion in Erasmus+ (European Parliament 2012; interviews with MEPs, June 4 and 11). Accordingly, the interinstitutional negotiations on the sporting aspects of Erasmus+ reveal much consensus. The end result of a long process was that sport was finally accepted as an area where the EU funds could be legitimately spent. Sport, within Erasmus+, has been placed under the MFF's Heading 1A (Competitiveness for Growth and Jobs) within the main heading of Smart and Inclusive Growth.

CONCLUSION

This article has analysed how sport came to be included as part of the Erasmus+ programme, hence adopting the first budgetary line to implement EU sport policy under Article 165 TFEU. This process has followed the expected agenda dynamics outlined in our conceptual framework in relation to issue framing, institutional constraints and issue expansion. DG EAC's initial proposal for a single programme for sport was internally blocked within the Commission, mostly due to the IAB's concerns over financial constraints of the EU budget. Seeking to overcome that constraint, DG EAC re-strategised (i.e. reframed the proposal), strengthening the link between sport and the EU's larger economic priorities and gave up on a single programme in favour of inclusion within a larger framework. Through institutional manoeuvring within the Commission, a viable institutional framework was located in Erasmus+. Crucially, the proposed sport actions were successfully linked to the priorities of Europe 2020, hence linking the sport chapter to a wider frame of already accepted EU policy objectives. Once the conflict was formally expanded beyond the Commission, the Council and the EP each sought to frame the content of the sport chapter according to their respective priorities.

In the vein of Princen (2011: 929) the agenda-setting strategies of DG EAC in order to 'mobilise supporters' and 'arouse interest' to induce conflict expansion focused on 'claiming authority' by defining (framing) sport as a vehicle for promoting economic development. This further underlines how an 'economised approach' (Princen 2011: 937) to agenda-setting remains a viable approach in the EU, especially in 'vulnerable' policy areas (Princen 2011: 939). It also indicates the importance of issue framing as a variable in predicting success in EU agenda-setting.

Attention and visibility are key terms in agenda-setting theory and, generally speaking, agenda-setting posits that more visibility is beneficial to promote an issue within the agenda in order to make a decision. Our research both supports and problematises this assumption. Earlier we noted how the Commission's decision to deliberately frame sport as a small chapter within a larger programme both increased and lowered the visibility of sport. This must be understood as a deliberately low-political agenda-setting strategy *caused* by high-politics (Princen and Rhinard 2006). Thus, the choice for Erasmus+ rather than a single programme was a consequence of the Commission's internal bureaucratic politics (Hartlapp, Metz and Rauh 2013), i.e. the strategy of

moving towards a streamlining of programmes, while also reflecting the uncertainty that revolved around the new MFF and the dominant politics of austerity. This meant DG EAC could not 'speak with big words' (Princen 2011) to arouse interest for sport's funding. Rather, the strategy chosen to achieve a funding stream for sport included deliberately shying away from seeking visibility for sport and 'hiding' sports funding within a larger programme. As Princen (2011) suggests, this means that EU agenda-setting requires mixing diverse strategies – not all forms of visibility are equally beneficial when promoting an issue. In more generic terms, this also suggests that actors are heavily restrained by ongoing policy preferences when framing policy initiatives. Most importantly, this empirically supports Princen's (2011: 940) claim that in areas where the EU is a 'newcomer', such as sport, building credibility is crucial, and accordingly agenda-setting strategies will tend to be 'indirect', with the most likely strategy being to link issues to more established programmes. DG EAC successfully linking sport to an 'ocean tanker' such as Erasmus+ represents a clear validation of this proposition.

Ultimately, our case presents an interesting dynamic whereby a low profile in the wider political agenda helped to develop EU sport policy, another instance of integration by stealth (Mény 2014). This result was strongly driven by the politics of austerity and the financial crisis which necessitated a low-political approach. Unexpectedly, the outcome of the high-political MFF negotiations later benefited sport's agenda-expansion. This further emphasises how 'low' and 'high' dynamics usually intersect in shaping outcomes (Princen and Rhinard 2006).

