

BACHELOR THESIS

Lobbying the REACH regulation

- An Empirical Analysis
of the "Meta game of triple P" -

Henriette Krimphoff

Colofon

Studying Programme: Public Administration.

European Studies

Title: Lobbying the REACH regulation.

An Empirical Analysis of the

“Meta game of triple P”

Degree: Bachelor

Status: Bachelor thesis

Supervisor: Ron Holz hacker

(0031)-534893475

Date: 31.05.2007



Name: Henriette Krimphoff

Address: Scharnhorststr. 83

48151 Münster

Germany

Phone: 0049-(0)-251-5389275

0049-(0)-163-4928413 (Mobile)

Email: henriettekri@yahoo.de

Student number: 0122319

Content

A. LEADOFF ELUCIDATIONS	3
1. Abbreviations	3
2. Introduction and Research Question	4
3. Social and Scientific Significance	6
4. Research Design and Methodology	8
4.1. Research Design	8
4.2. Methodology	9
B. TESTING OF THE THEORY	11
5. Theory	11
5.1. Theoretical Fundament	11
5.2. Strategy of "Meta Game of Triple P"	11
6. Developing REACH	19
6.1. What is REACH	19
6.2. REACH, historically	21
7. Case for Analysis	23
7.1.1. BUND	23
7.1.2. Position on REACH	24
7.2. Matrix for Evaluating the Playing of the Strategy	25
8. Discussion	27
8.1. Evaluation and Suitability of the Strategy	27
C. CONCLUSION	30
9. Concluding Remarks and Suggestions	30
9.1.1. Identifying Inferences	30
9.1.2. Personal Evaluation	32
9.2. Suggestions for Future Researches	32
D. BIBLIOGRAPHY, REFERENCES AND ANNEXES	33
10. Bibliography	33
11. References	36
12. Annexes	37
12.1. Annex1: How does REACH work?	37
12.2.1. Annex 2a: Structure of the Interview-Guideline	39
12.2.2. Annex 2b: Matrix for assessing the Strategy	43
12.3. Annex 3: Transliterated Interview with the BUND	45

A. Leadoff Elucidations

1. Abbreviations

Abbreviation	Name
BUND	Bund für Umwelt und Naturschutz Deutschland (Alliance for the Environment and Nature Conversation Germany)
CO	Civic Organisation
DG	Directorate General
EC	European Commission
ECHA	European Chemicals Agency
ECJ	European Court of Justice
EG	Environmental Groups
EEB	European Environment Bureau
EINECS	European Inventory Existing Commercial Chemical Substances
EP	European Parliament
EU	European Union
FoE	Friends of the Earth
IG	Interest Group
LG	Lobby Group
MP	Member of Parliament
MS	Member State
NGO	Non-governmental Organisation
PAM	Public Affairs Management
QMV	Quality Majority Voting
REACH	Registration, Evaluation, and Authorisation of Chemicals

2. Introduction and Research Question

Nowadays chemicals play a significant role in everyday life - most products used in modern societies are made out of some chemical reaction or another. Some are harmless, others highly threatening to humans and the environment. Nonetheless the potential of the hazardousness of some chemicals is not well researched.

Since the 1980ies some chemicals already have been registered in order to scrutinise their potentials. That counts for about 1 per cent of all chemicals which are known so far. (cp. EurActive.com, 2006) The European Union (EU) aims to create a preferably safe trade with chemical substances. But still even for huge chemicals from which thousands of tons are yearly produced, no reliable information about their hazardousness is provided. Hence in 2001, the European Commission (EC) published a White Paper: "The future Chemical Policy" on registering all chemicals for the protection of human health and the environment. In 2007, 6 years later, the so called REACH regulation will be put into force. Out of the White Paper from 2001, the regulation ((EC) No 1907/2006) and directive ((EC) 2006/121) are the result. REACH stands for: **R**egistration, **E**valuation, and **A**uthorisation of **C**hemicals (REACH). What has been happening in the intermediary years, will be one focus in the thesis.

The use of chemicals has a huge impact on human life and well being and with that also plays a crucial role in Europe's economy. With a turnover of 528 Billion Euro and 1.7 Million people employed in 2002 - the chemical industry is the third biggest sector in the producing industry in Europe. This equals the GNP of Sweden and Denmark together. The EU produces 31 per cent of the world's chemicals (US, 28 per cent). (cp. EurActiv.com, Aug. 2004) In the so called downstream industry (meaning industries which use chemicals in their production), the number of employees is much higher and touches almost every industrial company. Therefore many different European sectors have a severe interest when a new legislation concerning chemicals is generated. Different stakeholders and Interest Groups (IGs) have been responsible for developing the new legislation which will be implemented in the Member States (MS) of the EU in June 2007. Some major stakeholders come from the chemical industry, directly. Big chemical companies try to push their interests in the legislation procedure, as well as consuming companies. Both are aware of the huge economic value which is connected to the chemical industry. For chemical companies the outcome of REACH shows a particular concern, as they are the ones, which are effected directly through a change in legislation. A new law will bring

many changes for the sector such as more costs, and more administration requirements. Down streaming companies want to influence the result of REACH due to possible indirect obstacles for their everyday business deals. Additionally different Member States (MS) try to influence the outcome of REACH. For instance Germany is pushing legislation in favour of the chemical industry. The reason is mainly that the global players BASF is based there and has an essential role as employer and tax payer. Several NGOs have also an interest in the legislation, whether they are coming from the health or the environmental sector. The latter ones have a special concern in the aforementioned regulation because they emphasize how hazardous some chemicals are, and how imperative it is to register them in order to reach the sustainability goal.

Knowing this, it is obvious that all different stakeholders will represent their interests in one way or another. They will lobby¹ their interests. The present research tests how lobbying works. The focus lies on one particular strategy developed by Rinus van Schendelen. It is called the "Meta game of triple P". Compared to other lobbying strategies this 'game' is exceptionally interesting. In brief, 'triple P' means that a lobby group/ lobbyist/ or IG² walks to the friendliest **p**erson in the best **p**osition and with the most beneficial **p**rocedure for achieving the IGs' interests. It is, the attempt of a lobbyist to approach different actors, to use factors affecting the behaviour of the official, and to create vectors, in order to change the situation in his own favour. It is interesting to find out, what was the case for the REACH regulation. It might be that one of the aforementioned stakeholders (government, companies, NGOs etc.) played the game of van Schendelen to achieve their requests. Therefore the research question is:

Is the REACH regulation followed by the logic of the "Meta game of triple P"?

Several sub-questions which will be answered in part B, are listed in chronological order:

1. What does the 'Meta game of triple P mean'? (Chapter 5)
2. What are the key subjects of REACH and why was it developed? (Chapter 6)
3. How and with what result can the strategy (theory) of the "Meta game of triple P" empirically be tested for the REACH regulation? (Chapter 7 and 8)

¹ Tillmann Wörner defines lobbying as the sum of endeavours of Interest Groups (IGs) or stakeholders to influence public institutions and incumbents, in accordance to their goals and interests, – especially the ones from the legislative and executive process. So when it comes to lobbying it always has something to do with 'influencing the public actor'. A broader definition is as follows: "... **lobbying is the attempt of influencing decision-makers through third parties...** " (cp. Wörner, 2004: p. 28 ff) Third parties are IGs or lobbyists. Both terms will be used equally.

² All terms (lobbyist, lobby group or IG) are used equally and can be exchanged vice versa.

3. Social and Scientific Significance

This chapter will delineate why the present research is important for Political Science and European Studies.

The REACH regulation is a newly established directive that will be implemented in June, 2007. While the public interest will grow in the coming months and years, the question why some stakeholders had more influence than others will appear in the near future. One answer lies in lobbying. Many different books, essays, and theories are published, discussing about theories in the EU, with which lobbying can be proven e.g. mainly in the traditional spectrum of pluralism (R. Dahl and Ch. Lindblom) versus neo corporatism (P.C. Schmitter and G. Lehmbruch).

Though van Schendelen, one of the most important scientists for lobbying, has looked at it from a different angle. He is not interested in proving if lobbying exists (for him that is a fact), he wants to show how it works; where the EU gives the IGs access-points for lobbying, and how the IGs lobby themselves at European level. A tactic has been developed which describes what possibilities the IGs have to professionalize their lobbying strategies. He calls this strategy "Meta game of triple P". Scientists such as Valeria Marziali use his construct to accent that IGs have to prepare their lobbying for making it more convincing than that of other lobbying groups. Therefore in Marziali's view a strategy for conducting lobbying is needed and it has to be well prepared.

With this research a tribute will be paid to the analysis of van Schendelen's strategy. In order to find out if REACH has been used as a 'playing field'³ from the stakeholders, a selection had to be made, which IG will be tested in the most efficient way; two reasons apply. The EC published its first formal draft regulation "for a Future Chemical Policy" by the end of October 2003. According to the "Bund für Umwelt und Naturschutz" (BUND), that version was much more industrial friendly in comparison to the White Paper the Commission published in February 2001. (BUND, (NN): bundgegengift.de) Firstly, for the researcher that statement depicts the outermost interesting aspect because it seems discrepancies must have taken place with REACH and environmental groups must be weaker than others.

³ Throughout his book Rinus van Schendelen uses metaphors to describe in the most respective way what he means by some instances or constructs. Hence with 'playing field' van Schendelen encloses everything which exists in the frame of developing a legislation: all negotiations, every stakeholder, EU-officials, all procedures et cetera.

Secondly, it has never been tested if environmental IGs use strategies in order to get to the result they want. Irina Michalowitz states in her essay about conditions of influence for IGs that "...no systematic empirical evidence has been gathered so far on when, under what conditions, interest groups actually exert influence." (Michalowitz, 2005: p. 1) The BUND seems to be a good example for testing the strategy on a single case. Later on it will be sketched out more, why they apply. According to King, Keohane and Verba, it is possible to draw inferences from a single case to the general, though they do not recommended it. (King / Keohane / Verba, 1994: p. 209) Due to the limited space the study provides, it is not possible to investigate more instances but later on in the paper it is shown, how the strategy can be tested for many more instances. (Chapter 9)

As a consequence of all these aspects this research has a huge significance to Political Science, because it makes it easier for other scientists, to find out if environmental IGs are always the weakest stakeholder when it comes to representing interests.

