



WP5
**Political Leadership, Modes of Governance and
Transboundary Management Capacity**

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European government of crisis

Summary of the research findings in the four regimes and containing policy-relevant recommendations for the enhancement of crisis leadership capacity on the basis of the research

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Contents

INTRODUCTION	3
BACKGROUND	8
<i>EU governance as problem-solving capacity</i>	<i>9</i>
<i>Crisis management and societal security</i>	<i>14</i>
CRISIS MANAGEMENT REGIMES.....	18
ACCOUNTING FOR CRISIS MANAGEMENT REGIME DYNAMICS	24
THIS STUDY	27
CHAPTER 2 - EU CRISIS MANAGEMENT REGIMES IN FOUR DOMAINS.....	30
INVASIVE ALIEN SPECIES	31
BANKING CRISIS MANAGEMENT	37
YOUTH UNEMPLOYMENT	42
ELECTRICITY NETWORKS AND SECURITY OF SUPPLY	47
COMPARISON	50
CHAPTER 3 - CAN 'MARKET FAILURE' AND ' CONSEQUENCES OF MARKET LIBERALISATION' ACCOUNT FOR REGIME VARIETY?	56
MARKET FAILURE	56
CONSEQUENCES OF MARKET LIBERALISATION: IS EUROPEAN INTEGRATION TRIGGERING CRISIS MANAGEMENT REGIMES?	62
CONCLUSION	64
CHAPTER 4 - REACTING TO EUROPEAN CRISES? MEDIA SALIENCE AND POLITICAL RESPONSIVENESS TO TRANSBOUNDARY CRISES IN THE EUROPEAN UNION.....	66
INTRODUCTION.....	66
SALIENCE AND CRISIS MANAGEMENT REGIMES	67
METHODOLOGY	72
COMPARING MEDIA PROFILES OF EUROPEAN CRISES	77
<i>Volume</i>	<i>77</i>
<i>Tone</i>	<i>84</i>

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<i>European audience</i>	85
FOUR TYPES OF EUROPEAN CRISIS.....	87
MEDIA SALIENCE AND POLICY REGIMES.....	88
<i>Youth unemployment: direct but mild EU responsiveness</i>	89
<i>Banking crisis management: direct and indirect EU responsiveness</i>	90
<i>Invasive alien species: limited responsiveness</i>	91
<i>Electricity networks and security of supply</i>	92
CONCLUSION	93
REFERENCES.....	109
APPENDIX 1: REPORTS AND LEGISLATIVE ACTS.....	113
1. Invasive alien species	113
2. Youth unemployment	115
3. Electricity networks.....	118
4. Banking crisis management	119
APPENDIX 2. LIST OF INTERVIEWS.....	121

INTRODUCTION

This study explores the way in which European governance seeks to address transboundary crises. Transboundary crises pose a particular challenge for administrative systems as costs and benefits are unevenly distributed, organisational and jurisdictional competencies over- and underlap, and as problem definitions and solutions are usually disputed. Boundaries are essential for the identity of national states, they are critical for determining the jurisdictional competence of organisations and they are critical for administering individual phenomena. Transboundary crises, in contrast, do not respect such boundaries. Crises themselves might be disruptive, but might be contained within certain boundaries. In the context of transboundary crises, disruption crosses jurisdictional boundaries. Furthermore, decisions in one place do not just affect the quality of the crises in that particular locality, they also affect the nature of the crisis in other jurisdictions. Transboundary crises are said to be of particular relevance to the contemporary context of governance as processes of globalisation have increased vulnerabilities to crises. Furthermore, the rise of multi-level and supra-national forms of governance reduces states' ability to tackle crises within their own boundaries (Boin et al. 2013). In other words, transboundary crises present a central challenge to any contemporary system of governing.

This study is particularly interested in the ways in which the EU as a system of multi-level governances organises crisis management regimes to address certain types of transboundary crises. The question of how the EU addresses transboundary crises has become increasingly pertinent since the financial crisis is said to have brought about a new era of 'emergency politics' (White 2015). The financial and sovereign debt crises highlighted the vulnerability of the EU and its member states to transboundary crises. It also highlighted the tensions that emerge from seeking to develop coordinated responses in the context of an integrating market that maintains an emphasis on national liberal democracy. More recent cases, such as the refugee and terrorism crises, have also exposed the difficulties in coordinating transboundary crises inside the European Union with member states that have diverging, if not conflicting, interests.

