

An information network of officials? Dissecting the role and nature of the network of parliamentary representatives in the European Parliament

Christine Neuhold & Anna-Lena Högenauer

To cite this article: Christine Neuhold & Anna-Lena Högenauer (2016): An information network of officials? Dissecting the role and nature of the network of parliamentary representatives in the European Parliament, *The Journal of Legislative Studies*, DOI: [10.1080/13572334.2016.1163884](https://doi.org/10.1080/13572334.2016.1163884)

To link to this article: <http://dx.doi.org/10.1080/13572334.2016.1163884>



Published online: 11 Apr 2016.



Submit your article to this journal [↗](#)



View related articles [↗](#)



View Crossmark data [↗](#)

An information network of officials? Dissecting the role and nature of the network of parliamentary representatives in the European Parliament

Christine Neuhold and Anna-Lena Högenauer

ABSTRACT

Enhancing the role of national parliaments in the European Union's decision-making process has for some time been a popular way in which policy-makers have sought to address legitimacy problems in the European Union, the Early Warning Mechanism being only one example. In response to these developments, an increasing number of scholars have addressed the question of how parliaments make use of these powers in practice. An important dimension of the process – the role of parliamentary officials in parliamentary scrutiny and control – has so far been neglected in the literature. Against this background, this article examines the role of the representatives of national parliaments in the European Parliament with the aim of understanding the role and the nature of this 'bureaucratic network'. While falling short of an epistemic community, these officials play an important role in enabling parliamentary scrutiny through the dissemination of information.

KEYWORDS Parliament; Europeanisation; bureaucratisation; administration; inter-parliamentary cooperation; parliamentary scrutiny

Introduction

National parliaments have undergone a remarkable change within the European Union (EU) system of multi-level governance.¹ From political players that had largely been sidelined by way of treaty reform, the Treaty of Lisbon has now upgraded the role of national parliaments in the EU by foreseeing a number of mechanisms through which national parliaments are to 'contribute actively to the good functioning of the Union' (Article 12 Treaty on the European Union (TEU)). A series of provisions are thus foreseen in the treaty and its protocols in order to strengthen the powers of national parliaments within the EU system of multi-level governance. A cornerstone in this context is the mechanism of subsidiarity control, which is commonly known as the Early Warning Mechanism (EWM).

Little is known, however, on how parliaments will *actually* make use of the treaty provisions (for exceptions see, e.g. Cooper, 2012; Heffler, Neuhold,

CONTACT Christine Neuhold  c.neuhold@maastrichtuniversity.nl

© 2016 Informa UK Limited, trading as Taylor & Francis Group

Rozenberg, & Smith, 2015; Kiiver, 2012) and an important dimension of the process – the role of parliamentary officials – has until recently been neglected in the literature. Yet, in practice, parliamentary administrations play a crucial role in the transmission and processing of information in the context of scrutiny of EU affairs (cf. Högenauer & Neuhold, 2015). The requirement for national parliaments to cooperate systematically with one another and the need to develop a high level of technical and legal expertise have led to the emergence of a network of permanent representatives of national parliaments in the European Parliament (EP), or as they are called in the practical political process, ‘liaison officers’ (Mastenbroek et al., 2014). Despite the fact that this network has expanded rapidly over the past decade, it has up to now received little academic attention. In this vein, we want to shed light on two questions that are very much interlinked: what is the actual role of the liaison officers in implementing the Lisbon provisions, and how we can we grasp the functions and nature of such a network analytically? The analytical characterisation of the network is important as different conceptualisations have different implications on the way actors are (seen to be) able to affect the EU policy-making process. In order to shed light on this issue, the article will thus set out to analyse the functions and activities of the liaison officers. Methodologically, this article builds on a series of semi-structured interviews conducted with liaison officers from 20 member states over the period 2010–13.² This information has been supplemented by questionnaires submitted to experts working on national parliaments.³ By way of this data collection, all 28 member states have been covered.

After examining the main changes of Lisbon and its implications for national parliaments, the analytical framework reviews potential concepts to capture the work of liaison officers of national parliaments. Then the functioning of the network of liaison officers in the practical political process is analysed. In the concluding section we reflect on the nature and significance of the network in the context of the implementation of the Lisbon provisions on national parliaments.

Powers of parliamentary control after the Treaty of Lisbon

The debate on the democratic deficit of the EU has led to renewed interest in the possible role of national parliaments within the EU institutional framework within academia and at the political level (cf. Hefftlar et al., 2015). In particular, the Lisbon Treaty upgrades the role of national parliaments within the European legal order. For the first time ever, a treaty article mentions the monitoring of EU institutions as a mechanism by way of which national parliaments are to contribute to the good functioning of the EU (Article 12 TEU). Further treaty provisions and the protocols on the role of national parliaments in the EU and on the application of the principles of

subsidiarity and proportionality specify the scope of the participation of national parliaments in EU decision-making.

First, the information rights of national parliaments are strengthened with regard to legislative documents. Second, the protocol on the role of national parliaments stipulates that national parliaments are to be informed in the case of a transition from unanimity to qualified majority or from a special to the ordinary legislative procedure under the so-called 'passerelle clause'. National parliaments shall be informed at least six months before such a decision is adopted and every parliament has veto powers. Third, compliance with the principle of subsidiarity is to be ensured through a mechanism, which is commonly referred to as the 'Early Warning Mechanism'. The protocol on the application of the principles of subsidiarity and proportionality states that all the draft legislative acts sent to national parliaments shall contain a detailed statement that makes it possible to appraise the compliance with these principles. Accordingly, any national parliament or any chamber of a national parliament may, within eight weeks of the date of transmission of a legislative act, send to the presidents of the EP, the Council and the Commission a reasoned opinion stating why it considers that the draft in question does not comply with the principle of subsidiarity. Each national parliament has two votes and in the case of bicameral systems, each of the two chambers has one vote. In this context two procedures commonly referred to as 'yellow and orange cards procedures' form one of the cornerstones of the treaty when it comes to parliamentary control. The 'yellow' card procedure consists of the following: where reasoned opinions on a non-compliance of a draft legislative act with the principle of subsidiarity represent at least one-third of all the votes allocated to national parliaments, the draft must be reviewed.⁴ After such review, the institution that has put forward the proposal may decide to maintain, amend or withdraw the draft. Reasons must be given for whichever decision is taken.