4. Research Design and Methodology

In this chapter the research as a whole will be outlined. The research design will help to follow the different chapters and paragraphs. Afterwards an explanation is given which methods were used, in order to find an answer to the research question.

4.1 Research Design

According to Earl Babbie, an appropriate social scientific research asks for some exact requirements. The three most important ones are (i) exploration of a topic, (ii) description of the case, and (iii) explanation of the whole context. (Babbie, 2004: 87f) The following paragraphs will deal with Babbie's statement.

The objective of this research is to outline how the "Meta game of triple P" empirically can be tested for the case of the REACH regulation at the example of the BUND.

Part A ('Leadoff Elucidations') introduces the topic (chapter 2), the issue is drawn (chapter 3), and the used methods are mentioned (chapter 4). Hence the exploration of the topic is outlined.

In the following, part B ('Testing of the Theory') provides the description of the case, as Babbie suggests it. The findings for drawing inferences from the research are listed. Here sub-questions are used in order to guide the reader through the topic. They are listed in the beginning of the chapters. At first in chapter 5 the theory is explained. It is briefly discussed, why theories are needed for any scientific work and afterwards the strategy is outlined, which functions as the theory in this thesis. The 'Meta game' is the most important aspect the reader has to apprehend, for understanding the inferences which will be made in the end of the thesis. In a next step chapter 6 embraces the REACH regulation. It is summarised how it got evolved and what it does include and what not. This gives the reader a feeling how long it takes to develop a legislation in the European Union and that many negotiations and compromises were needed and made. The last chapter in part B, works on the question how the game empirically can be tested. "Research that is empirical is based on measurement or observation, that is, experienced 'through the senses' (NRC 2002)." (Beghetto, 2003: Scientifically Based Research. ERIC Digest.) At first the BUND as the case for analysis is illustrated. For the empiricism, if, why and how the

strategy is used, a matrix is developed, being filled out by the BUND in the case of REACH. After that chapter 8 evaluates the matrix.

Lastly part C gives, as asked by Babbie, the explanation of the whole context. In particular the research question will be answered, previous expectations are discussed, and problems which have occurred, are analysed. Above and beyond that part suggestions are given for additional researches and what should/could be changed, or paid attention to in the future.

4.2. Methodology

The methods used in this study are two folded: on the one hand a qualitative literature review is preceded and on the other hand the empirical method of expert interviews is used. Both require different techniques. But throughout this section it should become obvious which applies how. In general the gathering of the needed information can be named as a qualitative use of methods in comparison to a quantitative use of methods. Here from particular instances general descriptions or causal hypotheses can be made. (cp. King / Keohane / Verba, 1994: p. 3)

For the qualitative literature review the primary sources are the strategy of the "Meta game of triple P" written by Rinus van Schendelen in the book "Machiavelli in Brussels. The art of lobbying", and the REACH Regulation (EC) No 1907 /2006 plus the Directive (2006/12/EC; coming into force in June 2008) published by the European Union. Additionally secondary literature will emphasise and confirm the arguments and inferences. One the one hand the research refers to authors who are also familiar with the 'triple P' of van Schendelen, such as Valeria Marziali, on the other hand essays and books are considered about lobbying in the European Union. Main authors here are Andreas Berger, Brian Cassidy and Klemens Fischer. Furthermore articles about Environmental NGOs are regarded: in particular John Mc Cormick and Tillmann Wörner.

For answering the research question in the most respective way, expert interviews are needed. But not only do interviews help to get the needed information but also filling out a matrix by experts⁴ helps to find an answer for the research question. Characterising this art of modus operandi of a guided interview is in general the

⁴ Who is to call an expert? In this paper Experts are considered as people who due to their function in practice in a particular organisational or institutional context possess special and important knowledge in an exacting field. But in the end who will be considered as an expert is decided by the researcher herself. (cp. Meuser, Nagel, 1991: p. 443)

formulation of more or less open questions of the interviewer, which will be developed in a structured order before the actual conversation starts. (cp.: Paulsen / Stallmann / Zimmer, 2007: p. 4) The interview-guideline can be found in Annex 2a of this study (Annex 2a: Chapter 12.2.1.) The interview was conducted with Mrs Scherer by order of Mrs Cameron, on 21.05.2007. Mrs Cameron is an expert when it comes to European Chemical Policy. She works for the BUND and is the head of the chemicals unit there. Regularly she has to go to Brussels, to represent the BUND's interests.

The matrix can be seen as a supplementary tool to the interviews. Why this method is used is mainly due to the particular advantage of the developed research question. It is tried to transform the strategy into a matrix, so that the interviewee has the possibility to 'inhale' the strategy and to show how his lobbying takes place. Once it is filled out it can be seen as a stronger version of an interview about the strategy. In addition with the matrix a measurement is found which is easily replicable and can be applied for different cases, whenever it has to be found out, if a lobbying game was played or not.

B. Testing of the Theory

5. Theory

Sub-question 1: What does the “Meta game of triple P” mean?

In chapter five the focus will lie on the theory on which the research is based on. By the end of this division the reader should have a sound understanding of the theory and why the study is based on it.

5.1. Theoretical Fundament

In order to conduct any research comprehensively, scientists agree that inferences drawn have to be built on a theory for functioning as a foundation for the whole study. “Theories can be extremely useful for finding causes and consequences of a process, be it decision-making, integration, lobbying or any other.” (van Schendelen, 2005: p. 94) Finding a suitable theory is hard because there is a fragmented state of EU-studies and the ‘either ... or ... approach’ does not exist. One could ask whether a theory is needed at all then, but at the same time one has to realise that theories are fundamental to explain single circumstances from the general, or to deviate from single instances to the general. In that way if the researcher wants to find something out about an instance (in the present case: if for REACH, the IGs played the game and lobbied), she has to apply it to a theory, and afterwards she can objectively assess which causal inferences can be concluded from the instance. Although researchers particularly in social science have to be aware of the fact that causality in social life never can be proven perfectly. (van Schendelen, 2003: p. 213. and King / Keohane / Verba, 1994: p. 8ff)

The following paragraph outlines a strategy, serving as the theoretical fundament.

5.2. Strategy of “Meta Game of Triple P”

As already outlined in the beginning of the book “Machiavelli in Brussels. The Art of Lobbying the EU” van Schendelen describes a strategy which can be played by all

IGs being involved in the 'EU-machinery'⁵. His publication basically describes how 'Public Affairs Management' (PAM) is conducted in the EU. According to the author PAM is only a new word which describes lobbying in a more detailed way. Right in the beginning he comes up with a question we suppose is the question his book wants to answer. He asks "Is it really possible to influence the European Union (EU) and to achieve an outcome as desired, or at least not feared?" (van Schendelen, 2005: p. 11) He wants to show that professionalism among lobby groups occurs and maybe is the better way to represent one's interests in comparison to ad hoc lobbying attempts.

He then after portraying the 'playing field' comes to the concept he developed for analysing the lobbying work. A lobbyist has got as many different opportunities how to play the game, as there are possibilities where lobbying is required. The lobbying group has to make choices, for 'winning' the game, or to lobby successfully. Van Schendelen describes this action as 'pushing the buttons'. However, competition in the EU tends to be very strong and harsh, which means the IG has to make a severe decision of how the used strategy is designed to achieve the desired outcome. Although, in reality one IG never wins the complete 'battle' - compromises are found, and every player "...has reason to be already satisfied if he has won the game only partially and/or has maintained position in the fighting arena and/or has kept the home organisation on his side." (van Schendelen, 2005: p. 101) Thus one can say the complete win is only as much a 'daydream', as the complete loss only remains a 'nightmare'. For van Schendelen desired outcomes are not only what is expressed in legislation, he also counts outcomes such as a seat in a committee launched by an EU official, gaining crucial information, or a financial favour. (cp. Ibid: p. 102)

Typical characteristics of the 'EU-machinery' are complexity and dynamics. These can be utilised as lobbying possibilities, for the reason that IGs seem to always find an open door or a suitable moment. (cp. Ibid. p. 101) But still, if one wants to influence the decision-making process, many things have to be observed and maybe they build a bridge between the desire and the decision. Before getting more specific other authors are analysed about their point of view on the "Meta game of triple P". Valeria Marziali mainly refers to van Schendelen in her study "Lobbying in Brussels. Interest Representation and Need for Information". In her opinion not all IGs can

⁵ With the expression 'EU- machinery' van Schendelen describes the sum of all processes of how the EU works.

have the same access possibilities because there is such a high number of IGs and the institutions have time constraints to achieve a compromise. Hence, she and van Schendelen agree lobbyists should prepare their lobbying tactics so that they are more convincing than others. "This means that lobbying has to be professional rather than unrehearsed and to resort to some strategies and techniques." (Marziali, 2006: p. 26) It is not only about influencing the public actors or changing public policies, but as well knowing of what is happening and going on. Consequently IGs always have to be up-to-date and ready to act. (cp. Ibid.) Van Schendelen expresses this process with the words that a lobbyist has to do his homework. (van Schendelen, 2005: p. 108) For successful lobbying Marziali points out that lobbyists should be ready to "bargain and to modify their view." (Marziali, 2006: p. 26) However all of this requires a coherent strategy. At this point Marziali brings van Schendelen's "Meta-game of triple P" into the context. It means: **p**ersons, **p**ositions, and **p**rocedures. It "consists in trying to place the friendliest *persons* in the best *positions* in the most beneficial *procedures*." (Marziali, 2006: p. 27) So to speak, the IG should be interested in acquiring central outcomes in the decision-making process. As a first approach to the game this quote shall outline what van Schendelen means:

"If the representatives of an interest group have friends who work at the DG of the Commission that drafts a particular directive or regulation concerning that specific group and if they share with there EU officials values, interests and even nationality, this can constitute an advantage for that lobby association." (Marziali, 2006: p. 27)

The following section looks at the 'rules' of the so called 'game' that is played by lobby groups to gain their interests.

In the beginning in order to play the game successfully, the IG has to know about 'buttons to push'. Because the "... **meta-game of Triple P requires a systematic selection of vectors to create, factors to use and actors to approach.**" (van Schendelen, 2005: p. 118) Otherwise it might happen that the wrong buttons are chosen, like awakening competitors, or to irritate the official. "But before one can make the best choice, one has to be familiar with the menu of existing or potential buttons." (van Schendelen, 2005: p. 104) He divides those decisional buttons in three categories:

- Actors to approach,
- Factors to use, and
- Vectors to create.