It is further worth considering the limits of agenda-setting as a conceptual framework, in particular with regard to the risk of conceptual overstretch when applying a set of categories to a new case (Sartori 1970, 1991). At the most basic level, agenda-setting deals with the question of why certain issues become part of the political agenda while others do not (Princen 2012). Sport's inclusion in Erasmus+, as a measurable and tangible new budgetary output, represents a rather unambiguous instance of policy change and agenda-expansion (Princen 2013: 866). At the same time, it is worth highlighting that Erasmus+ does not signify 'radical' change in the direction of EU sport policy in the same way as, say, the Bosman case represented in the pre-Lisbon era (García 2007). Within the context of punctuated equilibrium theory, to which agenda-setting theory is deeply linked (Princen 2013), the post-Lisbon era of EU sport policy is arguably best characterised by incremental change insofar as 'EU sport policy' at large has not been subject to major reframing but has mostly been subject to agenda-shaping (Tallberg 2003). Empirical studies of EU agenda-setting have, however, tended to focus on 'radical' instances of policy-change, such as the establishment of hedge fund regulation following the subprime crisis (Moschella 2011).

The question, then, is whether or not agenda-setting as a conceptual framework stands to lose analytical clarity – of being stretched – by the inclusion of cases like this, which explore the dynamics of an already established agenda. We would argue quite the opposite. EU agenda-setting remains at a research stage where extension is to be supported and, moreover, that while scholarly practice has tended to focus on *ex post* examinations of 'radical' decisions, more research into incremental processes are necessary and warranted in order to achieve a broader understanding of EU agenda-setting dynamics.

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APPENDIX

Table 1. Interview sample

Date	Affiliation	Place, type
05-02-2014	Department of Culture, Youth, Media and Sport, Flemish Communities, Belgium	Over phone
24-04-2014	Department of Transport, Tourism and Sport, Ireland	Over phone
02-05-2014	Cyprus Sports Organisation	Brussels, direct
07-05-2014	Ministry of Culture, Denmark	Copenhagen, direct
08-05-2014	Ministry of Culture, Denmark	Copenhagen, direct
12-05-2014	European Commission, DG Education and Culture	Brussels, direct
14-05-2014	Permanent Representation of Sweden to the EU	Brussels, direct
15-05-2014	European Commission, DG Education and Culture	Brussels, direct
16-05-2014	European Commission, DG Education and Culture	Brussels, direct
20-05-2014	Permanent Representation of Ireland to the EU	Brussels, direct
20-05-2014	Department of Transport, Tourism and Sport, Ireland	Brussels, direct
21-05-2014	Ministry of Human Resources, Hungary	Brussels, direct
21-05-2014	Department of Physical Education and Sports, Republic of Lithuania	Brussels, direct
02-06-2014	Department of Culture, Youth, Media and Sport, Flemish Communities, Belgium	Brussels, direct
03-06-2014	Anonymous	Brussels, direct
04-06-2014	Member of European Parliament, European People's Party, Germany	Brussels, direct
11-06-2014	Member of European Parliament, European Conservatives and Reformists Group, UK	Brussels, direct

Date	Affiliation	Place, type
12-06-2014	Permanent Representation of Spain to the EU	Brussels, direct
13-06-2014	Permanent Mission of the Kingdom of the Netherlands in Brussels	Brussels, direct
17-06-2014	European Commission, DG Education and Culture	Brussels, direct
20-06-2014	Permanent Representation of Belgium to the EU	Brussels, direct
23-06-2014	Assistant to MEP	Brussels, direct
01-07-2014	Permanent Representation of Denmark to the EU	Brussels, direct
14-07-2014	Ministry of Sport and Tourism, Department of Strategy and International Cooperation, Poland	Brussels, direct
16-07-2014	European Commission, DG Education and Culture	Brussels, direct

Commentary

Current Challenges for the Implementation of Constitutional Reform on Judiciary in Ukraine on its way towards European Integration

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Abstract

Reform of the judiciary is a key conditionality imposed by the EU, IMF and other donors on Ukraine (UA). Significant reforms of the judicial system approved by the Verkhovna Rada of UA (Parliament) on 2 June 2016 will take effect over the coming months and years. A new Supreme Court and a strengthened system of evaluation, monitoring and appointing judges will come into being. It is the first Supreme Court selection of such scale in history. Never before has there been any competition for the UA Supreme Court. Judges, lawyers and academics are now able to compete. Video streaming has been available at all testing stages, with the exception of the psychological test. On paper at least the independence of the judiciary has been strengthened. How far UA authorities in fact do so will depend on further actions, including the adoption of additional legislation. While the onus is on them to make these reforms work, the EU and the rest of the international community will also need to observe the process closely and take targeted action to ensure that the reforms move in the right direction when required.