The 'orange' card procedure states that under the ordinary legislative procedure the draft legislative act must be reviewed if the reasoned opinions regarding subsidiarity represent at least a simple majority of the votes allocated to national parliaments. After this review, the Commission may decide to maintain, amend or withdraw the proposal (Kiiver, 2012). However, if, by a majority of 55 per cent of the members of the Council or a simple majority of the votes cast in the EP, the legislators are of the opinion that the proposal does not comply with the principle of subsidiarity, no further consideration will be given to it (COSAC, 2008). Moreover, national parliaments can participate in the request for filing an action for annulment before the Court of Justice of the European Union on grounds of a breach of the principle of subsidiarity.

Finally, it is foreseen that national parliaments are to play an increased role in the inter-parliamentary cooperation between national parliaments and

with the EP. In this context the role of the Conference of Community and European Affairs Committees of Parliaments of the European Union (COSAC) is stressed (Kiiver, 2012). Owing to the fact that the thresholds for the ‘cards’ under the EWM are high and the deadlines are tight, there has to be some coordination among national legislatures in order to be able to have an impact under the EWM. Moreover, in order for the orange card to be raised this means that some form of coordination either with the Council or the EP has to be in place in order to be able to resort to the mechanisms effectively. This is where the network of parliamentary officials can play a crucial role.

Analytical framework

While we can build on a growing host of literature when it comes to the role of national parliaments holding the executive to account in EU affairs (Maurer & Wessels, 2001; O’Brennan & Raunio, 2007), the literature on parliamentary administrations in EU member states is thus far mainly descriptive and rather limited. The main insights relate to the political neutrality of administrators, for example in the French system and in the British parliamentary administrative system (Baron, 2013; Campbell & Laporte, 1981; Perez, 2007; Ryle, 1981). There is a large host of literature on the phenomenon of delegation to bureaucratic agencies by elected members of the US Congress, reaching from attempts to control a (possible) run-away democracy (Lowi, 1979) by way of administrative laws (McCubbins & Schwartz, 1984).

Networking of *parliamentary* officials across national borders has thus far been neglected in the academic debate, possibly because it is a recent phenomenon. Nevertheless, there are two concepts that can potentially capture the key aspects of the work of liaison officers of national parliaments.

First, one could conceive that liaison officers form what we would coin an *information network*, i.e. a network that collects and exchanges information with a view to optimising the collective knowledge of national parliaments. The role of information is salient with regard to a bureaucratic network, as it is the traditional resource of influence for bureaucracies (Peters, 2001, p. 234). This conceptualisation departs from the assumption that twentieth century societies have shifted away from a command and control style of government towards increased deliberation and bargaining where information and knowledge are a key resource (cf. Blom, 2014; Hooghe & Marks, 2001, p. 5). This dynamic is particularly prominent in the context of the EU and for questions of parliamentary scrutiny, because information-asymmetries are seen to privilege Brussels-based actors and executives rather than parliaments (O’Brennan & Raunio, 2007). Especially now that national parliaments are meant to play a more active role within the EU policy-making process, information processing plays an important ‘enabling function’. We are

particularly interested in what Blom calls the ‘operational politics’ of informing, i.e. how the liaison officers actually gather and exchange information through different forms of interaction (Blom, 2014).

What would make the network of liaison officers an information network, according to the criteria of Blom, would be a high level of experience in the field. Moreover, the respective officials would interact regularly on a formal and informal level and focus specifically on information gathering, interpretation and exchange. Moreover, these officials would have a close relationship with their own national parliament from which they would also receive information (e.g. mandates, updates on priorities, updates on activities) and to which they would send information about other parliaments and inform them of the positions of EU institutions. Accordingly, the network of liaison officers would collectively constitute the ‘hub of information trading’, where each individual liaison officer could be seen as constituting a ‘hub of information exchange’ between his or her institution, other parliaments and the European arena. This concept is relatively unproblematic in terms of a potential bureaucratisation of parliamentary politics. In this scenario, liaison officers would be primarily guided by the interests of their sending institutions (in this case national parliaments) and stick closely to their mandate.

Alternatively, the concept of *epistemic communities* might be instructive in order to be able to conceptualise the network of liaison officers. The concept was originally developed in the context of international policy coordination. Epistemic communities have been described as a ‘network of professionals with recognized expertise and competence in a particular domain’ and as having ‘an authoritative claim to policy-relevant knowledge within that domain’ (Haas, 1992, p. 3).

While they share many features with information networks, what is crucial is the fact that the professionals making up epistemic communities have a shared set of normative and principled beliefs, shared notions of validity and a set of common practices associated with a set of problems and policy issues (Clemens & Cook, 1999, p. 446; Haas, 1992, p. 5). In the context of the role of government representatives in EU treaty reform, Reh adds to these dimensions issue-relevant expertise, experience in negotiating internationally and effective preparation, including access to information on ongoing negotiations (Reh, 2007, p. 1189).

The implications of an epistemic community are, moreover, which is also key, that its members ‘go native’, i.e. that their actions are no longer determined exclusively by the sending institution, but are also to some extent influenced by a feeling of solidarity with the ‘group’. In the EU context, this phenomenon has so far mainly been identified with regard to government officials in Council working groups. Regular meetings between government officials are seen to contribute to the development of a high degree of

collegiality and collective identity among officials (e.g. Juncos & Pomorska, 2011). Beyers and Dierickx (1998) contend that nationality – while remaining important in many respects – is diluted in the Council as a supranational network develops in juxtaposition to the intergovernmental characteristics of agents. In the context of the Council of Europe, Checkel (2003) has also found that social agents go ‘native’, to some extent.