But what do those buttons mean? What stands behind them?

In brief the following statement makes his intention apparent:

"The actors are the people who contribute to the making of a decision, the factors are the determinants of their decision behaviour and the vectors are the newly created factors, which may carry an intended influence on that behaviour." (Ibid. p. 104) Based on those categories the reader should become more aware that with those many buttons differences can be made in the EU. For each category the IG should make a careful selection in order to put up a successful strategy.

Actors to approach

Here the lobbyist has to find out who, of the actors involved in a decision making process, is practically (not formally) in charge for contributing a decision. The lobbyist has to be aware of the ones signing a decision are usually not the ones developing the decision. Most of the time the people inside and around the Commission play a crucial role. Also what is important is the position the actors are in. For instance a *chef de dossier* only sees the final version of a draft text. He needs inspiration from outside to decide on that draft, from experts or from any other individuals. The IG additionally has to keep an eye on the assistants (lower-B) and secretaries (C-level) (who act as desk managers and gatekeepers), because they can be very handy for lobbying. Whereas the upper-A civil servants (e.g. Head of Units) 'only' set the objectives, check the draft texts and, if required push for approval at the Commission. "The earlier an interest group intervenes in the legislative process, the more effective it is." (Marziali, 2006. p. 28) To approach crucial actors is a strategy practised not only by all sorts of public and private lobby groups, but also by EU officials. Definitely there is no shortage of actors who could be approached, or who can make a difference for the lobbyist.

- Actors: such as Commissioners, Chef de dossiers, Members of the cabinet of the Commission, Members of Parliament on the national level, MPs on European level, etc. (cp. van Schendelen, 2005: p. 104-108)

Factors to use

Secondly, but not less important, are the factors a lobby group has to pay attention to. Factors are entities the lobbyists use to positively influence their interest on the playing field. This method is more sophisticated than the former button described, although it is a complete normal process everyone does when representing interests. ("... a shopkeeper uses the market opportunities of supply and demand to

make his family wealthy." (Ibid. p. 109)) Van Schendelen divides the factors in four groups:

- Cultural factors: such as coming from the same country, having the same regime values etc.
- Formal factors: at which point of the legislation process is it the best to interfere for the IG? At the parliament, or already at the European Commission (EC)? Or a decision is based on one or the other Treaty.
- Operational factors: here also material resources such as staff and budget can make a positive difference. The IG has to check whether the EC explicitly needs help, from experts, as then the chance exists, to practise influence. But also this factor-type can be separated in *friendship*, *ambition*, or *language* which will be chosen by the IG by best practise.
- Decisional factors: always at decisions to be made there are some lobby groups in favour for and others are against it, therefore there is usually some room for pushing or blocking a decision. Two factors are crucial. Firstly the interest has to become on the agenda of the decision-making process otherwise it cannot be taken into account; secondly the IG has to offer an advantage or interest for other stakeholders, as with a lack of a supply side, no positive decision can be achieved. (cp. Ibid. p. 108-112)

Vectors to create

Vectors in van Schendelen's point of view are similar to factors, but are used in a more enhanced stadium. In fact it is the most sophisticated method to push relevant buttons. A vector is a newly created carrier, factor, or catalyst comparable "with the manipulation of supply and demand by a shopkeeper." (Ibid. p. 112) By creating those factors the IG tries to change the whole situation for its own advantage, so to speak: the IG tries to manipulate the playing field. The method how to do it is absorbing. Especially interesting for the current research, and at the same time functioning as an example, is what van Schendelen writes about the REACH regulation. "In 2004 the chemical industry, organised in the ad hoc Alliance for a Competitive European Industry and wanting to get rid of the Reach-proposals from DG Environment, urged to get established an effects assessment mechanism before, so delaying the whole dossier." (Ibid. p. 116-117)

The vectors are also divided in four groups:

- Cultural Vectors: here policy concepts, policy values and regime values are newly interpreted. A central value is not only used like in the factor approach, but it is amplified or newly constructed in a proactive way. For instance the IG transforms issues with self interest into so called general interests, for which many people tend to have sympathy for.
- Formal vectors: a new composition and reinterpretation of procedures and powers; often formal documents only refer to the general, and here the LGs see a spot where they can manipulate the legal text. (e.g. translation-reinterpretation)
- Operational vectors: helping an official by offering special expert knowledge, reliable information and solid support. Again friendship, ambition and language play a role here. It is also important to collect background information about the hobbies and the lifestyles of the high officials, which is at sale in consultancies in Brussels.
- Decisional vectors: here all variables of negotiations are covered. Cross-sectoral coalitions are formed. Also the politicisation (or depoliticisation) by raising/lowering an issue can be used by the IG, and thus creating a different outcome. (cp. Ibid.: p. 112-117)

After understanding the different possibilities an IG has, it becomes obvious that from the first words composing any EU-legislation until it is officially passed, a huge amount of lobbying takes place. Furthermore, the lobbyist tries to play the game far before the real match starts. The game van Schendelen describes remains a 'proactive and coherent' meta-game, where the playing field is rearranged well in advance. Regarding van Schendelen Brussels is the most important place where lobbying is conducted. (cp. van Schendelen, 2007: p. 70).

The 'Ps'

The first P describes procedures and principles (P1):

- "consultation or co decision or EP
- unanimity or (Q)MV in Council
- comitology, subsidiarity
- definitions, review clauses". (van Schendelen, 2003: p. 119)

By regarding the first P, the lobby group for instance has to keep an eye on under which procedure the decision will be granted. On the one hand one could

manipulate the issue and change the procedure, but on the other hand the lobbyist has to know that co-decision is different from the consultation of the EP or that unanimity differs from the application of the Qualified Majority Vote (QMV) system. (cp. Marziali, 2006: p. 27) Additionally officials and experts at a lower level (upper B or mid B) write most legislation. Often they should be the main starting point when lobbying is made, as they turn out to be fundamental because they develop the drafts, and after their drafting any change from the original text will be difficult. (cp. Ibid.) It is crucial to put pressure on them, instead of waiting that at the Council or the EP it can be intervened effectively. But once the lobbyist gets “[...] a benign procedure applied to one’s issue, one automatically gets a distribution of formal powers, that are fairly likely to protect one’s interest.” (Ibid. p. 118)

The second P stands for positions (P2) such as inside:

- “committees, working groups
- com DG, EP Commission, Council SG
- Council Chair, Think Tank, Eurofed
- Inspection Agency / Policy Consultancy”. (Ibid. p. 119)

P2 is seen as a mixture made up of formal and operational factors and vectors. What van Schendelen means is here the IG tries “ [...] to acquire crucial positions in the flesh- and – blood⁶ process of decision-making, like the position of chairman or rapporteur of a relevant committee [...] or at least to prevent opponents getting such a position.” (Ibid. : p. 118-119) Not automatically does the position have to be the highest in the hierarchy, but it should have a certain control over the addressed issue. It is important at which point the lobbyist tries to procure a position himself, either in a working group, or a think tank, or a consultancy, which, if contracted by the EC, can provide a ‘say’ in the advice given. (cp. Ibid.: p. 119)

With the third P van Schendelen articulates people (P3) such as:

- “befriended Commissioners, Cabinet people
- friends and staff in EP, ESC COREG:
- Court members and referendaries
- Com officials (statutory, secondment).” (Ibid.)

⁶ With ‘flesh and blood’ van Schendelen is using a metaphor expressing the content of the EU. Whereas in comparison he sees in a skeleton all formalities, like the different institutions and the frame in which the EU acts. This acting for van Schendelen is the flesh and blood of the machinery.

According to the definition of P3 it is mainly referred to cultural and operational factors and vectors which regard important people, when the lobbyist has to decide who he lobbies at. As an example the author outlines: " A good friend in a relevant position can distribute material resources such as staff and budget and less tangible ones as information and support as desired." (Ibid: p. 120) However old friends who share the same values do not even need a 'cultural massage'. New friends a lobbyist can gain if he stresses a common value or creates a common interest (based either on the legislation context or the person in question). (cp. Ibid.)

By asserting this, one can reconstruct why lobbying in the public sphere often is seen in a negative manner and as unfair. But even some LGs themselves (usually the ones not handling all three 'Ps' in the best way) criticize those techniques because they are the ones left out of the game or playing at "the far end of the playing field". (cp. Ibid. p. 120) They argue they do not want to be part of the 'Meta game', and also see it as unfair. Although the IGs making those complaints, are 'losers' but they learn quickly in practice. "As soon as they understand this meta gaming, they start to apply it themselves and to appreciate its sophisticated efficiency and effectiveness. The aggression is then reassessed as a professional skill, ..." (van Schendelen, 2003: p. 120) What the paradox at EU level is, the higher the number of lobby groups playing this game, the smaller is the chance that a single LG can prearrange the field solely for its own benefits. (cp. Ibid.)

6. Developing REACH

Sub-question 2: What are the key subjects of REACH and why was it developed?

The following paragraph will give clarifications about the REACH regulation. The question will be answered what REACH contains, and what the history of the regulation is (dashed).