Keywords

One of the main problems in the UA judiciary is the lack of independence of the courts and judges. As prescribed by the Constitution (prior to legislative amendments of 30 September 2016), the President of UA and the Parliament have influence on the selection, appointment and dismissal of judges, while the role of the two existing self-governing bodies – the High Council of Justice (HCJ) and the High Qualification Commission of Judges (HQCJ) – was not fully evaluated. In addition, there is low public trust in the judiciary due to perceived widespread corruption and lack of professionalism within the judiciary (Holovatyi 2016; Loschyhyn 2016). Finally, citizen's access to justice is limited by an overloaded court system, lack of available free legal aid and other factors (Mykhailiuk 2014; Skrypniuk 2015).

In addition to building on the existing literature, which focuses on theoretical analysis, the author of the present study was a participant of the Constitutional Commission (the working group on judiciary in the Presidential Administration of UA), numerous conferences and adds this insight to her analysis of constitutional reform including her involvement in high-level meetings with the main stakeholders, developing strategic communication for the judiciary and through working closely with the Supreme Court and the High Council of Justice in the process of drafting and adopting the legislation. Finally, the current paper advances our understanding of recent crucial legal reform in UA by examining the problematic issues within judiciary reform more from a practical than theoretical point of view based on discussions with judges, international donors, HQCJ, members of the Parliament of UA and members of the Presidential Administration of UA. The conclusion outlines further areas of research and legislation that will be needed to implement constitutional reform.

CONSTITUTIONAL REFORM

There is widespread recognition within UA and the international community of the urgent need for deep reform of the judiciary. The amendments to the Constitution promise to underpin a more independent judiciary. According to Shemshuchenko, the most contentious issue of this reform is how to reduce the number of judges who do not meet the requisite standards for competence, professionalism and honesty in order to increase public and foreign trust in the court system (Shemshuchenko 2017). The Constitutional amendments and the new Law on the Judiciary will set the agenda for reform of the judicial system. This is the third time that such significant updating of legislation in this sphere has been made since the Maidan events of 2013-2014 (Verkhovna Rada 2015a; Verkhovna Rada, 2015b). Neither of the previous reforms transformed the judiciary of UA; nor could they be expected to have done. The Strategy for Sustainable Development 'Ukraine – 2020' developed by the National Council for Reforms (adopted by the President on 12 January 2015) envisages two stages in judicial reform. The first entails an immediate update of legislation aimed at restoring confidence in the judiciary. The second stage focuses on systemic legislative changes: the adoption of a new Constitution and, following this, new laws concerning the judiciary and other related legal institutions.

To ensure the independence of the judiciary, the UA Constitution needed to change as the Constitution prior to legislative amendments of 30 September 2016 imposed limitations on judicial reform (Mykhailiuk 2014). This undermined confidence in the state and hampered economic growth (Loschyhyn 2016). President Poroshenko established a Constitutional Commission to address the constitutional impediments to the reform of the judiciary. International donors (OSCE, USAID, Council of Europe, Delegation of European Union to Ukraine, European Union Advisory Mission in Ukraine, etc.) took part in the working group for justice as observers (without voting rights).

An 'evolutionary' approach (backed by the Constitutional Commission) entails simultaneous enforcement of anti-corruption and educational activities for judges (Holovatyi 2016) and bringing newcomers into the judicial system as vacant positions appear after a respective reassessment. A 'radical' approach requires the establishment of a new simplified judiciary system through constitutional changes and appointment of new judges, through a general clearance procedure of the system. In fact, in order to raise the standard of the judiciary, every judge who wishes to continue his/her work in courts has to participate in a fair open competition together with other applicants from outside the courts (Romaniuk 2017: 5). However, according to the Supreme Court, the dismissal of all judges is manifestly unfounded (Kuybida 2016). This corresponds with the opinion of the European Commission for Democracy through law (known as the Venice Commission, this is an advisory body of the Council of Europe composed of independent experts in constitutional law) that dismissing all the judges, outside very exceptional situations such as constitutional discontinuity, is not in line with European standards (European Commission for Democracy through Law, 2015a) and replacing all judges, who number more than 8,000 in UA, would not be feasible without jeopardising the continued administration of justice.