With regard to liaison officers of national parliaments, the question is thus whether they remain the ‘agents’ of their parliaments after they arrive in Brussels, or whether a collective identity of liaison officers starts to replace national ties.

Thus, for each concept there are certain features that have to be present (Table 1). Shared notions of validity, close ties and expertise are necessary for epistemic communities. For an information network, the emphasis lies on knowledge and information exchange. An information network thus requires liaison officers to have less in common than an epistemic community. While we adhere to the hypothesis that liaison officers have recognised expertise and competence in a particular domain – in this case parliamentary affairs – epistemic communities in addition share normative and principled beliefs and have shared notions of validity (Clemens & Cook, 1999, p. 446; Haas, 1992, p. 5). In the following we shall put these notions to the test and establish the precise nature of the work of liaison officers and their network.

The national parliamentary representatives: rationale and tasks

The development of the network of liaison officers: towards an epistemic community?

The network of liaison officers started in the early 1990s but was initially slow to grow from one representative to include representatives from (almost) all national parliaments in 2015 (Figure 1).⁵ The Danish parliament was the ‘forerunner’, having sent a parliamentary representative to Brussels since 1991. It was the first legislature to deal with EU issues quite intensively

Table 1. Core elements of the concepts.

	Information network	Epistemic communities
Expertise	x	x
Regular contacts to sending institution	x	(x)
Facilitation of contacts	x	x
Emphasis on information gathering	x	(x)
Close and durable ties		x
Shared beliefs, values and practices especially related to policy issues		x

Notes: x indicates qualities that have to be present for the network of liaison officers to fit into that concept.

(x) These elements may also be part of the concept, but are not part of its defining features.

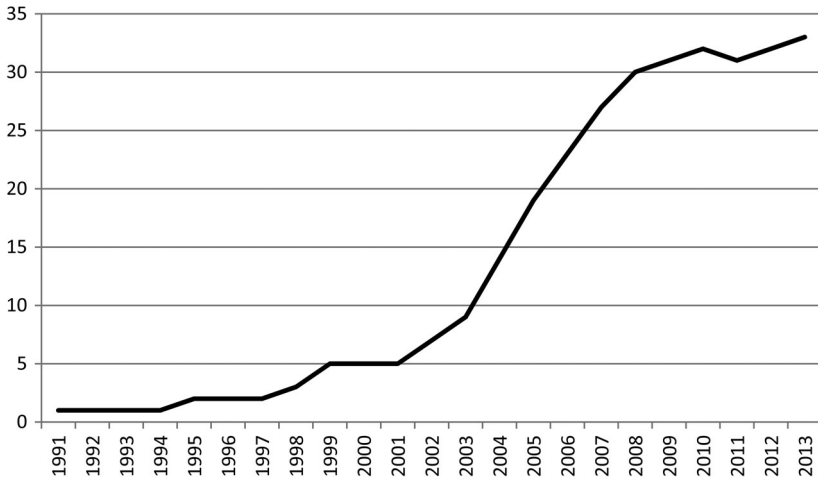


Figure 1. The total number of liaison officers per year (including both upper and lower houses).

through the mandating of the respective minister in the Council, so this delegation of a parliamentary representative to Brussels ‘came rather naturally’ (Interview, IV). The Finnish parliament followed in 1995 in order to obtain first-hand information not provided by the government (Interview, VII). Italy then followed suit and sent representatives as of 1998, but they were not based in Brussels permanently but commuted from the Italian capital. The UK House of Commons delegated a parliamentary representative the year after.

A large number of liaison officers were delegated to the European level just prior to and after enlargement (2003–2005). This ‘boom’ was, however, only partially related to enlargement and included also ‘older’ member states such as Germany, Greece, Belgium, the Netherlands, Austria (lower chamber) and the UK (House of Lords). Even Norway has been sending a representative since the beginning of 2013, which is seen to be based on a political decision to observe EU activities.

The fact that a vast majority of parliaments of the EU member states and legislatures of non-member states currently send a parliamentary representative to the European arena can be seen as a clear indication that legislatures see it as vital to be part of this network, even in times of financial crisis, where one might assume that administrative cost would be reduced. Several bicameral parliaments such as the UK and Belgium send two representatives, one per chamber.

Parliamentary representatives are officials of their respective parliament and most have worked for their legislature for several years prior to having been delegated to Brussels. It is seen as vital that the liaison officer has

roots in the respective national parliament; ‘how could you exercise your function effectively if you are not a civil servant from parliament? One needs to know the parliament from within and to know what is key’ (Interview, IXX).

Liaison officers are recalled after a few years (normally two) and keep their allegiance to their sending institution, as their career prospects are determined by the perception of their performance by national actors. As such there is a high fluctuation within the group itself and this thus prevents the establishment of durable links among actors. The effect of the strong socialisation by way of the sending institution on the other hand is that liaison officers indeed form a group of experts in parliamentary concerns in EU politics, but it is a group marked primarily by national ties and mandates. The parliamentary context that liaison officers work in on the national level varies widely:

The group of liaison officers is naturally quite a disparate group, with different mandates, representing different chambers. As we are aware of this heterogeneity one cooperates in areas where there are ‘real’ benefits. (Interview, XXI)

This is a key observation shaping the work performed by liaison officers. On the one hand even if we only focus on one aspect of parliamentary control, the implementation of the Lisbon provisions into the practical political process, we come across great heterogeneity:

After Lisbon, most parliaments adopted new laws for parliamentary scrutiny and/or amended their rules of procedure to clarify the procedure of reasoned opinions and enhance information rights. The result is a highly heterogeneous collection of practices for the subsidiarity checks and the political dialogue across the 28 member states. (Mastenbroek et al., 2014, p. 26)

Moreover, ‘role conceptions’, the role that national parliaments *should* play within EU affairs, differ widely across member states and sometimes even across chambers (for example, in the Netherlands) (Mastenbroek et al., 2014, p. 21). Whereas some parliaments such as Finland, for example, direct parliamentary scrutiny and control towards the respective ministers in the Council, others focus more on the political dialogue with the Commission (such as Portugal) or towards the EP. Others combine strategies of parliamentary control. These role conceptions but also the different parliamentary tools available for parliamentary scrutiny have an impact on the way liaison officers conceive and perform their role.