Rather than focusing on how such crises pose a threat to the political legitimacy and existence of the EU (Crespy and Menz 2015; Dinan, Nugent, and Paterson 2017; Guiraudon, Ruzza, and Trezz

2015), we focus on the functioning of crisis management systems in the multi-level governance setting of the EU. We focus on four domains related to social, economic, financial and environmental crises, namely youth unemployment, electricity networks and security of supply, banking crisis management and invasive alien species. We describe and explain variation across crisis management domains. In doing so, the analysis contributes to the literatures on risks and crisis governance, as well as to the wider literature on European governance.

This study is interested in addressing three central questions. One is to account for the existence and variation of crisis management regimes in the face of different transboundary crises in multi-level governance settings. The second is to explore the changing nature of EU governance at a time of growing awareness of the transboundary nature of contemporary crises on the one hand and a sense of disputed legitimacy on the other. The third is to explore the ways in which the financial crisis and its aftermath have affected the demand for and resources available for transboundary crisis management in the EU.

WHY TRANSBOUNDARY CRISIS?

The growing interest in transboundary crisis reflects the coming together of a set of interests. For some, crisis (of an inevitably transboundary nature) emerges as product of the age of a (global) 'risk society' (Beck 1992, 2009). This 'risk society' poses inherent challenges to political and social systems - interwoven technological, environmental, social and political dynamics are said to threaten the survival of societies. For Beck, contemporary societies are confronted by risks that societies have produced themselves - they challenge the traditional ways in which politics and socio-economic structures have sought to deal with risks; in other words, they fundamentally redistribute the costs of crisis. The internationalised economy and the interconnectedness of societies has further reduced the national capacity to address risks and crises and therefore enhances societies' vulnerabilities to crises.

The language of risk and crisis is however not just reserved to the discussion of transboundary phenomena emerging from modernity's technological advances. For others, crisis is inherent to the contemporary state: how states seek to deal with different types of crisis has become a central theme in a range of literatures. According to some accounts, crises are inherent to life in capitalist

democracy and state institutions and policies seek to compensate for the inherent instabilities that emerge from market-based systems. National systems of governing are fundamentally challenged when dealing with the consequences of international economic change, and, for some, the economic institutions of the European Union, especially the Eurozone, have furthered the negative redistribution impact of differential economic performance. Other literatures suggest that states have traditionally been involved in dealing with protecting citizens ('societal security'), and the way in which states seek to address a range of threats has become a central concern, especially as states developed increasingly formalised crisis management structures (Borraz and Cabane 2017). Crises can also be moments of state transformations, opening window of opportunity for interventions that might not possible otherwise. In this context, appeals towards an 'emergency' allow actors to put forward transformative policy proposals that otherwise might be opposed. In that sense, crises (or the appeal to a crisis) strengthen certain interests by discrediting potential opposition.

The interest in transboundary crisis and the ways in which political systems seek to address them also highlights the coming together of the literatures that highlight the centrality of different types of risk and crisis on the one hand, and the supposed growth of the 'regulatory state' on the other (Majone 1994). The regulatory state is defined by the rise of a distinct set of administrative arrangements that emphasise codification as well as technocratic and insulated decision-making over informal or political decision-making. It is therefore not surprising that risks have been seen as one of the central areas of growth in European Union (EU) regulatory activities in the past. The deepening of the 'regulatory state' at the EU level might in itself be seen as a response to successful utilisation of a sense of crisis; for example, the regulatory developments surrounding the Single European Act were justified as one response to the perceived economic decline among the then member states. Subsequent developments, monetary union, the Stability and Growth pact and the 'Lisbon agenda' promoted diverse governance devices to deal with the consequences of national boundary-loss in economic, environmental and social spheres. More broadly, appeal to European integration might be said to be a response to the permanent crisis of the Cold War – and the need to safeguard national welfare states (Milward 1992).

Examples of more recent transboundary crises in the context of the EU range from institutional crises posed by government bailouts and disagreements about appropriate responses to demands for austerity to disputes over the handling and distribution of refugees and asylum seekers, raising potential implications for the fundamental principle of freedom of movement. Given this context, Jean-Claude Juncker, the president of the European Commission declared in January 2016 that the European Union was facing ‘polycrises’ (‘a conjunction of simultaneous multiple, complex and transboundary crises, coming from the outside or the inside’). He advocated a ‘returning to the pioneer spirit of the European construction, its momentum and solidarity’ in order to overcome national interests.² The subsequent White Paper on the future of the European Union (of March 2017) painted a somewhat more sombre tone as to the prospects of the (soon to be) EU-27.³ This sense of the European Union being in crisis was also taken up in the wider academic literature (Tosun et al 2014; Dinan et al 2017).