6.1. What is REACH

In February 2001 the EC published a White Paper that outlined the "Strategy of a future Chemical Policy". Mostly it was written by the Directorate General (DG) Environment (former DG XI) and DG Enterprise & Industry. The EC came up with such a resolution because it saw the need of doing something about highly hazardous chemicals of which some already have paid their tribute: such as the use of DDT causing damage in bird reproductions, or the asbestos case which can cause lung cancer. Even if then many of those hazardous chemicals were forbidden as soon as their danger was found out, they already caused some damage and changes only took place when something already had happened. Also what the EC claims is that the European Chemical Policy – under the European Community Treaty - has to establish a protection system for human health and the environment: not only for present generations but also and for most for future generations (sustainable development principle). And at the same time it has to enhance the competitiveness of the EU chemicals industry. One adherent precondition for reaching that objective is the precautionary principle. (cp. European Commission, 2006: p. 4)

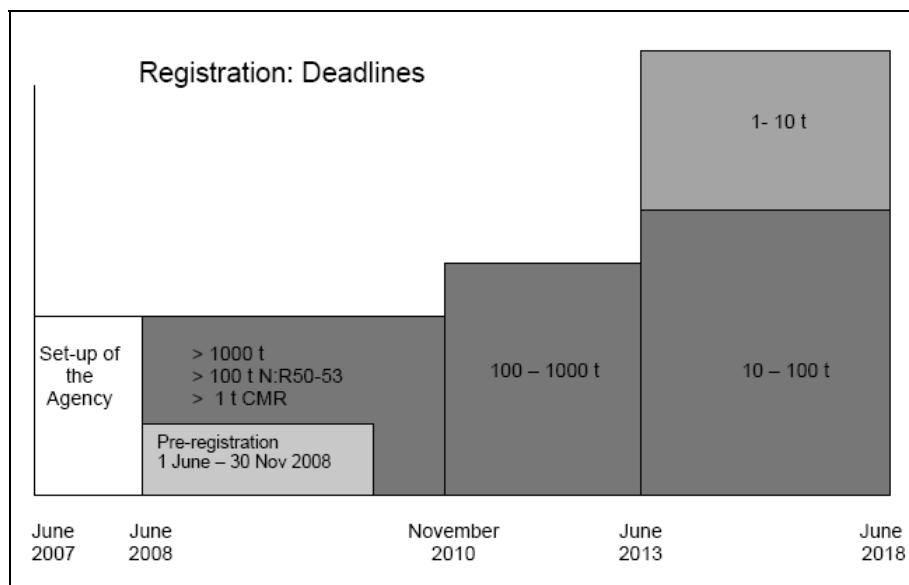
Further explanations and the actual legislation are written in REACH the so called future Chemical Policy legislation (REACH Regulation (EC) No 1907 /2006 and the Directive (2006/12/EC)). The term REACH stands for the concept of **R**egistration, **E**valuation, and **A**uthorisation of **C**hemicals. The aim of the regulation is to build a new framework for the notice of chemicals in the European Union. The legislation is designed to replace old ones which are up to 40 years old. About 117 articles explain the right use of REACH. Every company which gets involved with chemicals is concerned about this regulation. The regulation generates a single system for both "existing" and "new" substances. (cp. Ibid.: p. 4) In year 1981 the two terms were introduced in the regulation 793/93. All chemicals coming on the market after 1981

(more than 3800) are named as 'new' chemicals. (cp. European Commission, 2006a: p. 3)

Further REACH implies that 'new' chemicals have to be registered and tested at national authorities, before they can be introduced on markets. The existing chemicals do not have to be tested and registered in the same way. Obviously that current system is not able to guarantee an appropriate standard of protection, the existing chemicals (99% off all chemicals being on the market already before 1981 (cp. European Commission 2006a and EurActiv.com)) which are far more than the new ones, and which are not obliged to such inspection requirements. (cp. Europäische Kommission, Weissbuch, 2001: p. 6f) A complete new regulation will be on the acquaintance with existing substances being brought on the market before September 1981. REACH covers more than 30.000 substances receivable in trade, and up to 1500 particularly alarming substances which will be compulsorily approved. (cp. Umwelt Bundes Amt) Under the new system 'existing' and 'new' chemicals will be screened for health and safety standards over an 11 years period. (cp. EurActiv.com, Dec. 2006)

Following the motto 'no data, no market' in the future only chemicals are allowed on the market having an adequate record which at first acts in accordance to the respective production volume. The regulation claims data for all those substances which are produced in the amount of 1 t/a in the EU or which are imported in the EU. REACH is transfusing the responsibility of the examination of chemical safety from the national councils/ agencies to the manufacturer and importers. Prospectively, they have to allegorise that they administer their products safely and that they neither pollute the health of the downstream manufacturer or user nor the environment. The substance information manufacturer and importer have to hand over to every consumer or downstream user. According to the German Governmental Environment Department REACH accomplishes meaningful improvements among them are a bigger transparency of the whole product chain and an end of preferring old substances. In the future there will be the same rules for all substances. A new agency called European Chemicals Agency (ECHA) will be established to comprehend the work of watching the chemicals; it will be opened in Helsinki. (cp. Umwelt Bundes Amt) "... the ECHA is created to manage and in some cases carry out the technical, scientific and administrative aspects of REACH and to ensure consistency at Community level concerning these aspects." (European Commission,

2006a: p. 14) Every importer or manufacturer has to register his chemicals at that agency to give information on their chemicals in use and to draw on data to manage them safely. If the chemicals are not registered and approved by the agency it is not allowed to produce with them or to import them. For the different quantities different deadlines between 2008 and 2018 are valid for the first registration. A graph outlines the different deadlines according to different dossiers and volumes.



(Graph 1: Registration: Deadlines. Source: European Commission, 2006a: p. 9)

Additionally what REACH enables is a “mechanism for the substitution of persistent and bio accumulative chemicals if safer alternatives exist.” (REACH: Alive but not kicking. See Reference) For more explanations of how REACH works, see annex 1. Chapter 12.1. of this study.

6.2. REACH, historically

Briefly, decisions on the European Chemical Policy are listed in chronological order:

- White Paper on the Strategy of a future Chemical Policy in February 2001
- Council Conclusion in June 2001
- Parliament Resolution in October 2001
- Commission’s Working Group February 2002
- Commission’s draft legislation in autumn 2002
- Vote in Parliament 13. December 2006
- Agreement in Council 18. December 2006

- REACH regulation into force June 2007
- European Chemicals Agency becomes operational, pre-registration phase starts June 2008
- Registration phase closes with substances produced in smaller quantities (1-10 tons) (cp. EurActiv.com, Dec. 2006)

Clearly what one can see in the chronic is the time gap between 2002 and 2006. Van Schendelen in a different essay ("Die Champions League des Lobbying") notes: "In year 2003 the EU-Commission published a draft legislation with the abbreviation *REACH* (2003/644) for the use of chemicals (through regulation) and the establishment of a European Chemical Agency (through directive),... . In Year 2005 the draft was still in operation at the European Parliament and the Council of Ministers, which both are profoundly split." (van Schendelen, 2006: p. 142)⁷ In the meantime a lot of lobbying must have taken place.

⁷ In the editor's book the essay is published in German. The original quote is: "Im Jahre 2003 legte die EU-Kommission unter der Abkürzung *REACH* (2003/644) einen Richtlinienvorschlag bezüglich der Chemikaliennutzung (durch Regulierung) und der Etablierung einer Europäischen Chemikalien-Agentur (durch Richtlinie) vor,Im Jahr 2005 befand sich der Entwurf immer noch im Verfahren von Europäischen Parlament und Ministerrat, die beide intern hochgradig gespalten sind." (van Schendelen, 2006: p.142)

7. Case for Analysis

Sub-question 3: How and with what result can the strategy (theory) of the “Meta game of triple P” empirically be tested for the REACH regulation?

This chapter deals with the issue of how lobbying took place. It will be looked at the example of the BUND as one potential lobby group in the case of interest representing at the REACH directive.

7.1.1. BUND

In Germany the ‘Bund für Umwelt und Naturschutz Deutschland’ (BUND) can be regarded as the environmental IG which tried to influence the outcome of the REACH regulation. At this point of study any other organisation could have been analysed and tested, whether an organisation from the industry, or a unit from regional governments could have been approached for the research question if REACH was lobbied with the help of van Schendelen’s game. However, the BUND was picked out of many. This is due to several reasons, the most important one (as already outlined in the beginning of this essay) is that it never has been analysed if environmental organisations use lobbying tactics or not. This might be due to the fact that often no one would presume, those highly moral organisations (such as Greenpeace, Friends of the Earth, or the BUND) use no strategy to grant their interests. In the public eye it has often been emphasized that the industry has a huge lobby to merit their interests, but it never really applied to the public that lobbying also takes place in cases where organisations rely on funds from society and therefore have to legitimise themselves in comparison to an industrial organisation where the offices in Brussels are directly paid from the profits coming from those companies. Whereas social organisations always have to give a backup to the public over their objectives and tasks they do. It is therefore fundamentally interesting to find out if environmental groups lobby. The BUND was chosen, as it is one of the biggest environmental organisation in Germany which means they must have a relation to Brussels, where most of legislation is passed referring to the environment.

Whether they used elements of the strategy or not, will be found out in the following. But first the focus is lied on what the BUND thinks of REACH and its processing.

7.1.2. Position on REACH

The BUND, notates in the case of the REACH legislation from the start on to the published directive, a lot of concessions in favour for the chemicals industry were made. (cp.: BUND, (NN): bundgegengift.de) Although according to Mrs. Cameron at each point of the legislation process, the BUND tried to take part and tried to represent its interests. But the industrial IGs possess more resources so that they can lobby more in their favour. (cp. Interview with Mrs. Cameron, Annex 12.3.) The first reading was passed in the EP on the 17.11.2005. According to the BUND already at this stage there was not much left of the original White Paper. The BUND presumes that the duty of registration is weakened in the respect that probably only 10 per cent of all chemicals will have to be registered in the area from 1-10 tonnes per year. What the parliament achieved though was the emphasis on the right of information for the consumer, that companies have to show more accuracy in producing with chemicals, and that the authorisation procedure gets more strict. On the 13.12.2005 the Council of Ministers had to vote for the draft of the EC publication. The Council changed mainly the factors which were realised by the EP. For instance did the Council cross out the duty for more accuracy by the companies, or it deleted the right for the consumer, to get to know the ingredients of the products (cp. BUND (NN): bundgegengift.de) Afterwards the 2nd reading in the Parliament happened. Like before, the debate started in the committees and it ended in the voting in the plenum on 13.12.2006. Later on a voting in the Council, procured on the 18.12.2006, made the draft legislation into European law which will be implemented in June 2007. But there is a difference in the voting majorities for the Parliament and the Council, depending whether the legislation is in the first or the second reading. In the second reading for instance, if changes should be made, they need a qualified majority. On the other hand in the conciliation committee within six weeks, the Council has to vote with an absolute majority and the Parliament with simple majority. Therefore for any lobbying group it is very important at which point they try to consult people or try to interfere. According to Mrs. Cameron, the BUND lobbied at each point and tried to influence the decision in their respect.

Now the legislation is written European law, and obligatory for each country, the BUND is definitely satisfied with the result. In their opinion it was a huge success. (cp. Interview Annex 12.3.) That shows they must have traced their lobbying on one strategy or the other. How the strategy looked and whether it is the "Meta game of triple P" will be outlined in the next paragraphs.