On 30 September 2016, Constitutional amendments on justice and a new Law on the Judiciary and the Status of Judges (Verkhovna Rada 2016) entered into force. They were prepared after a lengthy dialogue with the Venice Commission and they were mostly welcomed in principle. However, the new Law on the Judiciary was prepared quickly without any consultation with the Venice Commission. It was rushed through the Verkhovna Rada in a manner that was procedurally questionable (Koliuh 2016: 50) and some of its provisions have been sharply criticised by civil society (Reanimation Package of Reforms 2016). The new Law is intended to bring the legislation on the judicial system into conformity with the Constitutional amendments and it also introduces a number of inevitable changes.

These amendments remove the power of Ukraine's Parliament to appoint judges and the power of the President to dismiss them; abolish probationary periods for junior judges and 'breach of oath' as a ground for dismissal; and give the main responsibility for decisions on the career of judges to the HCJ, the majority of whose members will be judges (Constitution of Ukraine 2016). As well as deciding on a submission for appointment and dismissal, the HCJ would also decide on transfer and promotion. Finally, the draft amendments give Parliament the main responsibility for establishing and dissolving the courts under the procedure, which the Venice Commission regards as satisfactory (European Commission for Democracy through Law, 2015b).

SELECTION OF THE NEW SUPREME COURT OF UKRAINE

The Venice Commission has advocated changing the current four-level judicial system in Ukraine to a three-level one with the transformation of the high specialised courts into chambers within the Supreme Court (European Commission for Democracy through Law, 2015b). The new Law on Judiciary addresses this concern by abolishing the three existing high specialised courts which function as courts of cassation and the current Supreme Court of Ukraine and by establishing a new Supreme Court, consisting of a Grand Chamber and four specialised 'cassational courts' (Shtogun 2016: 5). Moreover, the new Law provides for two new high specialised first-instance courts – the High Court for Intellectual Property issues and the High Anti-Corruption Court. The jurisdictions of these two courts are not yet defined.

The qualification evaluation procedure for judges administered by the HQCJ consists of an examination and review of candidate's dossiers followed by interviews. The dossier includes data on compliance with ethical and anti-corruption criteria. All applicants are required to undergo an *initial* qualification evaluation to determine whether they are capable of administering justice in the relevant courts. While candidates of the high specialised courts of cassation and the present Supreme Court of UA may apply to become judges of the new Supreme Court, the new Law also provides a basis for fresh blood. For the first time, it allows the appointment of those without judicial or academic backgrounds but who have experience of professional activity as an advocate in undertaking representation in court and/or defence against criminal prosecution for at least ten years. Additionally, it greatly increases the possibility of academics who have never been judges being appointed to the court (Coynash 2016).

Ukrainian civil society has been very active in exposing the lifestyles of public servants that are at variance with their official income. The status of the Public Integrity Council has been much/repeatedly criticised (Halushka 2016; Kuybida 2016). Since civil society cannot elect members of the HQCJ, the Public Integrity Council provides the only means by which it can participate in the selection and evaluation of judges. Halushka concludes that its inability to apply to the HCJ to open disciplinary proceedings or to appeal against a decision is a great disappointment (Halushka 2016), although its role was significantly strengthened as a result of the Law on the HCJ which the Parliament adopted on 21 December 2016. If the Public Integrity Council concludes that a judge or judicial candidate does not meet the criteria of professional ethics and integrity, the HQCJ may issue a decision confirming the ability of such judge or judicial candidate to administer justice in the appropriate court only if such decision is supported by at least 11 of its 16 members. It is an innovation and how effective it will be remains to be seen.

UA civil society organisations active in the judicial sphere have given and continue to supply impetus to reform. International agencies pay much attention to them since they provide insights that would not be available otherwise (International Center for Policy Studies 2015). However, a great need for caution still exists. Informed judicial reform activists are actually quite thin on the ground and on

occasion the objectivity of some of their statements is questionable (Chudyk 2016). Therefore efforts to enhance the critical and analytical facilities of civil society will pay dividends over the long term.

Despite the judiciary and its deficiencies having a high public profile in UA and the international community's desire to see reform, there are still powerful domestic forces very resistant to change. President Petro Poroshenko invested considerable political capital in pushing the reforms through the Parliament. Their adoption on 2 June 2016 is regarded as a personal triumph (Makarenko 2016). However the political machinations lying behind their adoption are the object of speculation (Kuybida 2016; Olszański 2016) and may have involved deals with groupings that have a deep interest in maintaining the judicial status quo.