However, since the 2000s, there has been a rise of multiple crisis management arrangements throughout EU institutions. In particular, increasing interest has been paid to the EU’s external and internal crisis response capacities. This interest was made explicit in the 2007 Lisbon Treaty’s Solidarity Clause that formalised mutual assistance between member states in case of crisis and empowers the European Union – as a supra-national entity – to act. The awareness of growing interdependencies between markets, states and societies has led to an institutionalisation of crisis management systems across a multitude of EU policy domains (Boin et al. 2013). For example, and not unlike similar dynamics in member states (Bossong and Hegeman 2015), a Civil Protection Mechanism was set up in 2001 to co-ordinate responses to crisis; crisis rooms were established throughout European Union institutions, notably at the DG Sanco (e.g., for health crisis such as pandemics) or at the External Action Services. Several detection mechanisms were also adopted to reinforce prevention capacities such as the European Centre for Disease Prevention and Control (2005) or the European Programme for Critical Infrastructure Protection (2007). These provisions were intended to deal with actual or anticipated transboundary effects that were regarded as

2 Speech by President Jean-Claude Juncker – EP Plenary session – Conclusions of the European Council meeting of 17 and 18 December 2015. Brussels, 19 January 2016.

3 https://ec.europa.eu/commission/sites/beta-political/files/white_paper_on_the_future_of_europe_en.pdf (last accessed 28 July 2017).

harmful to market integration or as posing a security threat to European, national, regional or local constituencies. Each Commission DG developed its own specific crisis management structures, involving crisis rooms and early warning systems. This extended further to legislation dedicated to crisis management and prevention across policy domains and with shared authority with member states. In short, crisis management was defined as a distinct collaborative process of political and administrative interdependence between EU institutions and EU member states.

In light of these dynamics, this study is interested in the capacities of the EU's multi-level system of governing to deal with 'wicked issues' that contribute to the EU facing 'polycrises'. The existing literature on the EU has paid considerable attention to the different problem-solving capacities and decision-making modes that reside at the EU-level. In addition, the growth of EU-level agencies dealing with potential risks and crisis has generated attention. Less attention, however, has been paid to the interdependencies between EU and member-state, as well as between member states. After all, decisions in one EU member states can have consequences in other jurisdictions, as the financial crisis has highlighted. Also, in the context of EU multi-level governance, states are said to have fewer capacities to tackle crises whose scope and extent go beyond their capacities, judicial authority, and require co-operation with other member states, if not the EU. At the same time, the era of financial crisis, sovereign bail-outs and legitimacy debates surrounding the European Union has also had an impact on the study of EU policy domains, such as social and welfare policies (De La Porte and Heims 2016; Crespy and Menz 2015), the response to the economic and financial crisis (Niemann and Ionnou 2015; Caporaso et al 2015), the refuge crisis (Attina 2016) and EU governance more generally (Graziano and Halpern 2016; Van Esch 2017), given also a sense of growing politicisation of EU governance, in terms of growing salience, opinion polarisation and expansion in number of actors (see Wilde et al. 2016, Grande and Hutter 2016).

This study is therefore interested in variations in the interdependencies and interactions between different levels of government, as well as between state and non-state actors that deal with transboundary crises in the European Union. Transboundary crisis not just disrespect national boundaries, national responses have the potential to impact on other member states' vulnerability to that crisis. Transboundary crisis management therefore requires co-ordination across member states, involving state and non-state actors, and any study therefore needs to focus on the ways in

which member states implement provisions set out in EU regimes (see also Heidbreder 2017, 2014; Thomann and Sager 2017). The study offers insights into the type of (formal) regime that characterises the European government of crisis in these different domains and explores the extent to which dominant theories of risk regulation can explain the emergence of the crisis management institutions at EU level, variations across domains, and *the type of interdependencies between member states and the EU*. Critically, member states involve not just the action of political leaders, but the actions of national and sub-national administrations, as well as para- and non-state actors.

This study adopts a regime perspective (discussed below) that focuses on the ways in which EU and member states interact and co-ordinate. Such a perspective enables a fine-grained exploration of variation across domains and types of risks and crisis. As noted, the domains are drawn from four areas in which the EU and its member states have faced and are facing crises, namely in social, economic, financial and environmental domains. These areas are traditionally defined as being central to the survival of the state and they represent areas in which transboundary crises have been experienced in more or less 'acute' senses over the recent decade. Furthermore, and significantly, the EU has taken on competencies in these areas since the late 1990s.

The rest of this document provides a summary of some of the research findings that have been obtained so far. It therefore reflects the findings of two years of sustained research, which is continuing at the time of writing. To set the context of this document, the following sections set out the background by discussing how this study links to the diverse literatures on, first, the problem solving capacity of the EU, second, on the state in crisis, and third, on the rise of crisis management as a contemporary concern. Then this chapter moves towards a description of the analytical framework guiding this study, namely crisis management regimes. This is followed by a discussion of different explanatory accounts to explore variation.