7.2. Matrix for Evaluating the Playing of the Strategy

At first it will be shown how a theory can be proven empirically in the most respective way. Therefore the researcher developed a matrix, the Interest Group (IG) or the person being responsible for acting in favour of the organisation, has to fill out. Explanations at the end of the matrix (only to be seen in Annex 12.2.2.) will deliver clarifications for filling the document out. The lobbyist has got different options to choose from, but can also add own comments in the blank fields.

Matrix for the “Meta game of triple P”

Ps	P 1 Procedures + Principles (Which ones?)		P 2 Positions (Which ones?)		P 3 People (Which ones?)	
	Yes		Yes		Yes	
	No		No		No	
Buttons to Push	Actors approached. Who? (Position)		Factors used. Which ones?		Vectors created. Which ones?	
	Yes		Yes		Yes	
	No		No		No	

(Table 1: Matrix for the “Meta game of triple P”. Source: own creation, 2007)

In the case of the present research, the matrix was handed over to the “Bund für Umwelt und Naturschutz” (BUND) Germany. There, Mrs Cameron who is on the one hand the policy officer for Chemical Policy and Nanotechnologies and at the same time the correspondent for Chemical Policy in Brussels, filled the matrix out, which

can be seen in Annex 12.2.2. The inferences which can be made, are discussed in Part C. In the following firstly it is explained what options or possibilities exist for analysing the matrix after it is filled out.

Option One:

The more the person (Mrs Cameron) ticks a 'yes' the more the researcher can presume that the strategy has been played.

Option Two:

If the 'yes'-ticks are as many as the 'no'-ticks, the researcher also can assume that the "Meta game of triple P" has been used in the case of the REACH legislation.

Option Three:

The person ticks more 'no's than 'yes's that can imply van Schendelen's strategy has not been played.

Option four:

The person additionally writes answers in the free columns of row 2: such as, which people she approached, what was the preferred procedure, and what position the organisation possessed or approached. Then the researcher knows the game has been played. If the person as well fills out the free columns in row 4, such as who she approached, or which factors or vectors were used, the researcher can outline which emphasis the person made in the organisation's strategy.

If this option is the case the researcher has to analyse the written answers in a further step. Subsequently it is possible to draw inferences from the empirical study and to give ideas for further researches.

In the next section the filled out matrix is the subject of consideration.

8. Discussion

8.1. Evaluation and Suitability of the Strategy

So far it was discovered that there are notable differences between successful forms of lobbying. Hence different strategies lead to different outcomes. Van Schendelen argues the better the game is played, the higher the chances are of winning the whole match. In other words the more the BUND uses characteristics from the game, the higher the chances, REACH contains the points the environmental lobbying groups are interested in. If one looks on the ticks Mrs Cameron made, it is obvious that option One (more 'yes' than 'no' ticks) and option Four (additional answers are written) apply. Therefore it can be said, the BUND used the "Meta game of triple P" to push their interests. Not only did the BUND make clear they use the 'Ps' (in that case they would only tick a 'yes'), but they also commented their ticks, and gave further insights in their lobbying work. For 'P1' (procedures and principles), Mrs Cameron stressed the situation when the EP co-decides; in that case they particularly try to lobby. The most efficient result granted for 'P2' (positions) is that the BUND regards the working groups, the EP or the council SG, when they are working on REACH. Thirdly, for P3 (people) Mrs Cameron accented befriended Commissioners, and working together with friends and staff in the EP. The first inference to be drawn is that one can argue that the main focus lies within 'P3' for the reason of what Mrs Cameron alleged in the interview (Annex 3: Chapter 12.3.). For the question whether the BUND used the game of 'triple P' she replied that naturally every lobbyist walks to the friendliest person, who has a lot of influence. The person has to be very positive about oneself. (cp. Interview annex 3: Chapter 12.3. Question complex 3) That note clearly brings up the emphasis of BUND: they do not focus on procedures or positions, first they decide who they are lobbying with - they decide on the people. Moreover through the matrix it became obvious that the Attention:European Parliament plays a crucial role for the BUND, and seems to be one of the most important stakeholders of all EU institutions. Mrs Cameron underlined whenever possible that they basically lobby together with, for, or at the EP. If one compares this with the answer she gave for the question asking at which position in the legislation process the BUND interfered, and where they were asked for their opinion, Mrs Cameron fairly made obvious that the BUND interfered at every point of the legislation process. They especially cooperated with the other environmental

groups and the European Environment Bureau (EEB)⁸. Interestingly Mrs Cameron pointed out that not only happened lobbying in Brussels on the European level, but as well on the national and the regional level. (cp. Ibid. Question complex 2) Besides she also named the actors she contacted: Commissioners, MPs on national level, and MPs on European level. Factors influencing the whole situation positively, used by the BUND were friendship and ambition on the one hand. On the other hand the BUND works together with officials from the same country or with those who speak the same language. According to van Schendelen, those factors can be categorised as cultural and operational ones. (cp. van Schendelen, 2005: p. 109-111) Seeing that the use of vectors is the most sophisticated version and requires from the BUND a particular handling or sensitivity to create helpful vectors, Mrs Cameron outlined that the BUND makes use of offering reliable information, solid support and special expert knowledge to the official. (cp. Annex 2b: Chapter 12.2.2. row 4 / column4) In van Schendelen's point of view this can be categorised as operational vector. The IG is using newly created factors, which are influencing the desired outcome. (cp. van Schendelen, 2005: p. 115)

Nevertheless, accordingly the "Meta game of triple P" has got a bad reputation, by players who are at the far end at the playing field. (cp. Ibid.: p. 120) To put it more precisely, it is questionable if such a game is useful to develop a European Chemical Policy. As van Schendelen argues himself about the 'triple P' game there is hardly anything new. It comes from the classical behaviour and already was used in the politics of the Roman Empire, the Catholic Church or Machiavelli⁹. So why do we need such a strategy proof then? The answer clearly lies in the fact that before van Schendelen, no one wrote down all the distinctions and complexity of lobbying. Especially the 'buttons to push' are so differentiated that a lobbyist can improve his work if he regards his match afterwards. As outlined in the chapter 'Scientific Significance', the BUND sees that the result of REACH was more in favour of the industrial lobby groups because they had different access points in the decision making process. Also Mrs Cameron in the interview outlines, that the chemical

⁸ What is the EEB? the European Environment Bureau (EEB is an umbrella organisation for almost all environmental NGOs in Brussels. It has 143 member organisations. The one in charge at the office in Brussels for Chemical Policy is Mecki Naschke. For this research on the 18.05.2007 the matrix and interview questions were sent to her via email, again. She has not answered.

⁹Back in the 15th century in Florence (Italy) Machiavelli was a very important man in political businesses. He worked as a politician, philosopher, historian, and poet. He is one of the most eminent political philosopher from the modern times. Nowadays one connects his name with ruthless powerful politics where all instruments are used. http://de.wikipedia.org/wiki/Niccol%C3%B2_Machiavelli accessed: 13.03.07

industry has more influence. Therefore if the BUND regards their strategy again, the next time they might be able to change things. Although admitting financial realities, the chemical industry has more resources which make the particular difference (cp. Interview Annex 3: Chapter 12.3. Question complex 3). However, if van Schendelen would not make so many distinctions between the different access points (buttons to push), and would not come up with categories of 'procedure', 'people' and 'positions' it would be much harder for any lobby group to improve their strategies. With the matrix (together with its explanations) the BUND will be able to improve their strategy for the next 'match'.

C. Conclusion

9. Concluding Remarks and Suggestions

In this division, the conclusion and further suggestions are outlined. At first a short summary draws the line of the whole thesis again, so that the research question can be answered. Consequently, inferences are charted and explained. Before coming to further researching suggestions, under the heading of 'Personal Evaluation' it is described what the researcher experienced during her thesis. Lastly, an idea for a further research is given.

9.1.1 Identifying Inferences

Throughout this thesis a comprehended case has been developed. At first it had to be clarified, what the "Meta game of triple P" is. Facing a complicated lobbying game, it had to be explained very precisely. In the following the case of REACH was outlined, so that one gets familiar with its content and its far reaching radius. Afterwards a way was found how the strategy can be proven empirically. A matrix was developed with a simple way: yes/no-ticks stressed the application of the theory. Within the discussion it was found out that it is possible to use the matrix with which the BUND and also any other organisation can assess their own performance - the performance of lobbying. Considering the research question "**Is the REACH regulation followed by the logic of the "Meta game of triple P"?**" surely one can say, after the matrix and the interview have been evaluated, the game was used by the BUND.

If organisations use the matrix (which shows van Schendelen's theory) they are able to improve their strategies and to professionalize their tactics. They afterwards can stress who they approached, and which factors or even vectors they used. In future cases they can decide, depending on the result they gained, whether they should change their tactic in order to get a different result (inference 1). On the other hand what this research showed is the fact that lobbying takes place. In society often lobbying is seen in a negative aspect, and for many people it implies the non-democratic methods of big companies or rich associations to influence policies

which are not in the sense of the public good, but more in their own interest. It is seen as a fact which takes place but no one talks about. Andreas Berger annotates that empirically approaches often come along with problems, because of the fact that lobbying happens behind closed doors. (cp. Berger, 2001: p. 3) Despite of this, lobbying must have positive aspects, otherwise the political system would keep lobbyists out of the process. Bryan Cassidy argues that lobbying is a long established part of the democratic political process. He sees it is healthy and necessary for an open democratic society. (cp. Cassidy, 1999: p. 9) Without a question lobbying takes place in the EU and should take place. With the result of this thesis it can be stated that lobbying can empirically be proven and observed, and also it can be made obvious for the public that it is a normal process happening in daily life in Brussels (inference 2).

Nonetheless at this point of study, van Schendelen has to be regarded again. So far it seems as if he developed the ultimate strategy for lobbying. But this has to be critically scrutinised. His strategy is more constructed for using facilitators for the European level. It does not include the domestic level in the respected way, because in the end, it is the MS the EU is composed of. Still many decisions are facilitated by national Parliaments or MPs. When talking about the EU we deal with multi-level governance which means the national level still plays a very imperative role for lobbying. Mrs Cameron (as one case) as well said that the national and regional level are also included in the lobbying process and play a role. (cp. Interview Annex 3: Chapter 12.3. Question complex 2) Even though van Schendelen admits the game can be played for every arena, being the EU (any institution), or the competitors (inside a EuroFed e.g.), or domestically (inside the home organisation) (cp. van Schendelen, 2005: p. 118) throughout his book he focuses more on the EU level. What is important is, the EU, as a construct, is consisting through the people and FOR the people in the end, if they do not comply with new legislations/or regulations they cannot be implemented. What IGs are aware of is, the more they work together with the home front, the more it is likely the people will agree with the legislation, and hence the IG has bigger support when they are playing the next game.