General expectations are that the new Supreme Court consisting of four cassational courts and a Grand Chamber will promote harmonisation of case-law and a more uniform application of the law but the extent to which it will do so depends to a considerable degree on the adoption of procedural legislation that has yet to be passed. The initial qualification evaluation still needs to be completed for the vast majority of judges. The new Law on the Judiciary has introduced elements that strengthen it. It should lead to the departure of at least those judges who do not meet the requirements of capability of administering justice in the courts to which they are appointed but this process needs to be monitored and its overall effectiveness is by no means assured (Shemshuchenko 2017: 38-39). How many of those currently serving as judges in Ukraine are for whatever reason not suited to administering justice is unknown, however an influx of outsiders who have been tried and tested in the qualification evaluation to courts of such sensitivity as the Supreme Court should increase public confidence in the judicial system as well as in all likelihood raising the quality of the administration of justice.

CONCLUSIONS AND RECOMMENDATIONS

The current approach of the UA authorities to the reform remains a legalistic one with numerous amendments and changes to laws and with detailed provisions included in primary legislation. Although reform of the judiciary is a long-term process, Ukrainian society expects rapid changes. The formation of the new Supreme Court is a crucial step in reforming the entire judicial system. The final result sets the tone for all judicial reforms to follow. The new Law on the Judiciary does not go as far as many would have wished and the procedural awkwardness surrounding its adoption remains problematic but it does contain some promising elements. Revisions of the applicable law on the Bar, the Constitutional Court and codes of civil and criminal procedure will also be needed. Finally, legislative reform must be followed by proper implementation. The establishment of new courts, the functioning of the Public Integrity Council and the increase in the salaries of judges (Verkhovna Rada, 2015a; Verkhovna Rada 2015 c) requires time, resources, institutional effort, political will, as well as a push from the international community. The outcome of these developments depends to a considerable degree on future decisions (Reanimation Package of Reforms 2016).

There are legitimate concerns about the effects of large-scale departures on the efficiency of the court system. Judicial vacancies create unique opportunities for new entrants to the judiciary who have been thoroughly tested and are untainted by corruption and connections with the past. The Final and Transitional Provisions of the new Law set forth a demanding array of deadlines, in particular for the new Supreme Court. In the past, reforms have been stymied by the failure to meet such deadlines. Change will be incremental and evolutionary; but these reforms create the possibility for policy to leap forward at several points over the next year and a half. In all these circumstances the support of the EU and its Member States will be essential.

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Book Review

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EU POLICY RESPONSES TO A SHIFTING MULTILATERAL SYSTEM

Editors: Esther Izuel Barbé, Oriol Costa and Robert Kissack

Abstract

The volume examines EU responses to recent structural changes at the international level through foreign policy case studies. It provides a new theoretical baseline, coupled with empirical evidence, over the unfolding debate of EU foreign policy in a changing world.

Keywords

EU policy; international organisations; policy responses; international relations theory; WTO

The edited volume describes and examines European Union responses to recent structural changes at the international level. Since the 1980s, changes have occurred in global power balances, reflecting the emergence or decline of international actors. The shifting polarisation of the world has proven to be one of the main challenges for the EU in its conduct of foreign policy. Against this backdrop, Esther Barbé, Oriol Costa and Robert Kissack argue that in response to these challenges, the EU can adopt two policy strategies: accommodate the structural changes by adjusting its foreign policies to the new environment, or entrench its policies maintaining them as they are regardless of structural changes.

The book identifies the two EU responses through EU foreign policy case studies. Eight international multilateral political loci of different policy fields (nuclear non-proliferation and disarmament, energy with the Energy Charter Treaty, the establishment and functioning of the International Criminal Court, trade at the World Trade Organization, climate change negotiations, gender issues at the United Nations Security Council, the global financial crisis at the International Monetary Fund (IMF), the fight against child labour and the EU in global energy governance) are covered. The book reveals that the EU is not the stringent actor that it is frequently said to be. It rather adopts balanced responses, sometimes entrenching its policies, but also sometimes accommodating the changing international environment and emerging opportunities. Roughly half of the contributors identify entrenchment, and half identify accommodation. The book also shows that entrenchment and

accommodation are not mutually exclusive. In the same policy area, accommodation and entrenchment are very much issue specific. For instance, the EU accommodates the IMF quota reform, but entrenches its policy on IMF lending.