BACKGROUND

The study's interest in accounting for variety across EU crisis management regimes links to a range of academic debates. These range from questions about the nature of EU governance and its capacity to address particular policy issues to debates about the role of the state as a 'crisis manager' in the context of tensions between liberal democratic politics and market economics, and

to discussions regarding the rise of formal crisis management architectures across contemporary bureaucracies. In this section, we discuss each of these literatures in turn and point to the ways in which this study seeks to develop distinct insights.

EU governance as problem-solving capacity

Debates about the capacity of the EU to develop policy responses to threats to the well-being of member state populations have been at the heart of the study of European integration. Debates over the emergence of different policy regimes have pitted those that take a near neo-functional perspective that sees the expansion of EU-level competencies as an inevitable response to the externalities generated by market integration with those that see European integration as an outcome of grand bargains between member states. A focus on crisis management regimes challenges both such accounts. Neo-functional accounts are challenged by the variation across different crisis management regimes and that cannot be explained by spillovers alone. Similarly, those that highlight the intergovernmental character of the European Union are challenged by the empirical reality in that it is not just grand bargains between major member states that lead to the emergence and development of EU-wide crisis management regimes.

Discussions regarding the capacity of the EU to deal with crises refer to long-standing debates regarding the problem-solving capacities of multi-level governance systems, such as the EU. In this section, we focus on three strains in the literature that have dominated debates regarding EU governance and its problem-solving capacity. These have not necessarily centred on questions of crisis management, but they offer insights for understanding critical aspects of administering crisis management regimes in a multi-level governance context.

One central strain in the literature reflects on the type of decision-making arrangements available. One early criticism of EU (then EC) decision-making adopted theories developed in the context of German federalism (Scharpf 1988). According to Scharpf, decision-making rules that required extra-large majorities to create and to reform policies produced inherent inertia as potential losers were granted veto rights. This 'joint decision trap' (Politikverflechtungsfalle) explained, according to Scharpf, the lack of reform of the Common Agricultural Policy, for example. This interest in different decision-making rules and the ways they seek to address transboundary policy concerns

has generated a broader appreciation of the range of modes of governance in the context of the European Union.

Analysis focused on the problem-solving capacity of these different decision-making modes in view of legitimacy constraints, policy preferences of member states and functional pressures supporting transboundary policy approaches (Scharpf 2003). Traditional policy approaches relate to the deployment of binding regulations and directives with non-compliance being sanctionable (through judgements by the ECJ). Such approaches still require a degree of 'co-governing' as provisions require institutional support (from Council and European Parliament) and they are subject to member state implementation - while 'updating' is monitored through comitology. Since the late 1990s, growing interest has been paid to those approaches that do not rely on 'formal' or 'hard' governing modes. Instead, in view of a joint interest but diverse member state institutions and preferences, approaches that initially were called the 'open method of co-ordination' (and subsequently became the 'European semester') became increasingly popular (following the Treaty of Amsterdam and the inclusion of the employment title in that treaty). In their pure form, such governing approaches did not seek to establish harmonisation per se, but encouraged benchmarking, comparison, learning and the adoption of 'best practices'.

A second, related strain focuses on the market-oriented regulatory biases in EU governance. This interest can be traced back to early discussions of EU integration that noted the dominance of 'negative' integration (the lifting of barriers) and the difficulties of 'positive integration' (the creation of policies) (Lindberg 1963). These debates developed further in the context of the study of the 'regulatory state'. Given the limited size of the EU's budget (and the fact that most of its expenditures were tied up in agricultural support schemes), the European Union was said to be a 'regulatory state' (Majone 1994). As the Commission was unable to expand its 'empire' through the politics of redistribution (i.e. via 'budget-maximising'), it was reliant on 'supplying' regulation that shaped policy content, but whose compliance costs were 'felt' at the member state, if not the private company level. In other words, the regulatory state at the European level was about governing through policy content. This 'supply' of regulatory activity was encouraged by the 'demand' by member states who were said to require rules of exchange, overseen by a neutral 'referee' (the Commission).