9.1.2. Personal Evaluation

Throughout the analysis it was particularly difficult to get to a result for the question if the strategy was played by the BUND. Especially if dealing with an environmental NGO, like the BUND. Mrs Cameron was extremely busy and for month was not able to give an interview. This can imply she was too busy in 'playing the game' but it is more appropriate to argue that they have to face a lack of resources in comparison to a private industrial organisation (e.g. Hoechst) or a governmental institution which has its own staffing in Brussels. Anyhow, what this research showed is if one tries hard enough, one can get information even if people are busy or do not want to hand out information easily. The research definitely was very challenging, and even though sometimes the progress was little, it was worth sticking to the idea of evaluating the "Meta game of triple P".

9.2. Suggestions for Future Researches

Interesting to find out in further studies is the fact, if it regularly occurs that environmental NGOs are left out in the decisional process or not. To remember the statement made in the beginning by BUND: after the second publication from the Commission in 2003 the whole regulation was much more industrial friendly. (cp.: BUND: bundgegengift.de) Of course one has to be aware that this statement is expressed by the environmental interest organisation, but chances are high that the chemical industry lobbied more and was more successful. It is mostly interesting to draw a comparison between industrial lobby groups and additional environmental IGs. Maybe in a different study it is possible to demonstrate that industrial lobby groups have more influence. Perhaps one can show that they play the game better and therefore they remain more influential than environmental lobby groups. With the matrix one is able to empirically draw this line, and that was the most important point made in this thesis: to show how a strategy can be empirically proven.

D. Bibliography, References and Annexes

10. Bibliography

Babbie, Earl (2004): *The Practice of Social Research*. 10th Edition. Publisher: Chapman University / Thomson Learning Inc. and Wadsworth. United Kingdom / United States / Spain / Singapore / Mexico / Canada / Australia.

Barnes, Pamela M. / Barnes, Ian G. (1999): *Environmental Policy in the European Union*. Publisher: Edward Elgar. Cheltenham, UK. Northampton, USA.

Beghetto, Ron (2003): *Scientifically Based Research*. ERIC Digest. <http://www.ericdigests.org/2003-5/based.htm>. Publication date: 04. 2003. Accessed on: 25.05.2007.

Berger, Andreas (2001): *Lobbying, Strukturen, Akteure, Strategien*. Publisher: Akademie Franz Hitze Haus in cooperation with Arbeitskreis ‚Verbände‘ der Vereinigung für politische Wissenschaft Deutschland. Münster.

Börzel, Tanja (1997): *What’s so Special About Policy Networks? – An Exploration of the Concept and Its Usefulness in Studying European Governance*. Publisher: European Integration online Papers (EIoP) Vol 1 1997 No. 16. Last updated: 19.08.1997. <http://eiop.or.at/eiop/texte/1997-016.htm>. Accessed on 09.03.07.

Brackmann, Bernd (2005): *Macht des Lobbyismus oder Ohnmacht der Politik? Eine diskursive Analyse*. Publisher: Westfälische Wilhelms Universität, Dozentin Frau Zimmer, Annette. Münster.

Bundes Umwelt Amt (no Author / no year): *Reach im Überblick*. Publisher: Bundes Umwelt Amt. http://www.reach-info.de/02_ueberblick/01_ueberblick.htm . accessed on 17.02.07.

BUND, (no year): *Bundgegengift. Vom Entwurf zum Gesetz: Ein Zeitplan*. <http://www.bund.net/bundgegengift/> . accessed on 17.05.07.

BUND (13.10.2006): *Letzte Runde in Chemikaliendebatte eingeläutet*. Publisher: BUND. Chemical Policy Unit. Berlin. http://www.bund.net/lab/reddot2/pdf/reach_10_06.pdf. Accessed on 23.05.07.

Carter, Angela V. (2005): *Settler Environmental Activism. A Transnational/National Paradox? Draft Submission*. For the Congress of the Humanities and Social Sciences London, Ontario. June 4, 2005. <http://www.cpsa-acsp.ca/papers-2005/Carter.pdf>. Accessed on 10.04.07.

Cassidy, Brian (1999): *European Lobbying Guide. A guide on whom and how to lobby*. Publisher: Hawksmere plc. London.

Davis, James W. (2005): *Terms of Inquiry. On the Theory and Practice of Political Science*. Publisher: Johns Hopkins University Press. Baltimore and London.

Ec.europa.eu (no Author) (no year): The European Commission at work. http://ec.europa.eu/atwork/basicfacts/index_en.htm . Accessed 14.02.07.

Europa.eu.int (no Author) (no year): Green and White Papers. Publisher: European Communities, 1995-2000. http://europa.eu.int/ISPO/policy/i_green&wh.html Accessed on 18.03.07.

European Commission, (2006a): REACH in brief. Why do we need REACH? How will REACH work? What are the benefits and costs? What is the state of play? How will REACH be implemented? Publisher: European Commission: Enterprise & Industry Directorate General / Environment Directorate General. No Publishing town.

Europäische Kommission (2001): Weissbuch. Strategie für eine zukünftige Chemikalienpolitik. (von der Kommission vorgelegt). Publisher: European Commission. Kom (2001) 88 final. Brussels.

EurActiv.com (no Author) (17. Aug. 2004): Chemicals Policy review (REACH). Last updated: 23. Jan. 2007. Publisher: EurActiv.com PLC. <http://www.euractiv.com/en/environment/chemicals-policy-review-reach/article-117452>. Accessed on 09.03.2007.

EurActiv.com (no Author) (04.Dec. 2006): REACH compromise under fire. Last updated: 23. Jan. 2007. Publisher: EurActiv.com PLC. <http://www.euractiv.com/en/environment/reach-compromise-fire/article-160203>. Accessed on 09.03.2007.

Europa (without author, and year): Official Webpage of the European Union. http://ec.europa.eu/atwork/basicfacts/index_en.htm#comm (checked: 29.11.06).

Flick, Uwe (1995): Qualitative Forschung. Theorie, Methoden, Anwendung in Psychologie und Sozialwissenschaften. Publisher: Rowolth. Reinbeck.

Greenwood, Justin (2003): Interest Representation in the European Union. Publisher: Palgrave Macmillan. New York.

King, Gary / Keohane Robert O. / Verba, Sidney (1994): Designing Social Inquiry. Scientific Inference in Qualitative Research. Publisher: Princeton University Press. Princeton, New Jersey.

Kommission der europäischen Gemeinschaften (2001): Weissbuch. Strategie für eine zukünftige Chemikalienpolitik. (von der Kommission vorgelegt). Publisher: Europäische Kommission. Kom (2001) 88 endgültig. Brussels.

Magone, José M. (2006): The New World Architecture. The Role of the European Union in the Making of Global Governance. Publisher: Transaction Publishers. New Brunswick (USA) / London (UK).

Marziali, Valeria (2006): Lobbying in Brussels. Interest Representation and Need for Information. (Discussion Paper: C 155. 2006) Publisher: Centre for European Integration Studies (ZEI). Rheinische Friedrich-Wilhelms-Universität Bonn. Bonn.

Mc Cormick, John (2001): Environmental Policy in the European Union. Publisher: Palgrave. New York.

Meuser, Michael / Nagel, Ulrike (1991): ExpertInneninterviews – vielfach erprobt, wenig bedacht. Ein Beitrag zur qualitativen Methodendiskussion. In: **Garz, Detlev / Kraimer, Klaus (Edtr.)**: Qualitativ-empirische Sozialforschung. Publisher: Westdeutscher Verlag. Opladen. P. 441-471.

Michalowicz, Irina (2005): Assessing Conditions for Influence of Interest Groups in the EU. Political Science Series. Publisher: Institute for Advanced Studies, Vienna.

Michalowicz, Irina (2007): Die Rationalität europäischer Interessenvertretung: Prinzipale, Agenten, und Tausch im maritimen Transport. P. 169-196. In: **Kleinfeld, Ralf / Zimmer, Annette / Willems, Ulrich (Hrsg.)** (2007): Lobbying. Strukturen. Akteure. Strategien. Publisher: VS Verlag für Sozialwissenschaften. Wiesbaden.

No Author (2006): REACH: Alive but not kicking. Publisher: EEB, Greenpeace, WWF FoE. Strasbourg. Last updated: 13. December, 2006.
http://www.foeeurope.org/press/2006/joint_13_Dec_chemicals_plenary.html .
Accessed on 19.03.07.

No Author (Dec. 2006): REACH chemicals law adopted amid final controversy. On the website of REACH Legislation. Publisher: Atrion International.
http://www.reachlegislation.com/index.php?option=com_content&task=view&id=144&Itemid=30 . Accessed on 09.03.07.

NO Author (March 2007): Niccolò Machiavelli. Last updated 08.03.2007.
http://de.wikipedia.org/wiki/Niccol%C3%B2_Machiavelli . Accessed on 13.03.07.

Pausen, Friedrich / Stallmann, Freia / Zimmer, Annette (2007): Erfolgsbedingungen des zivilgesellschaftlichen Protestes: Die lokale Ebene. in: **Vetter, Angelika** (Edt) (2007): Erfolgsbedingungen lokaler Bürgerbeteiligung, VS-Verlag, Wiesbaden.

REACH Directive (2006): DIRECTIVE 2006/12/EC of the European Parliament and of the Council. Of 18 December 2006. Publisher: European Union. Official Journal of the European Union. L 396/850 EN. Published on 30.12.06 http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_396/l_39620061230en08500856.pdf .
Accessed on 17.03.07.

Stark, David / Vedres, Balazs / Bruszt, Laszlo (August, 2006): Rooted transnational publics: Integrating foreign ties and civic activism. (Theor Soc (2006) 35: 323-349. Publisher: Springer Science + Business Media B.V. 2006. no town.

Tarrow, Sidney (1998): Power in Movement. Social Movements and Contentious Politics. Second Edition. Publisher: Cambridge University Press. Cambridge.