In addition, the neutrality of the liaison officers and their non-partisan role is stressed time and again (Interview, I; Interview, XI; Interview, XV; Interview, XX; Interview, XXII). One official (Interview, XX) brings it to the point by saying:

What you have to realize we are civil servants. I have a permanent position and I passed a Concours. I work for any political group and I am part of the staff of

parliament; working for the house. I am not affected by elections but will stay in parliament. We deal with technical issues and we do not pre-cook any issues in any way. (Interview, XX)

Liaison officers thus tend to act on the basis of formal mandates and positions, such as parliamentary or committee resolutions, opinions and mandates (depending on the precise system of parliamentary scrutiny) and are cautious when it comes to interpreting formal positions of their parliament and committees (Interview, XX).

The close ties with the sending institution – and not with the group of national parliaments as a whole – has a threefold effect on the role of liaison officers:

- Close contacts within the respective legislature as an information broker: representatives set up their ‘own channels’ they can tap into when requiring information on specific, sectoral issues, but also first-hand information on subsidiarity checks. The familiarity of the liaison officers both with staff and members of parliament (MPs) also ensures a high degree of trust and familiarity (Interview, XV; Interview, XVII).
- Comprehensive insight into the respective legislative and political system: as systems of parliamentary control are not only rather complex but also have their unique ways of functioning even when they are modelled on other parliamentary systems (O’Brennan & Raunio, 2007), it is key that the liaison officer is very much aware of how the respective political system works and which players are responsible for which type of issues at which stage of the policy process.
- (Administrative) Spokesperson on behalf of the respective parliament: the fact that liaison officers are rooted within their respective legislature enables them to speak on behalf of their legislature on an administrative level, not only when it comes to national counterparts of parliamentary representatives but also as regards to EU institutions such as the Commission and the EP. One EAC [European Affairs Committee] clerk (Interview, XIX) brings it to the point by characterising the respective liaison officer as ‘our eyes and ears on specific topics that we define as priorities. For example, if we have a debate here in the House we can ask him to talk to MEPs or the Commission and he does that’.

Overall, the review of the background of liaison officers demonstrates two things. On the one hand, liaison officers share a common background and have a high level of expertise in parliamentary affairs, which would be in line with the concept of an epistemic community. On the other hand, their ties to their sending institutions are very close and remain very close throughout their time in Brussels. Despite their similar background, they thus remain primarily ‘national agents’ with a past and future in the service of the national

parliament, which is more in line with the idea of an information network. This also becomes apparent when reviewing the tasks that liaison officers perform.

Tasks of individual liaison officers across levels of governance

The tasks of liaison officers are manifold and span several levels of EU governance as follows:

- Liaison officers work as an ‘information relay’ to their respective national legislature and uphold links to the respective national parliament.
- They function as a contact point to the EU institutions and as such foster information exchange.
- They assist MPs in exercising their representational function and contribute to ‘best practice exchanges’ across national parliaments.

Information relay to the respective national parliament. Several liaison officers describe their function as being the ‘eyes, ears and mouth’ for their respective parliament and as such to function as an ‘information relay’ or ‘information broker’ for their respective legislature (Interview, X; Interview, XVI; Interview, XV; Interview, IXX). One interviewee brings it to the point by saying:

In exercising my functions, I depend on the Secretariat General and my ‘main client’ is the EAC ... it is the liaison officer that keeps bilateral contacts with sectoral committees and steers and assists them when it comes to the selection of priority dossiers for parliamentary scrutiny and to alert them to what is happening at the European level. (Interview, IXX)

The main objectives pursued by the liaison officers are thus directed towards the monitoring of European affairs by assisting ‘their’ directly elected members in exercising democratic control (Interview, XV). On the one hand this implies that liaison officers assume a key role in information processing and in framing what is relevant for the respective national parliament as regards to EU affairs. The Commission sends a plethora of documents to parliaments under the Barroso initiative and liaison officers contribute to the identification of issues that are to be subject to parliamentary control. In this quest, information has to be *tailor-made to parliament’s needs* (Interview, XX; Pinheiro, 2012, p. 212). It is conceded that the government also provides information ‘but you hear and see more when you are in Brussels’ (Interview, X) and this sets the basis for a network of contacts. In parliaments that select priority dossiers for scrutiny, it is the liaison officer who keeps bilateral contacts with sectoral committees and steers and assists them in the selection of priority dossiers for parliamentary scrutiny and as such ‘supplying data for the

scrutiny activities of the parliament' (President of the Portuguese Parliament, 2008). In this quest it is the task of the liaison officers to collect information on EU draft laws for the respective national parliament, at an early stage of policy-making, and where relevant to share this with political groups and sectoral committees (Mastenbroek et al., 2015, p. 90).

Upholding links with the respective parliament. This task is closely linked to the function outlined above. A large number of liaison officers, such as the Spanish, Italian, Portuguese, Austrian, Swedish, Finnish, Danish, Dutch and the representatives of the French National Assembly and of the UK House of Commons, go back to their member state parliament around once a month, primarily with the objective of information exchange; conveying developments from the EU arena to the national level and vice versa. In this context liaison officers attend staff meetings of officials working for sectoral committees and the EAC and provide reports on EU affairs. For example, the liaison officer of the House of Commons writes a weekly policy briefing for the EU Scrutiny Committee of the House of Commons (Interview, XXI).