The introductory chapter develops a solid theoretical framework which is used in each of the nine empirical chapters of the volume. A policy response can take two shapes: entrenchment or accommodation. The distinction between the two foreign policy strategies – entrenchment and accommodation – is novel and useful as it focuses exclusively on EU policies, not polity nor participation to international politics. Besides, structural changes refer exclusively to the modification of EU international environment. However, I presume that structural change can also be internal, and that internal structural change would be particularly relevant for studying the EU as it is a unique type of international actor. The most important shortcoming of the theoretical framework is its exploratory rather than explanatory, aim. It does not allow to understand under what conditions and when the EU uses these policy responses. This weakness is openly postulated by the editors and is hopefully foiled to some extent in the conclusion, suggesting ways for further research.

Despite the assumed descriptive nature of the theoretical framework, the editors identify three factors explaining the EU's choice of strategy. Ideas, power and institutions, constituting the changing international environment, are expected to challenge EU foreign policy. Hence, ideas, power and institutions shape the EU's choice for entrenchment or accommodation. The editors expect that the three explaining factors can be congruent or incongruent for the EU. The explaining factors are thus combined in nine possible structural patterns. Structural change is expected to occur when a pattern is modified. The book does not clearly hypothesise these three factors. The three factors identified are investigated in each case study, providing complete information about EU behaviour on the international stage but also in an international system of multilateral institutions. The analyses are limited to multilateral environments, setting aside regional and bilateral responses. The application of the theoretical framework thus does not reflect the whole spectrum of EU responses to structural change.

Relying on this theoretical framework, twelve political scientists develop empirical explorations in nine thematic chapters. One chapter is highlighted here for illustrative purposes, although its characteristics provide indications on the way the nine cases are addressed. The chapter by Patricia Garcia-Duran, Montserrat Millet and Jan Orbie examines the responses of the EU to international trade negotiations structural changes at the World Trade Organization (WTO). Using a process-tracing analysis, the authors identified critical junctures as borders of time-period, and structure the chapter accordingly. The first one corresponds to a structural change (the rise of developing countries) and subsequent EU response (accommodation), and the second one corresponds to an evolution in EU response (from accommodation to entrenchment). The rise of so-called BIC (Brazil, India and China) countries challenged the long-last balance between WTO institutional structure, the ideas carried by major actors (the so-called 'quad': The United States, the EU, Canada and Japan) and the power balance between them. India, Brazil and sometimes China joined the high table of quad negotiations, enshrining the structural change. More generally, tensions between developed and developing countries became more explicit, affecting the institutional and ideational congruence of the trade regime as previously decided upon by Western countries. The authors argue that the EU first adopted an accommodating behaviour, agreeing on concessions to the BIC about cornerstone issues. Indeed, reaching an agreement became problematic (at the expense of tensions in the Council of the EU). In parallel, the EU developed bilateral trade agreements with (future) major trading partners. These were initially made to combine with multilateralism rather than substitute to it. However, the EU reached its negotiations limits (the second critical juncture identified by the authors), and no more concessions to the BIC could be made. Entrenching its

policies, bilateral agreements became a way to substitute multilateralism. In each section of the chapter, arguments are developed in a systematic manner, covering institutional and ideational (lack of) congruence between WTO core negotiators, whoever these are.

The empirical chapters focus in a rather disparate manner on the EU and its changing structural environment. For instance, chapters on climate change and on gender issues at the United Nations Security Council clearly focus on the behaviour of the EU. The chapter on the establishment and functioning of the International Criminal Court seem to describe more the structural changes than the responses adopted by the EU. The freedom of structure deepens the unevenness of the empirical chapters, seemingly accorded to the contributors. Each case is developed based on its own logic, undermining the comparability of the cases. Adopting similar structures for each empirical chapter would have increased the consistency of the book and ease the readers' understanding. Similarly, the finesse of the theoretical framework is not systematically reflected in the empirical chapters. Hence, the precise developments of the theoretical framework seem somehow forsaken as the book goes on.