Teuber, Jörg (2001): Interessenverbände und Lobbying in der Europäischen Union. Publisher: Peter Lang GmbH (Europäischer Verlag der Wissenschaften). Frankfurt.

Van Schendelen, Marinus P.C.M. (2005): Machiavelli in Brussels. The Art of Lobbying the EU. (Second fully updated Edition) Publisher: Amsterdam University Press. Amsterdam.

Van Schendelen, Rinus (2003): Brussels: The premier league of lobbying. In: **Leif, Thomas / Speth, Rudolf (Edt.)** (2003): Die Stille Macht. Lobbyismus in Deutschland. Publisher: Westdeutscher Verlag. Wiesbaden.

Van Schendelen, Rinus (2007): Trends im EU-Lobbying und in der EU-Forschung. In: **Kleinfeld, Ralf / Zimmer, Annette / Willems, Ulrich (Hrsg.)** (2007): Lobbying. Strukturen. Akteure. Strategien. Publisher: VS Verlag für Sozialwissenschaften. Wiesbaden. P. 65-92.

Van Schendelen, Rinus (2006): Brüssel: Die Champions League des Lobbying. In: **Leif, Thomas / Speth, Rudolf (Edt.)** (2006): Die fünfte Gewalt. Lobbyismus in Deutschland. Publisher: VS Verlag für Sozialwissenschaften. Wiesbaden.

11. References

Brühl, Tanja (2003): Nichtregierungsorganisationen als Akteure internationaler Umweltverhandlungen. Ein Erklärungsmodell auf der Basis der situationspezifischen Ressourcennachfrage. Publisher: Campus Verlag. Frankfurt / New York.

Fischer, Klemens H. (2005): Lobbying und Kommunikation in der Europäischen Union. Publisher: BWV Berliner Wissenschafts-Verlag. Berlin.

Garner, Robert (1996): Environmental Politics. Publisher: Prentice Hall. Harvester Wheatsheaf. London / New York / Toronto / Munich / Singapore a.o.

Grant, Wyn / Matthews, Duncan / Newell, Peter (2000): The Effectiveness of European Union Environmental Policy. Publisher: Macmillan Press LTD. Houndmills, Basingstoke, Hampshire, London.

Mayring, Philipp (2002): Einführung in die qualitative Sozialforschung, fünfte Auflage. Publisher: Beltz. Weinheim.

Schmid, Josef (1998): Verbände. Interessenvermittlung und Interessenorganisation. Lehr- und Arbeitsbuch. Publisher: R. Oldenburg Verlag. München.

Schreurs, Miranda A. (2002): Environmental Politics in Japan, Germany, and the United States. Publisher: Cambridge University Press. Cambridge.

Weimer, David L. / Vining, Aidan R. (2005): Policy Analysis. Concepts and Practice. Publisher: Pearson Prentice Hall. New Jersey.

Wörner, Tilmann (2004): Einflussmöglichkeiten von NGOs auf die Umweltpolitik der Europäischen Union. Publisher: Tectum Verlag. Marburg.

Graphs and Tables:

Graph 1: Registration: Deadlines. Source: European Commission (2006a): REACH in brief. Why do we need REACH? How will REACH work? What are the benefits and costs? What is the state of play? How will REACH be implemented? Publisher:

European Commission: Enterprise & Industry Directorate General / Environment Directorate General. No Publishing town.

Table 1: Matrix for the "Meta game of triple P". Source: Own creation, 2007)

12. Annexes

12.1. Annex1: How does REACH work?

Registration

Importers or manufacturers not only have to register the chemicals at the ECHA, but also do they have to give information of the chemicals they use, and they have to draw on data for managing them safely. For registration two ways may apply. Either a technical dossier has to be handed in or a chemical safety report. The dossier encloses various information like properties, uses or the classification of a substance as well as guidance on safety issues. This applies for substances in quantities of one ton or more. The second registration possibility pertains to substances over a level of 10, 100, and 1000 tons per year. Here expanded dossiers (namely: chemical safety report) have to be submitted. The registration time frame can be seen in the graph published in this study in graph 1.

The manufacturers and importers collecting the relevant data should share the information with other companies on a payment basis. When it is not possible to provide information in any other permitted way, new tests are required. Through this mechanism double work should be avoided and the reduction of animal testing should apply. Additionally the information has to be shared with downstream users or companies who utilize those chemicals. The chemical safety report documents the "hazards and classification of a substance and the assessment as to whether the substance is PBT or vPvB." (European Commission, 2006a: p. 7) PBT stands for highly hazardous chemicals which are **p**ersistent, **b**io-accumulative and **t**oxic. The abbreviation vPvB means **v**ery **p**ersistent and **v**ery **b**io-accumulative.

Substances occurring in nature, do not have to be registered such as minerals, ores, cement clinker etc. unless they are modified with chemicals. Polymers also do not have to be registered as long they are not very hazardous. (cp.: European Commission, 2006a: p. 6ff)

Evaluation

The next step is the evaluation of submitted dossiers by the ECHA. "The evaluation process will ensure that reliable and useful data is provided and made available to the relevant bodies by the Agency." (Ibid.: p. 129 Two ways of reviewing the submitted dossiers. The first one checks approximately five percent of the dossiers for the compliance with the registration requirements. With the second evaluation method the authority checks testing proposals. The chemical is only allowed to be introduced if a test of chemicals and its methods is approved by the authority. Together with national institutions the agency is able to clarify suspicions on chemicals by requesting/gaining further information. (cp. Ibid. p. 11f)

Authorisation

Those highly hazardous chemicals have to be authorised from a central institution through a mechanism which ensures that the risks related to their actual uses are considered, assessed and afterwards decided upon by the European Community. Those effects are normally irreversible and therefore it is crucial to pay extraordinary attention to them. The European Chemicals Agency authorises the use and placement of chemicals on the market, if they are of a very high concern; this will cover about 2000 chemicals. The chemicals are categorised in:

- "CMR category 1 and 2
- PBT vPvBs, and
- Identified from scientific evidence as causing probable serious effects to humans or the environment [...]" (European Commission, 2006a: p. 12)

This authorisation procedure takes place in two steps. At first it is controlled through comitology¹⁰ as to which substances on the candidate list will be included in the authorisation system (meaning: have to be proven), which substances in use will be excluded from authorisation requirements, and which deadlines will have to be met (this is necessary because some substances have to be prioritised while focusing resources). The second step of the procedure outlines once a substance is included in the system for approval the ones using or making available such a substance will need to apply for an authorisation for each use of the chemical within the deadlines set including an analysis of suitable substitutes or alternatives. If then it shows no alternatives are to be found, information or relevant research and development

¹⁰ Comitology in this case means that the European Chemical Agency approaches other stakeholders or committees in order to find out more about the danger of the particular substance.

activities must be provided. "An authorisation will be granted if the applicant can demonstrate that the risk from the use of the substance is adequately controlled." (Ibid.: p. 13)

12.2.1. Annex 2a: Structure of the Interview-Guideline

The interview is structured in four different blocks. One guideline is in English the other one in German:

Interview Guideline (English)

1. Question complex (Introduction, clarifications):

(with this block I want to get a good interview atmosphere during the interview.)

Here I want to find out what exactly Your work is at the organisation, what the relation is to Brussels.

1. What is Your occupation at the BUND?
- Are You Yourself working in any committee in Brussels?

2. Question complex (Marking the position of the BUND towards the REACH regulation; going into the lobbying context with REACH):

At this point I want to find out, what tribute the BUND paid to develop the REACH legislation with all stakeholders. I want to understand at which point the BUND had the possibility to take part.

- At which position at the legislation process did You (the BUND) interfere, or was asked for Your opinion?
- Can You maybe explain me what You as an employee think of REACH now, after it is coming into force in June 2007?
2. Are You in any respect satisfied?

3. Question complex (Which strategy was followed? -> Meta game of triple P)

Here I want to find out which strategy was followed by the IG. As there are many different strategies which can be followed, I will explain one strategy so You can see

what a strategy includes in this respect. While I did my research I came across quite an interesting strategy. I will shortly outline what Rinus van Schendelen writes about lobbying. He describes lobbying as a huge 'playing field' where different stakeholders can be approached. He calls it the "Meta game of triple P" which means that an Interest Group (BUND) walks to the friendliest person in the best positions with the most beneficial procedure. For conducting its work then, the lobbyist can make use of approaching different actors, can use factors which affect the behaviour of the official, and can create vectors, like changing the situation in his own favour.

- If You hear all of this, do You think, the BUND follows anything of this strategy?
- Was the REACH regulation also accomplished in a similar way?
- And if so, was that the reason, why the industrial IGs maybe had more influence? Because they played the game (van Schendelen names this Meta game of triple P) better or more with their own rules?
- Can You imagine You use similar rules?

4. Question complex (Successful strategy)

- What do You think, will the REACH regulation be implemented in a positive way?
- Was your lobbying work successful?

Interview Leitfaden (German)

1. Fragekomplex (Einführung, Erklärungen)

Hier möchte ich raus finden, was genau Ihre Aufgaben beim BUND sind, was der Bezug zu Brüssel ist, beziehungsweise was Sie dort machen.

- Was sind Ihre Aufgaben beim BUND?
- Arbeiten Sie selbst in einem Committee in Brüssel?

2. Fragekomplex (REACH regulation. Herausarbeitung der Position des BUND zur REACH regulation. Eintauchen in die Lobbying Möglichkeiten von REACH)

Hier geht es mir darum rauszubekommen, was der BUND zur Entstehung dieses Gesetzes beigetragen hat. Ich möchte erfahren, wie sich das Gesetz entwickelt hat,

bzw. an welcher Stelle der BUND die Möglichkeit hatte mitzuwirken. Es wurde bereits angedeutet, dass die meiste Arbeit durch Friends of the Earth Europe gemacht wurde. Auch geht es mir darum zu erfassen, wie Sie heute über REACH denken, ob Sie mit dem Ergebnis zufrieden sind.

- An welcher Stelle des Gesetzesentwurfs hatte der BUND die Möglichkeit mitzuwirken, oder wurde um Ihre Meinung gefragt?
- Können Sie mir als ein Mitarbeiter vielleicht mitteilen, was Sie nun über REACH denken, wenn es im Juni 2007 in Kraft tritt?
- Sind Sie in irgendeiner Weise zufrieden mit dem Ergebnis?