Whereas the 'regulatory state' concept highlighted the preferred policy mode in the context of the European Union, the debate about types of regulatory activity and their capacity to address particular policy issues remained. Scharpf (1996, 1999), for example, returned to the earlier debate regarding positive and negative integration by noting potential differences between process- and product regulation. In the case of the former, none of the qualities of a good were changed, so regulation, for example, to improve labour standards, merely increased the cost of production. In the case of the latter, the qualities of the product were actually enhanced, for example, by improving energy efficiency. Consumers were more likely to endorse these kinds of standards. Equally, producers were keen on single standards for their products. In such cases, therefore, regulatory standards were likely to be 'agreeable' and self-reinforcing (Vogel, in his work on environmental standards, suggested that product standards could therefore witness a 'race to the top' (or 'California effect') (Vogel 1995). In contrast, process regulation was likely to remain problematic, potentially encouraging 'races to the bottom' (the 'Delaware effect').

In the context of the European Union, the fear of 'high regulation' jurisdictions of losing competitiveness to 'low cost' jurisdictions was said to encourage the adoption of minimum standards in process regulation. Similar claims were made in the literature that distinguished between 'market-making' and 'market-correcting' policy approaches. Subsequently, further distinctions emerged between market-making (the elimination of obstacles to free movement), market-enabling (harmonising standards in order to support market integration), process regulation and welfare state policies (Scharpf 2003). In general, this interest in the shape of regulatory approach highlighted the incentives of different actors to consent to particular types of EU governance regimes to minimise the negative consequences to core constituencies (in member states). We should expect these dynamics to matter in the emergence and development of crisis management regimes as well.

A third strain in the literature focuses on the notion of Europeanisation. This literature has highlighted, on the one hand, how member states sought to organise to accommodate EU business (such as developing and representing policy priorities), and the 'transposition' of EU measures to the national level. Here, differences in salience, existing national approaches and interest

constellations highlighted continued diversity, whether in terms of 'speed' of transposition or discretionary policy responses. While this literature has largely focused on institutional variation, the determinants for transposition 'speed' and policy response, it also highlights the pivotal importance of member state institutions in informing and enacting EU policy regimes.

Consequently, the interest is not just in exploring why certain decision-making modes have been chosen rather than others, but also to explore how these modes, once chosen, are being enacted. To understand the multi-level character of the EU, the dependence of the EU level on member states needs to be explored in more detail, both in terms of the underlying pre-requisites for a certain mode to operate in a way that could be defined as effective and legitimate, but also in terms of actual practice. Drawing on this literature offers insights into the importance of focusing on the Europeanised national and sub-national administrative systems and the way they inform and are shaped by interaction with EU-level provisions. It therefore highlights the importance of focusing on member state administrative systems in the context of EU crisis management regimes (and the potential effect of the financial crisis in terms of depleting national administrative resources).

European states as crisis managers

Debates about whether the EU has governance mechanisms to resolve acute and potential crises draw on a wider debate about the capacity of modern states to mitigate and address crises. Such debates can be traced back to the 1970s, if not earlier, and they have received renewed interest in the context of the financial crisis. According to this literature, the state is seen as being involved in a tragic, and inevitably flawed constellation of having to deal with the instabilities introduced by capitalism whilst addressing the concerns of democracy. The tensions between democracy and capitalism are said to be inevitably unbridgeable - the instability of capitalism and the need to maintain social stability via the welfare state inherently leads to problems: higher taxation to pay for welfare states reduces further the productivity of capital (see O'Connor 1973). Others, such as Claus Offe (1976), diagnosed a 'crisis of crisis management': in addressing the various social crises that emerged from the economic crises inherent in capitalism, the state became entangled with previously autonomous domains, becoming a non-neutral actor (by having to take sides in redistributive conflicts), and overwhelming its own capacities to co-ordinate competing objectives across domains. This entanglement reduces states' own ability to perform crisis

management, and thereby undermine their legitimacy. These claims have received increasing attention in the context of the financial crisis.

The 'regulatory state' (Majone 1997) was arguably one of the escape routes from this seemingly inevitable collapse of the state and its capitalist economy. This era of the regulatory state was, as already noted, characterised by a reliance on fragmentation and the creation of specialist bodies for execution and regulation, another was the growing blurring of private, para-public and public spheres, and also an increasing multi-level spheres of influence (Yesilkagit 2012). Arguably, European integration with its emphasis on facilitating market liberalisation, but also domestic programmes involving privatisation (and cheap domestic credit) supported the, at least temporary, resolution from the pressures of dealing with capitalism and democracy.

However, the context of the late 2000s and 2010s suggests that the regulatory state response to deal with crises might have been, at best, a temporary remedy. The initial response to the financial crisis suggested that the 'state was back' (rather than hollowed out) as banking sectors were bailed out, industrial support schemes launched and governments sought to keep their economies afloat. These initial attempts soon gave way to concerns about sovereign debt and an age of depleted financial resources. In particular, three major tensions emerged in the 2010s (see Lodge 2013, Lodge and Wegrich 2012). One was that despite the realisation of the inherent transboundary character of many policy areas, there was a certain re-nationalisation in electoral politics. This was noticeable not just in terms of the rejection of various EU Treaties in national referenda and the Brexit vote, but also in wider electoral politics (McLaren 2004).