More than summarising the findings of the empirical chapters, the conclusion suggests four insightful ways forward to deepen the study of EU foreign policy and render it explanatory. To this end, it suggests deepening and extending the theoretical framework, connecting International Relations and foreign policy, focusing more on policy objectives rather than mere strategies, and including EU domestic politics in the picture. The conclusion holds relevance because of two characteristics. First, it does not provide a clear summary of the arguments of the chapters (surprisingly, that is done in detail at the end of the introduction), but rather identifies transversal general observations. Second, the conclusion provides sharp and innovative ways to carry on with 'EU in a changing structural environment' research.

Overall, the book is highly recommended to practitioners and academics. As it rooted in both IR and EU foreign policy literatures, a broad array of political scientists will find interest in the theoretical and empirical developments of the book. It is an intriguing and interest-arousing study since the book provides a new theoretical baseline, coupled with empirical evidence, over the unfolding debate of EU foreign policy in a changing world. The case studies presented by the contributors unravel the complexity of the questions related to EU foreign policy. It also shows that EU foreign policy is rather case-specific, as no general conclusion can be drawn from the findings. The conclusions contrast to some extent with the theoretical expectations, revealing the complexity of the questions asked. The volume provides a strong theoretical baseline for further investigation of the EU response to a world in motion. The challenges facing the EU in its conduct of foreign policy are unlikely to freeze or reverse in the nearby future. For this reason, this book will certainly encourage further research on the EU's response to structural challenges.

Book Review

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ANTI-AUSTERITY LEFT PARTIES IN THE EUROPEAN UNION: COMPETITION, COORDINATION AND INTEGRATION

Author: Enrico Calossi

Abstract

This book aims to define and classify current 'radical left' parties in the European Union, as well as to outline the relations within and between the subfamilies in which the book divides them.

Keywords

European Union; radical left parties; anti-austerity; transnational cooperation

With the fall of communist regimes in Eastern Europe, most European radical left parties became largely irrelevant at both national and European level, which is also reflected in the relative scarcity of academic literature dedicated to this political family. However, the eurozone crisis that started almost ten years ago, and the pan-European politics of austerity that followed, arguably created a fertile ground for radical left parties. Indeed, over the last few years, these parties have made significant electoral breakthroughs in several EU member states, particularly in those most affected by austerity measures, such as Greece, Spain and Portugal. Despite this increasing relevance of RLPs in the European Union, they continue to be a rather under-researched topic in the field of European Studies, even more so when it comes to their transnational cooperation. In this context, Calossi's book comes as a much-needed contribution to the academic literature.

The book is divided in four chapters. The first one is a rather descriptive outline of party cooperation at European level in general, both inside and outside of the EU institutions. The second chapter aims to define contemporary parties in Europe that are situated to the left of social democracy by suggesting a new label to encapsulate them – 'anti-austerity left parties' (AALPs), where austerity is defined as 'as a set of measures implemented with the aim of decreasing budget deficits in public finances' (p. 89). The third chapter makes the case for dividing AALPs – based on their international affiliation, self-definition and ideology – in four subfamilies, which then are discussed in turn. The final chapter deals with the formal transnational cooperation among AALPS, mainly within the institutional framework of the EU.

Perhaps the most interesting and, at the same time, most debatable chapter is the second one. It is here where Calossi puts forward the central argument of the book. According to the author, the collapse of communism was followed by a period of relative electoral and governmental collaboration between the radical left and social democracy (e.g. the participation of the Communist Refoundation Party in centre-left government of Romano Prodi in Italy during the mid-2000s). However, the politics of austerity that has been accompanying the ongoing eurozone crisis produced a new cleavage between the two families of the Left. While most social democratic parties largely endorsed austerity measures and even implemented them when in government, radical left parties fundamentally opposed them. For Calossi, this opposition to austerity is the main defining feature that currently distinguishes radical left parties from social democracy, hence the AALPs label, which he suggests as a replacement for the widely-accepted one of 'radical left parties'.

Calossi advances two main arguments against the use of the currently prevailing label. Firstly, that 'radical' is not used only in reference to the Left, but also to designate 'the high degree of commitment and determination a political actor uses to achieve its goal' (p. 86), as well as a particular subfamily of liberal political parties (e.g. Radical Party in France). Secondly, that 'radical is often used with a pejorative meaning' (p. 88). However, the first argument could be refuted by simply adding 'left' next to 'radical' (which those using this label always do). Indeed, there is a slight contradiction between the two arguments: if 'radical' has a pejorative meaning and should therefore be dismissed, then how come even some liberal parties use it to identify themselves? Indeed, is the term pejorative or it may designate 'the high degree of commitment and determination' that parties of all orientations can display (p. 86)?