At the same time this provides representatives with a prime opportunity to keep abreast with political developments within their respective national parliaments.

Several liaison officers describe their respective committee responsible for European affairs and where relevant the secretariat general as their 'main' or 'primary clients' they have to see at regular intervals (Interview, XV; Interview, XVII). There is a trend, however, that in member states that have joined the EU more recently this direct relay function has been reduced. When the Lithuanian liaison officer started in 2008, for example, she went back home every six months, but this was cut after the crisis. Most of the contacts now take place via email, phone and videoconference. The permanent representative of the Polish Sejm seldom goes back to the Polish parliament and keeps in touch mainly via email (Interview, XVI; Interview, XVII).

Contact point to the EU institutions. The work of the liaison officers also has an important European dimension and as such contacts to the three main institutions involved in EU policy-making are seen as crucial. Legislatures thus enter into direct dialogue with the EU institutions without the mediation of their national governments (Pinheiro, 2012). The link to the EP and the informal political dialogue are highlighted as being vital in this respect. Even from a logistical perspective there is a direct link to the EP as liaison officers are based within the premises of the EP.

Owing to the fact that the EWM is very much focused on contacts between national parliaments and the Commission, liaison officers also uphold intense contacts with the European executive, also in the quest of information exchange. This network spans all layers of the European executive centre (Bauer, 2009): European Commission officials, the secretariat general of the

Commission, cabinet members and commissioners. The latter are interested 'in us liaison officers and see us as a new phenomenon' (Interview, XVIII). This is reflected by the fact that not only representatives of the services of the Commission but also commissioners themselves attend the weekly meetings of liaison officers (Interview, V). The EU executive thus sees the benefit of exchanging information with a larger audience, i.e. a network of officials delegated by national parliaments (Interview, XXI).

Moreover, representatives ensure cooperation with their respective permanent representation to the European Union and try to systematise these contacts (Interview, XXI). Contacts to COSAC as a coordinating forum of the position of national parliaments are simplified by the fact that COSAC is located within the same building as the liaison officers. Members of the COSAC Secretariat also attend the regular meetings of the liaison officers and liaison officers are part of COSAC during the period when their respective member state is part of the troika (Interview, IV). COSAC is thus seen as an 'internal' rather than 'external' partner, where the exchange of information is described as a two-way street: liaison officers are an 'excellent source of information of what is actually going on in national parliaments' (Interview, V).

Representational function and fostering of best practices. Moreover, liaison officers are involved in the representation of national parliaments at the European level, in a supporting function. It might come as a surprise that we shed light on this issue when it comes to the role of officials but the representative function of national parliaments is an important element of legislatures within the multi-level parliamentary field (Crum & Fossum, 2009).

We thus probed the question whether officials also play a role in assisting 'their' MPs. On the one hand liaison officers thus provide support to their respective parliamentary president and to the delegations of their respective parliament when attending meetings of the EU institutions. They also participate in the organisation of work and study visits of members and parliamentary officials to the European institutions (Interview, X; Interview, XXI). On the other hand, the 'relay function' of liaison officers also implies that they accompany representatives of the EU institutions, such as the president of the EP or commissioners, when visiting their respective parliament and when they attend plenary or committee meetings (Interview, XV; Interview, XVII).

Moreover, due to the fact that liaison officers have a comprehensive insight into the way their 'own' legislature works, they regularly exchange best practices both informally and formally. As such they thus turn into 'ambassadors' of their respective legislative system.⁶

Overall, the review of the tasks of the liaison officers highlights information gathering and the interpretation of information as pertaining to their main role, followed by the facilitation of contacts with the European institutions and other Brussels actors (Table 2). The representational function of

parliamentary representatives is comparatively weak. The liaison officers see themselves as administrators who are not to negotiate, deliberate or decide on behalf of their parliament. This is a further indication that they are an information network rather than an epistemic community.

Overall, one has to stress the fact parliaments and chambers consider the liaison officers in Brussels as a very useful instrument. The Czech *Senát* and Latvia even consider the liaison officers as one of the most useful proactive tools for general national parliamentary involvement in EU policy-making (COSAC, 2013).

The role of liaison officers in the practical political process

Building on the provisions of the Lisbon Treaty as a legal basis, liaison officers have derived a common task for themselves, which is the exchange of information on the stance of their respective parliament towards a possible breach of the principle of subsidiarity in real time (Interview, I; Interview, XXI):

For example when it comes to the cooperation with the Commission the group is seen as beneficial as both officials and Commissioners will see the benefit of exchanging information with a larger audience. In terms of subsidiarity the fact that there is a network of officials also fosters exchange. The group's 'peps' is seen in the exchange of information rather than necessarily reaching the threshold. (Interview, XXI)

The advantage of the information network of liaison officers over other forms of parliamentary cooperation such as COSAC is that it functions by way of regular meetings, held on Monday mornings, which have become known as Monday morning meetings (MMMs) (Interview, III; Interview, XI; Interview, XIII). These meetings are a forum for information exchange where national legislatures are alerted to the fact that one or more legislatures are planning to conduct a subsidiarity check even before the Commission formally comes up with a proposal (Interview, XIII). The meetings are also a hub for

Table 2. The network of liaison officers compared with different concepts.

	Information network	Epistemic communities	Empirical findings
Expertise	x	x	x
Regular contacts to sending institution	x	(x) ^a	x
Facilitation of contacts	x	x	x
Emphasis on information gathering	x	(x) ^a	x
Close and durable ties		x	(x) ^b
Shared beliefs, values and practices especially related to policy issues		x	

^aThese criteria may also be part of the concept, but are not one of its defining features.