Second, there were also tensions following policy doctrines that advocated specialisation and fragmentation. Such debates occurred at two levels. One, mostly at the domestic level, was that there were tensions between the doctrines of specialisation and fragmentation and those seeking to establish 'whole of government' coordination and consistency. The other related to questions of 'subsidiarity'. The delegation of responsibility to national regulatory bodies created potential side-effects that, in turn, affected other regulated markets. For example, the financial crisis highlighted how differences in regulatory practices could have EU-wide consequences. These tensions were also central to debates about the appropriate design of crisis management regimes and the ways in which an era of public sector reform leading to fragmentation affect the operation of crisis

management regimes. Third, there was also a tension between political short-term electoral interests and long-term sustainability concerns. The EU was no longer seen as a 'solution' (although, paradoxically, the period saw the rise of a variety of EU-level crisis management regimes), but rather as a (if not, the) problem: increasingly, questions were raised about the appropriate relationship between transnational rule-bound governance and member state discretion. This, in turn, raised questions about member states' consistent administrative (and regulatory) application and the nature of support for existing European frameworks.

The aftermath of the financial and subsequent sovereign debt crisis is therefore critical for our understanding of the problem-solving capacities of contemporary political systems, not just in the case of the European Union. For some, this context highlighted the inevitable path towards the collapse of liberal democracy and the European Union as the asymmetric effects of the 'consolidation state' could not be accommodated (see Streeck 2016), others noted that major redistributive arrangements had to be established to rescue the European Union in the absence of viable alternatives (Offe 2016). While this study does not seek to answer whether 'another crisis like this and we are done for' (as Wolfgang Streeck noted in 2010), the context of crisis management reflects on the wider question how states, in the context of the financial crisis had quickly moved from being seen as carriers of 'big bazookas' to wearers of 'speedos' (as a researcher put it in the *Financial Times*, 5 August 2011). Nevertheless, to what extent the post-2008 context has affected member state responses to transboundary crisis and EU provisions, remains an empirical question.

Crisis management and societal security

Beyond the literatures on the state in crisis, a different literature has explored the institutional prerequisites for actual crisis management, such as dealing with public health emergencies, natural disasters and security related threats. The focus on societal security was to highlight the distinction between civil protection-related activities and those other security related activities that are usually associated with the military and intelligence apparatus of the state.

This literature has focused not just on the significance of professional bureaucracies in providing societal security, but it has also highlighted decision-making architectures for political and

administrative leaders to prepare for and manage crises emerging from external threats and critical incidents. This literature on crisis and contingency management has developed in parallel to the wider risk regulation literature with its particular focus on dealing with degrees of safety. Risk regulation has been largely interested in questions of mitigating harm by monitoring and addressing deviating operating practices, while the crisis management literature has analysed how organisations respond to situations of emergency. The focus here has traditionally been on response, coordination, communication and recovery during and after crisis. Traditionally, crisis management has been associated with state sovereignty and legitimacy, as the state finds its ultimate *raison d'être* in its ability to use exceptional powers to respond to emergencies. In the context of the EU, this literature has paid attention to the building of crisis management capacities within the EU (Boin *et al.* 2013), seeking to explain the constitution of security powers at EU level to tackle transboundary crisis, leading some to analyse this process as one of 'crisification' or 'securitisation'. This points out to the building of 'core state power' at EU level and questions the arrangements of crisis management in a multi-level governance system. At the same time, it highlights, as noted, that EU crisis management regimes are about collaboration rather than about the assertion of one central power ('the sovereign state').

However, increasingly there has been an overlap between the security-related concerns of crisis management and the safety-orientation of risk regulation related scholarship. This implies, for example, that there is an increasing awareness of the security-related aspects of regulating economic life - such as dealing with the externalities of liberalised markets. At the heart of both literatures is an understanding of a state's responsibility for its subjects' well-being, and this involves instruments of reducing potential harm and managing threat. The growing interest in security in risk regulation has been partly due to a rise in attention in critical infrastructures that, in turn, have witnessed a rise in risk assessment, management and communication plans. In the world of practice, the military and civilian policing arms of the 'security' state have increasingly become blurred with the contingency management, 'civil protection' side of the state. This blurring of 'crisis' and 'risk regulation' has also been evident in the world of finance, where 'ring fencing' is supposed to keep institutions 'secure' from contagion.