3. Fragekomplex (Lobbying Strategien. Meta Game of Triple P)

Hier möchte ich wissen, ob Sie eine bestimmte Strategie verfolgt haben, als Sie probiert haben, ihre Interessen im Gesetzesentwurf von REACH einzubringen.

Als ein Beispiel werde ich ihnen erklären, was ein Wissenschaftler zu Lobbying Strategien sagt. Für ihn stellt das Lobbying ein großes Spielfeld dar, in dem verschiedene Institutionen / Interessenvertreter angesprochen werden können. Die Bezeichnung für diesen Komplex nennt er Meta game of triple P“. Unter P versteht er procedures and principles (P1), positions (P2) innerhalb von Arbeitskreisen und Ausschüssen und people (P3). Das Spiel umschließt, dass die Interessengruppe die Möglichkeit besitzt, zur freundlichsten Person zu gehen, die die beste Position in einem Ausschuss besitzt, und die über die günstigsten Methoden (procedures) oder Entscheidungsfindungen verfügt, um die eigenen Interessen am Besten zu verfolgen. Um diese ‚Strategie‘ durchzuführen, kann sich die Interessengruppe verschiedener Werkzeuge bedienen. Wie zum Beispiel kann sie unterschiedlichen Akteuren gegenüber treten, kann Faktoren benutzen, die den Akteur wiederum günstig beeinflussen (wie zum Beispiel die selbe Sprache) oder er kann Vektoren kreieren, die die Situation für die eigenen Vorteile begünstigen.

An dieser Stelle möchte ich erfahren, ob Sie dem Wissenschaftler ungefähr beipflichten können, oder ob Sie eine ganz andere Position vertreten würden.

- Wenn Sie das hier lesen, denken Sie der BUND verfolgt eine ähnliche Strategie?
- Wurde die REACH regulation in einer ähnlichen Art und Weise entwickelt?

- Und war das eventuell der Grund, warum die Industrie Lobby-Gruppen mehr Einfluss erlangt haben, da sie das ‚Spiel‘ (warum auch immer) besser spielen konnten? Oder vielleicht nach ihren eigenen Regeln gespielt haben?
- Könnten Sie sich als BUND vorstellen, ähnliche Regeln zu benutzen?

4. Fragekomplex (Erfolg?)

- Wenn Sie die Möglichkeit als BUND hätten, den Gesetzesentwurf erneut mit Lobbying zu beeinflussen, was wäre die perfekte Situation?
- Was denken Sie, wird die REACH regulation in einem positiven Aspekt in den Mitgliedsstaaten implementiert werden können?

12.2.2 Annex 2b: Matrix for assessing the Strategy

The following matrix for the “Meta game of triple P” was given to Mrs Cameron through email on the 15.05. 2007. Mrs Silke Scherer (one of her assistants) on behalf of Mrs Cameron answered the matrix, who told me what Mrs. Cameron additionally emphasized. Mrs Cameron did not have enough time to fill the matrix out in the way it was required. She emphasized the words applying by underlining them. I then transformed her answers into the matrix for the reason that an evaluation is much easier, and it is more clearly arranged. For making her answers obvious they are written in colour.

Matrix for the “Meta game of triple P”

Dear Sir or Madame,

The following matrix expresses a theory developed by Rinus van Schendelen. He calls it the “Meta game of triple P” which means that an Interest Group (e.g. BUND) walks to the friendliest **p**erson in the best **p**ositions with the most beneficial **p**rocedure. The theory is traced in the columns and rows of the following matrix.

The question is: **Does the REACH guideline (DIRECTIVE 2006/12/EC) be followed by the logic of choosing persons, positions and procedures from your organisation?**

Filling out the matrix requires 10-20 minutes from You. Just make a tick in the case if **yes** or **no** applies.

You have to trade off the different Ps and the different buttons. The easiest is to read the explanations first and then decide or pick which P was used and how, and also which buttons You pushed and how. It is optional if You give additional information.

For instance if You emphasized Your strategy on **p**rocedures and **p**inciples You have three options how You picked the procedure: whether You decided on the consultation or co-decision method with the EP, whether you got involved in the decision process at the council where either unanimity or quality majority voting applied, or whether You made use of Comitology subsidiarity.

The same applies to the buttons. But for both it is essential, the more information is given, the more can be found out.

(For making obvious which yes/no applies, please delete all which do not apply, or make the right ones bold. Filling out the blank columns is optional, but it particularly helps to evaluate van Schendelen’s theory.)

Ps	P 1 Procedures + Principles (Which ones?)		P 2 Positions (Which ones?)		P 3 People (Which ones?)	
	Yes	<ul style="list-style-type: none"> Co decision with the EP was definitely used 	Yes	<ul style="list-style-type: none"> Working groups EP, Council SG 	Yes	<ul style="list-style-type: none"> Befriended Commissioners Friends and staff in general
	No		No		No	
Buttons to Push	Actors approached. Who? (Position)		Factors used. Which ones?		Vectors created. Which ones?	
	Yes	<ul style="list-style-type: none"> Commissioners MPs on national level And for most MPs on European level 	Yes	<ul style="list-style-type: none"> Important: lobbyist and official are from the same country, language; Friendship and ambition 	Yes	(Mrs Cameron emphasised the following one:) <ul style="list-style-type: none"> Helping an official by offering special expert knowledge, and reliable information and solid support
	No		No		No	

Explanations

- P1: Procedures and principles which have to be thought of by the Interest Group (IG) or the lobbyist in which procedure they think it is the best to interfere:
 - Whether it is consultation or co decision of EP
 - unanimity or quality voting QMV in council
 - Comitology subsidiarity
- P2: Positions have to be regarded by the lobbyist to get the most efficient result. Positions such as inside:
 - committees, working groups
 - Directorate General, EP, Commission, council SG

- Council chair, think tank
- P3: which people are approached have to be included in the lobbying strategy; such as:
 - Whether befriended Commissioner, cabinet people, friends and staff in EP, should be moved towards, or
 - Court Members, and referendaries, or
 - Commission Officials.
- Actors such as: Commissioners, Chef de dossiers, Members of the cabinet of the Commission, Members of Parliament on the national level, MPs on European level, etc.
- Factors : Factors are units or things, the lobbyist or Interest Group (IG) chooses which influence the decision outcome in their favour. For instance:
 - whether the IG and the official are from the same country, language;
 - best point to interfere: better at European Parliament or at the Council;
 - or whether the Commission explicitly asks for expert knowledge;
 - friendship and ambition.
- Vectors: are similar to factors, but are used in a more enhanced way. The IG tries to change the whole situation for its own advantage, so to speak: the IG tries to manipulate the playing field. For instance:
 - Single-case issues are generated into general issues;
 - Cultural concepts and regime values are new interpreted;
 - or helping an official by offering special expert knowledge, and reliable information and solid support.

12.3. Annex 3: Transliterated Interview with the BUND

Due to different conduction of the interview the answers of Mrs Cameron are listed in chronological order. The interview guideline was sent to her a couple of times via email, because she never could made any time for a telephone interview. The first mail sent to her was on 05.02.2007, whereas the last email she got for answering the emails is dated back to 14.05.2007. The agreement was, she studies the questions

and sends them back with her answers. In the end it worked out differently. Due to a lack of time, she was only able to give the answers to her assistant Mrs Silke Scherer who, on the 21.05.07 at 2.00 p.m., answered the questions by order of Mrs Cameron by telephone. Therefore further questions going more into the context were not possible, as Mrs Scherer did not see herself in the position of knowing those cases. The questions were answered in German.

Question complex 1: Introduction, Clarifications

- Researcher (R): What is your occupation at the BUND?

Mrs Scherer answered by order of Mrs Cameron¹¹ (Mrs C.): "I am the head of the division for Chemical Policy, immission control, and nanotechnologies at the BUND. "

- R: Are you yourself working in any committee in Brussels?

Mrs C.: "The BUND has got its own office in Brussels and I am regularly working there. In the case of REACH I worked in Brussels."

Question complex 2: Marking the position of the BUND towards the REACH guideline

- R: At which position at the legislation process did You (the BUND) interfere, or was asked for Your opinion?

Mrs C.: "First of all I have to stress out that REACH is not a guideline, it is a 'Verordnung'. The clearance of the terminologies is very important! In all phases of the legislation-process the BUND was involved. For example we were participating at the text of the law, we were involved in the whole lobby work, and also did the BUND work on the national and regional level. We worked together with all decisional policy-makers, we developed background studies for them. For instance the 'Breast milk-campaign' was developed on our behalf. Throughout the process we were insistently demanding. Further, we worked together with the consumerism, labour unions, and trade organisations. At every single decision we collaborated and played a part! There was a constant cooperation with the EEB, and different environmental unions. Everything was good structured such as the division of labour, or the fact that tasks were split up and shared, was done in a thoughtful manner."

¹¹ In the following Mrs Scherer by order of Mrs Cameron will be shortly named as Mrs C. (Mrs Cameron).

Question complex 3: "Meta game of triple P"

- R: If You understand how the Meta game works, do You think, the BUND follows anything of this strategy?
Can You imagine You use similar rules?
- Mrs C.: "Of course! Of course you go to the friendliest person with the best position. A person who is positive towards you, who has a lot of influence you approach. Otherwise you cannot reach those people. It has to be emphasised that you approach people who are on the same level as you are. For instance should a doctor go to a doctor, a mother tongue speaker should approach the same mother tongue. But it has to happen on the same level so that a good exchange can happen."
- R: Was the REACH legislation also accomplished by You with the Meta game?
Mrs C.: "Definitely a similar strategy was used, yes!"
- R: Why did the industrial Interest Groups (IGs) maybe had more influence?
Mrs. C.: " Industrial IGs had more success in lobbying due to different reasons. It is not the volition why they are more influential. It is the financial possibilities the industry has in contrast to an organisation which is financed by fund raising. The industry has much more capacities (money, staff etc.) and they have all own offices in Brussels."

Question complex 4: Successful strategy ?

- R: Was your lobbying work in the case of the REACH guideline successful?
Mrs. C.: "Yes of course, a huge success. In total yes a huge success."
- R: Thank you very much!
Mrs. C.: " You are welcome, and I am sorry it took so long, until you got the answers for the interview."