^bThese criteria are liaison officers only meet this criterion in a limited way: the representative function is closely circumscribed by national mandates, whereas the ties between liaison officers are close at a given point in time, but not necessarily durable, as they are for the most part recalled every few years.

the exchange of best practices of parliamentary control (Interview, XIV). Finally, the meetings work as a 'conduit' for regular input and exchange of views of external actors; for example, Commission officials presenting an upcoming proposal or officials of EP sectoral committees giving presentations.⁷

In addition, the fact that the liaison officers work on the same floor in the EP fosters informal information exchange. One does not need to wait for formal meetings. If one is in need of specific information or the position of a respective legislature on a specific issue 'you just go down the corridor' (Interview, XVI). All liaison officers have an office within the premises of the EP. Only the German delegation uses office space outside the EP, as it also comprises representatives of the political groups⁸ (Interview, XIV).

A good example to illustrate the impact of the network is the so-called Monti II regulation,⁹ which would have affected the right to organise collective industrial action. The Monti II regulation was to address the fact that around a million workers are posted to another European country by their employers in order to provide temporary service on a yearly basis. The proposed regulation immediately provoked strong opposition among trade unions and employers (Petitjean, 2012).

During the eight weeks following publication of the proposal, 12 national parliaments representing 19 votes flagged up problems of the proposed regulation with the principle of subsidiarity and issued reasoned opinions, which led to the first 'yellow card' procedure.

The role of the liaison officers in Monti II was twofold. In the first instance, the Danish parliament used their liaison officer to mobilise other parliaments. The Danish parliament had already earmarked Monti II on its list of priorities for subsidiarity control as it was likely to affect the Danish welfare system. It was thus very quick to formulate a reasoned opinion within the first few weeks of the procedure. It was a short but clear statement of the main concerns and was translated into English. The Danish liaison officer pushed very proactively for more reasoned opinions by circulating the Danish reasoned opinion as a 'blueprint' to the network of liaison officers in order for other legislatures to follow suit (Interviews, XXV, XXVI).

Coincidentally, Denmark also held the COSAC presidency and the meeting of the delegates of EACs was conveniently timed. The Danish EAC chair could thus use that meeting to push further for reasoned opinions among directly elected MPs (cf. Buskjær Christensen, 2014), but the Danish EU advisor estimates that at that point most of the coordination work was already done (Interview, XXV).

After getting the process off the ground, the network of liaison officers used the catalyst effect of the increasing number of opinions: by keeping the parliaments regularly informed about the progress towards the card, they triggered interest in ever more parliaments (Interviews, XXIV, XXVII). The Dutch decision to adopt a reasoned opinion on the last day, for example, was probably

motivated in part by the fact that the card was within reach, and in part by the strong mobilisation of trade unions (Interview, XXVI). The example reflects the fact that information on the proceedings *en grand* can trigger action and lead to concerted outcomes that could otherwise not have been achieved (Cooper, 2013; House of Lords, 2014; Interview, XV; Interview, XXV).

The second yellow card was reached on the proposal regarding a European Prosecutor Office in 2013. In this case, the Dutch were very active as they had selected the issue as a priority on the basis of the Commission work programme a year in advance. Thus, the Dutch liaison officer alerted the other parliaments to the publication of the proposal and informed them of the Dutch intention to adopt a reasoned opinion. She followed the 'model' set by the Danish on the first yellow card and proactively informed the network about the Dutch activities on the dossier and asked for information on the stance of other legislatures in return. They also benefited from the interest of other active parliaments, such as the UK parliament (Interview, XXVI).

The 'bandwagon effect' can be illustrated by the fact that Denmark nearly adopted a reasoned opinion, despite the fact that it has an opt-out of Justice and Home Affairs (JHA) and would thus not be affected by the proposal in any event. As one EU advisor (Interview, XXV) stated:

But due to our JHA opt-out, we felt that we could not send a reasoned opinion, as the proposal did not affect us due to the opt-out. If it were not for the opt-out, we would probably have sent one. Our liaison officer also played a role in that. He informed us about the mood for the second yellow card and we got a question via him from the UK if we would be interested in adopting a yellow card. That is what motivated us to discuss the proposal.

The role of the liaison officers was furthermore to assist the relevant committees with the procedure of adopting the yellow card, by, for example, keeping them informed of approaching deadlines (Interview, XXIV).

Overall, the two examples thus further illustrate how the network of liaison officers functions. In the first instance, in line with the concept of an information network, by circulating information between parliaments, liaison officers contributed to facilitating the activities of their own parliament by procuring blueprints of reasoned opinions as well as up-to-date information on the building of momentum for a card. By way of functioning as administrative spokespeople of their parliaments, they thus facilitate the attainment of common solutions.

Concluding remarks

As highlighted, the network of liaison officers performs the function of an 'information relay' both *towards* the respective national legislature and *across* other national parliaments. It is in the very nature of the Lisbon provisions that a certain degree of coordination between national parliaments

is needed in order to raise subsidiarity concerns. In practice, this coordination takes place mainly on a bureaucratic, not on a political, level. Officials can thus raise the attention of decision-makers to issues of political importance.

However, this importance does not stem from any direct lobbying function or decision-making powers. The network of liaison officers has an impact on informational asymmetries between EU institutions and national parliaments and governments and parliaments. Moreover, it is seen as the most routine channel of communication between parliaments. The main functions this network performs are thus: to enable effective scrutiny within a parliament and to enable the effective use of the EWM collectively.

At the same time, despite the frequent and institutionalised interactions by way of MMMs and exchange of information in the corridors and offices of the EP, the network does not form an epistemic community. Liaison officers are sent by the same type of institution, but they remain too closely connected to their respective national institutions to develop *common* beliefs and interpretations. Even after the Lisbon Treaty, the attachment to national mandates and the culture of the sending institution prevail.