In addition, boundaries between prevention and crisis management have become blurred as well. Crisis management has become more and more concerned with preparedness and prevention, shifting its focus towards risk and vulnerability reduction, and the mitigation of potential consequences of disasters. At the same time, a series of regulatory failures (e.g., mad cow disease, contaminated blood, financial crisis) have highlighted the limits of relying on risk regulation in preventing crisis. This has generated interest in establishing resilience systems that are able to cope with any kind of crisis. Whereas risk regulation relies on probability and risk calculation, crisis management uses other tools, such as simulations and preparedness exercises. These are far more relevant for a situation characterised by uncertainty. In sum, therefore, it can be suggested that there has been a blurring of crisis and risk regulation instruments.

A further trend is the growing application of crisis management systems (or at least their language) to situations that do not qualify to the traditional emergency management-related areas of security management. In the EU, we now find 'crisis management' in various economic, environmental and social domains. Crisis management is not just reserved for the most obvious sites, such as designated control rooms or warning systems, or in intergovernmental management systems to assist episodes of intense crisis, but also across policy range of policy domains..

Arguably, crisis management has emerged to provide 'security' to accompany processes of market integration that are at the core of the building of the European Union (Jabko; 2006). In this context, historical parallels are evident: historically, crisis management has been used by states to sustain the functioning of markets in an interconnected world (Baldwin 1999; Foucault 2004), for example by controlling harbours and maritime trade to prevent epidemics and to enable the smooth circulation of goods.

This study is therefore interested in how multi-level governance seeks to deal with risk and crisis; how does the European Union multi-level system operate across a set of domains - all of which characterised by different types of crises, during a time in which the legitimacy of the EU was said to be undergoing considerable crisis?.

It is in these areas where the EU has become part of national core state powers, by shaping and relying on national administrative structures. How these patterns emerge - and whether such

entrenchment within core state powers has been sustained is at the heart of this project. Thus, it does not just matter whether EU powers emerge by 'stealth' and/or by 'publicity' by either building new capacities (such as developing new financial resources or establishing EU level organisations) or by regulation (such as establishing formal or benchmarking regimes) (see Genschel and Jachtenfuchs 2013: 10), it also matters whether these core powers are supported by national administrative infrastructures given the structure of the EU as a multi-level governance system.

In bringing these three different (but overlapping) literatures together, this study is concerned with the EU's intrusion in 'core state powers' (Genschel and Jachtenfuchs 2013). EU governance touches on member state capacities and powers and thereby redistributes power across states and the Union. The emerging constellation is one of collaboration and interdependence.

Interdependence is not just defined by a loss of boundary control in that a crisis in one member state is likely to affect other member states. It also highlights administrative interdependence: one member state's (lack of) action affects other member states.

In other words, the intrusion of the EU in the core state activities of crisis management highlights that the distribution of competencies between EU and its member-states is not one that can be characterised as focusing on low-salient, technocratic on the (EU) side, and the highly salient, traditional nation-state defining powers of the coercive and welfare states on the (member state) side. Instead, the European integration process has, and not just as a result of the financial crisis of the late 2000s and sovereign debt crises of the 2010s, included the direct imposition of EU powers on traditional areas of national level government. In doing so, this raised fundamental questions about the development of governance regimes that, for some, violated the preferences of local public preferences and arguably worsened crises at the expense of others. Furthermore, EU multi-level governance involves not just the blurring of boundary lines between levels of government, it constrains areas of domestic policy-making, for example in tax, and it thereby obscures traditional understandings between national politics and their public servants in terms of reward, competency and loyalties (Hood and Lodge 2006).

To develop this perspective further, the following section develops the notion of a crisis management regime that brings together risk regulation, EU governance and crisis management perspectives.

CRISIS MANAGEMENT REGIMES

Definitions of crisis vary and so do perceptions as to what can be understood as a state of 'crisis'. Restricting definitions of crisis to uncertainty, urgency and threat restricts attention to critical incidents - whether this involves acts of terrorism, natural disasters, large industrial accidents, epidemics or large-scale rioting. Under such circumstances, the focus then is on questions of preparedness and responses by state and non-state actors.

However, the analysis of crisis management regimes requires a wider understanding of crisis. Crisis involves evolving patterns, such as those of the 'slow-burning' and 'creeping' kinds (the latter being characterised by a series of events whose pattern is not being identified, the former being defined by some advanced warnings). Uncertainty in such cases is not reduced to the lack of information about what kind of event one is dealing with and how to restore a degree of normality, but involves uncertainty about long-term trajectories and the applicability of different policy approaches. Urgency is certainly present due to functional pressures (such as predictions of cost implications of climate or demographic change) as well as due to political salience (generated, for example, by media headlines). Finally, threat is also present as existing systems are exposed to (potentially increasing) vulnerabilities.