All this does not mean that the 'radical left' label is entirely unproblematic, especially when applied to new left parties such as Syriza or Podemos. On the contrary, it should be discussed within the field whether parties that display a Keynesian rather than Marxist economic agenda, such as Podemos, or that are currently implementing austerity measures like the Syriza-led government can be truly considered to be radical left parties, which have historically called for changing society from its roots, i.e. the overthrow of capitalism. It might be argued that these parties have occupied the space and reclaimed the policies abandoned by mainstream social democracy, which has gradually moved to the right over the last few decades. Hence, it might be the case that such parties would be more appropriately defined as 'new left social democracy' rather than 'radical left'.

Indeed, it is questionable whether Syriza is even an anti-austerity party any longer. Calossi would argue that it is, since 'every political actor should be awarded the freedom to choose its own self-definition. And scholars should respect this.' (p. 114) But Calossi appears to be self-contradictory here: if Syriza chooses to define itself as a radical left party (which it does, as its name is the Greek acronym for 'Coalition of the Radical Left' as well as an adverb translating as 'radically'), then why not respect that self-definition instead of re-defining the party as an 'anti-austerity left party'? On the other hand, I would argue that scholars should not simply 'respect' the self-definitions of political actors but critically examine them, depending on the consistency between the actors' self-definitions/self-perceptions and their actions. Otherwise, should we label North Korea as a democratic republic just because it chooses to define itself as such?

The way Calossi divides AALPs is also debatable. The fours subfamilies he suggests are the EuroLeft (pro-EU parties, including Syriza, Die Linke or the Left Bloc in Portugal), the Marxist-Leninists ('orthodox' communist parties such as the Greek Communist Party or the Portuguese Communist Party), the Nordic Green Left (left-libertarian parties with a strong focus on post-materialist issues, such as the Left Party in Sweden or the Left Alliance in Finland), and the Anti-Capitalist Left

(revolutionary socialist parties, often of a Trotskyist extraction, such as the Socialist Party in Ireland or the New Anticapitalist Party in France).

There are at least two problematic aspects of this classification. Firstly, the EuroLeft group is more or less overlapping with the Party of the European Left (PEL), thus ignoring the high heterogeneity of the latter, which comprises parties as diverse as the Red Green Alliance in Denmark, the Communist Party of Spain and the Party of Communists of the Republic of Moldova. Secondly, the distinction between the 'Marxist-Leninist' camp and the 'Anti-Capitalist' one is rather curious given that all the parties belonging to the former consider themselves anti-capitalist too, while some of those belonging to the latter groups explicitly adhere to the tenets of Marxism-Leninism.

Moreover, the discussion of these subfamilies tends to be rather descriptive, having little to say about their internal divisions, particularly prevalent in the case of the 'EuroLeft' regarding the correct strategy towards the European institutions. The dilemma of 'reform or exit' has been increasingly salient since the deal that the Syriza-led government signed with Greece's international creditors in July 2015. Despite the book being published in the second half of 2016, there is very little about the realignments on the European 'left of the left' following that deal, including the emergence of the Plan B project led by the more Eurosceptic sections of the PEL.

Finally, while the last chapter provides a useful mapping of the transnational cooperation of AALS, it only covers formal cooperation, with a focus on the one taking place via GUE/NGL (the group of the 'radical left' in the European Parliament) and the PEL. The informal dimensions of the transnational cooperation of the left of the left thus remain a virtually unaddressed topic in the academic literature. More than that, Calossi does too little in terms of critically assessing even the formal process of cooperation, its limits and challenges in an economic and political context that should have arguably stimulated that process since the start of the eurozone crisis.

Overall, apart from the second chapter, the book is rather descriptive and arguably misses the opportunity to provide a critical account of how 'the anti-austerity left' managed to benefit from the fertile ground provided by the eurozone crisis and thereby challenge the neoliberal paradigm that has arguably been responsible not only for the crisis but also for its management. Given the actuality of these questions, such an account would have made the book significantly more relevant to a wider audience that extends beyond those researching the radical left. Rather than that, the book remains a useful mapping tool for the latter but not much more than that.