Liaison officers thus have recognised expertise and competence in a particular domain – in this case parliamentary affairs. This would be one aspect of an epistemic community; however, here professionals actually share normative and principled beliefs and notions of validity. This seems not to be the case for liaison officers. On the one hand we have to point to the fact that tools, procedures and resources available for parliamentary scrutiny differ widely across member states and sometimes even among chambers. On the other hand, ‘role conceptions’ (Mastenbroek et al., 2014, p. 21) of the role national parliaments should play in EU affairs also differ. This shapes the way liaison officers perceive and exercise their role and tasks. Moreover, as opposed to epistemic communities, liaisons cannot develop durable and long-standing ties as they are called back to their sending institution after around two years. The fluctuation of officials within the network is thus high.

Overall, liaison officers are protagonists of multi-level governance in action. They are not policy experts per se but officials who guard the role of their respective parliament and at the same time contribute to concerted outcomes across national legislatures. Their closely-knit network can best be seen as an information network that aims to enable legislative scrutiny and control on behalf of both individual parliaments and parliaments collectively.

Notes

1. For more insights on parliamentary administrations in the EU and an evaluation of the network of liaisons in comparison to other networks of parliamentary officials, please see Högenauer et al. (2016).

2. The questions asked ranged from the daily tasks that the respective liaisons fulfil to how they keep in touch with their respective national legislature and the nature of the meetings of liaison officers.
3. These questionnaires were filled in by country experts as part the OPAL project and contained quantitative data; for example, the question of since when the respective national parliament delegates a representative to Brussels.
4. If the draft legislative act is about the area of freedom, security and justice (Article 76 TFEU), this threshold will be 1/4.
5. The position for the Slovak and Bulgarian parliament is currently vacant. This is, however, to be filled again.
6. A seminar was held, for example, on 11 December 2014 in Brussels where academics and liaisons exchanged insights on how national parliaments exercise control of EU decision-making after the Lisbon Treaty. This seminar was organised by the Dutch Tweede Kamer and the Dutch parliamentary representation in Brussels.
7. For a long time the Dutch parliament got relevant LIMITE (confidential) documents from other parliaments that had access to them.
8. Note that only the *Bundesländer* and the main German political parties have their own representatives in Brussels, but so does the *Bundestag* as an institution. The liaison office in Brussels is part of Desk PE 2/European Affairs (Mastenbroek et al., 2014).
9. Proposal for a Council regulation on the exercise of the right to take collective action within the context of the freedom of establishment and the freedom to provide services, Brussels, 21.3.2012 COM(2012) 130 final.

Acknowledgements

The authors thank their OPAL (Observatory of Parliaments after the Lisbon) Treaty partners at the University of Cologne, the University of Cambridge and the Institut d'études politiques for their cooperation in the wider project and comments on this paper. The authors also thank Desmond Dinan, Sandra Kröger, Richard Bellamy and, of course, the anonymous reviewers for their comments.

Disclosure statement

No potential conflict of interest was reported by the authors.

Funding

The research in this article forms part of the OPAL project. The research was primarily funded by the Nederlandse Organisatie voor Wetenschappelijk Onderzoek (NWO) [grant number 464-10-074].

Notes on contributors

Christine Neuhold is Professor within the Department of Political Science, Faculty of Arts and Social Sciences (FASoS), Maastricht University. She has held the Special Chair of EU Democratic Governance since May 2013. She works on the role of parliaments within the EU system of multi-level governance with a special focus on the role

of unelected actors and committees. Her recent publications include articles in *West European Politics* (2015), *Comparative European Politics* (2014) and the *Journal of Common Market Studies* (2013). She has also co-edited the *Palgrave Handbook on National Parliaments* (2015). Email: c.neuhold@maastrichtuniversity.nl

Anna-Lena Högenauer was a postdoctoral researcher at Maastricht University until 2014, and has been Adjoint de Recherche at the University of Luxembourg since then. She was a member of the Observatory of Parliaments after Lisbon (2011–14) and has been a member of the Pademia network on parliamentary democracy in Europe since 2014. Her main research interests are multi-level governance and multi-level parliamentarism in Europe. Her recent publications include articles in *West European Politics* (2015), *Comparative European Politics* (2014), the *European Political Science Review* (2013) and *Regional and Federal Studies* (2014). Email: Anna-lena.hoegenauer@uni.lu

References

- Baron, F. (2013). Civil servants: How to support the political level: The French case. In C. Neuhold, S. Vanhooacker, & L. Verhey (Eds.), *Civil servants and politics* (pp. 108–123). Basingstoke: Palgrave.
- Bauer, M. (2009). Impact of administrative reform of the European Commission: Results from a survey of heads of unit in policy-making directorates. *International Review of Administrative Sciences*, 75(3), 459–472.
- Beyers, J., & Dierickx, G. (1998). The working groups of the council of the European Union: Supranational or intergovernmental negotiations? *JCMS: Journal of Common Market Studies*, 36(3), 289–317.
- Blom, T. (2014). The politics of informing the EU: A new research agenda. In T. Blom & S. Vanhooacker (Eds.), *The politics of information. The case of the European Union* (pp. 1–14). London: Palgrave Macmillan.
- Buskjær Christensen, M. (2014). Is the Danish model of parliamentary scrutiny still best practice? In C. Heffler, C. Neuhold, O. Rozenberg, & J. Smith (Eds.), *The Palgrave handbook of national parliaments* (pp. 275–290). London: Palgrave, Macmillan.
- Campbell, S., & Laporte, J. (1981). The staff of the parliamentary assemblies in France. *Legislative Studies Quarterly*, 6(4), 521–531.
- Checkel, J. (2003). “Going native” in Europe? Theorizing social interaction in European institutions. *Comparative Political Studies*, 36(1/2), 209–231.
- Clemens, E., & Cook, J. (1999). Politics and institutionalism: Explaining durability and change. *Annual Review of Sociology*, 25: 441–466.
- Cooper, I. (2012). A ‘virtual third chamber’ for the European Union? National parliaments after the treaty of Lisbon. *West European Politics*, 35(3), 441–465.
- Cooper, I. (2013, May 9–11). *A yellow card for the striker: how national parliaments defeated EU strikes regulation*. EUSA Biannual Conference, Baltimore.
- COSAC. (2008). *9th Bi-annual report: Developments in the European Union procedures and practices relevant to parliamentary scrutiny*, May 2008. Retrieved August 15, 2013, from www.cosac.eu/documents/bi-annual-reports-of-cosac/
- COSAC. (2013). *Twentieth bi-annual report: Developments in European Union procedures and practices relevant to parliamentary scrutiny*. 4 October, Vilnius.
- Crum, B., & Fossum, J. E. (2009). The multilevel parliamentary field: A framework for theorizing representative democracy in the EU. *European Political Science Review*, 1(2), 249–71.

- Haas, P. (1992). Introduction: Epistemic communities and international policy coordination. *International Organization*, 46(1), 1–35.
- Heffttler, C., Neuhold, C., Rozenberg, O., & Smith, J. (Eds.). (2015). *The Palgrave handbook of national parliaments*. London: Palgrave, Macmillan.
- Högenauer, A. L., & Neuhold, C. (2015). National parliaments after Lisbon: Administrations on the rise? *West European Politics*, 38(2), 335–354.
- Högenauer, A. L., Neuhold, C., & Christiansen, T. (2016). *Parliamentary administrations in the EU*. London: Palgrave, Macmillan.
- Hooghe, L., & Marks, G. (2001). Types of multi-level governance. *European Integration online Papers*, 5(11), 1–32.
- House of Lords. (2014). European Union Committee, *The Role of National Parliaments in the European Union*, 9th report of Session 2013–14, HL Paper 151, 24 March 2014.
- Juncos, A., & Pomorska, K. (2011). Invisible and unaccountable? National representatives and council officials in EU foreign policy. *Journal of European Public Policy*, 18(8), 1096–1114.
- Kiiver, P. (2012). *The early warning system for the principle of subsidiarity. Constitutional theory and empirical reality*. London: Routledge.
- Lowi, T. (1979). *The end of liberalism*. New York: W. W. Norton & Company.
- Mastenbroek, E., Zwaan, P., Groen, A., Meurs, W., Reiding, H., Dörrenbächer, N., & Neuhold, C. (2014). Engaging with Europe. Evaluating national parliamentary control of EU decision making after the Lisbon Treaty. Report prepared for the Dutch Tweede Kamer.
- Maurer, A., & Wessels, W. (Eds.). (2001). *National parliaments on their ways to Europe. Losers or latecomers?* Baden-Baden: Nomos Verlag.
- McCubbins, M. D., & Schwartz, T. (1984). Congressional oversight overlooked: Police patrols versus fire alarms. *American Journal of Political Science*, 28(1), 165–179.
- O’Brennan, J., & Raunio, T. (Eds.). (2007). *National parliaments within the enlarged European Union: From ‘victims’ of integration to competitive actors?* Abingdon: Routledge.
- Perez, S. (2007). Parlement et administration de l’Union européenne. In *Annuaire européen d’administration publique* Tome 29, Parlement et administration en Europe. PU Aix-Marseille.
- Peters, B. G. (2001). *The politics of bureaucracy*. London: Routledge.
- Petitjean, S. (2012). Commission withdraws Monti II proposal. *Europolitics*. 13 September. Retrieved from <http://www.europolitics.info/social/commission-withdraws-monti-ii-proposal-art342821-25.html>
- Pinheiro, B. (2012). O Tratado de Lisboa e a adaptação dos parlamentos nacionais aos desafios da integração Europeia: o caso dos representantes permanentes dos Parlamentos junto das instituições da União Europeia. Retrieved from <https://www.repository.utl.pt/handle/10400.5/5124>
- President of the Portuguese Parliament. (2008). *Concerning the statute of the permanent representative of the Portuguese parliament (Antenna) to the European Union*, Order no. 195/X, São Bento Palace, 24 June.
- Reh, C. (2007). Pre-cooking the European constitution? The role of government representatives in EU reform. *Journal of European Public Policy*, 14(8), 1186–1207.
- Ryle, M. T. (1981). The legislative staff of the British house of commons. *Legislative Studies Quarterly*, 6(4), 497–519.

Interviews

- I. Interview with Liaison officer of a national parliament, 14 September 2010.
- III. Interview with Liaison officer of a national parliament, 29 October 2010.
- IV. Interview with Liaison officer of a national parliament, 9 November 2010.
- V. Interview with Representative of COSAC Secretariat, 9 November 2010b.
- VII. Interview with Liaison officer of a national parliament, 16 November 2010.
- X. Interview with Liaison officer of a national parliament, 17 November 2010.
- XI. Interview with Liaison officer of a national parliament, 22 November 2010a.
- XIII. Interview with Liaison officer of a national parliament, 17 December 2010.
- XIV. Interview with Liaison officer of a national parliament, 24 May 2012.
- XV. Interview with Liaison officer of a national parliament, 24 January 2013a.
- XVI. Interview with Liaison officer of a national parliament, 24 January 2013b.
- XVII. Interview with Liaison officer of a national parliament, 25 January 2013a.
- XVIII. Interview with Liaison officer of a national parliament, 25 January 2013b.
- XIX. Interview with Dutch EAC clerk, 9 January 2012.
- XX. Interview with Liaison officer of a national parliament, 7 February 2013.
- XXI. Interview with Liaison officer of a national parliament, 13 January 2010.
- XXII. Interview with Liaison officer of a national parliament, 13 January 2010.
- XXIV. Interview with a Dutch EU advisor, 16 April 2014.
- XXV. Interview with a Danish EU advisor, 15 April 2014.
- XXVI. Interview with a Dutch committee clerk, 18 April 2014.
- XXVII. Interview with a Belgian committee clerk, 23 April 2014.