Such a broader understanding of crisis highlights the limitation of another popular distinction, namely one between 'fast-' and 'slow-burning' crisis. This distinction appears appealing as it seems to differentiate, first, between those events which are perceived to be highly salient and those whose crisis character is more low-key and incremental. It therefore resonates with those interested in 'emergency politics', namely those situations where politicians evoke a sense of crisis in order to impose their preferred options. However, this example also highlights that any distinction between fast- and slow-burning is ultimately a matter of perception by actual participants and construction by academic observers.

Second, the distinction between fast- and slow-burning appeals because it creates associations with 'behavioural insights' related literatures that distinguish between responses informed by 'level 1' (fast) and 'level 2' (reflective) thinking. The former is shaped by heuristics, the latter by reflective thinking.⁴ Whether 'level 1' and 'level 2' thinking dominates as political leaders jet-set from one 'summit to end all summits' to another is an empirical question. Indeed, it might be questioned whether decision-making varies according to situation or whether any decision-making situation is characterised by ambiguity. In other words, while it is possible to distinguish between events that are 'punctuated' in that they might be associated with visible events and high political salience, how this impacts on crisis management regimes remains an open question.

Rather than restricting our focus by settling for a restrictive definition of crisis, our focus is on 'crisis management regimes'. What is understood as a crisis depends on the interests, understandings and policy approaches that impact on the particular situation. Perceptions of urgency, threat and uncertainty are therefore a product of individual and collective interpretations and negotiations involving state and non-state, political and administrative actors. Understandings of crisis might differ: member states are likely to have different views on what is a crisis, its origins and potential remedies. In addition, as noted earlier, crisis management in the EU encompasses questions of markets and societal security as well as logics of prevention and response-oriented actions. Adopting a 'crisis management regime' provides insights into EU crisis management by moving the focus beyond governance issues, EU politics and emergency management. It does so by bringing together a focus on the logic of market integration with the administrative and political interdependence of multi-level governance.

What then is a 'crisis management regime'? A crisis management regime is a continuous process that deals with managing hazards and risks, but also includes measures to enable the management of acute and on-going crises. In other words, it combines 'governmental interference with market or social processes to control potential adverse consequences' (Hood et al. (2001: 3)) with provisions that grant (usually state) actors the authority to reassert public order in the face of adverse conditions that threaten the stability and/or legitimacy of particular social systems.

4. The implications of this distinction are contested (Gigerenzer 2013).

Whereas crisis deals with particular incidents in which actors decide under conditions of high uncertainty, threat and urgency, risks deals with the 'normal' life of detection and modification. Regimes experiencing 'acute' crises are usually equipped with extraordinary state powers; for example, it involves the right to invade private property, encroach on civil liberties (such as surveillance) or they involve the right to 'cull' animals to stop the spread of disease. During other times, crisis management regimes deal with risk: the information gathering and behaviour modifying activities by state and non-state actors to ensure that acute crises do not occur.⁵

When discussing a crisis management regime, therefore, we need to distinguish between those provisions and capacities that (1) deal with the definition of risks, hazards and threats, the activities to monitor, manage and rectify deviance from the norm, and those that (2) address moments of threat and potential serious disruption (which also includes preparatory activities and provisions to address these 'extraordinary' circumstances). The former operate within the 'normal' standard operating procedures of multi-level governance, the latter may include extraordinary emergency powers, as noted.

To explore the regime features across domains, we follow Hood *et al.* (2001, also Hood 1983) by taking a 'control system' approach that focuses on the interaction between three central components, standard-setting, information-gathering and behaviour-modification. Crisis management regimes form a control system in that aim to regulate domains of activities with the goal of preventing crisis and responding to them (see also Table 1). A crisis management regime consists of three essential elements:

- Standard-setting is about the overall objective of the regime. Variations exist here in terms of the type of standards, their prescriptiveness and their allocation of responsibilities and authority. Standards enable markets to function, and they are intended to harmonise behaviours and approaches. In terms of the risk regulation dimension, differences in

5. The conventional definition of risk as the probability and impact of a particular event is frequently contrasted with 'uncertainty' where such calculations are impossible to make. In our research, we find considerable attachment to the 'risk' word, but usually associated with wider conditions of uncertainty. In other words, we define risk more broadly, allowing for the presence of considerable uncertainty.

regulatory approaches have been long-established in the literature on EU-governance; for example, in the area of EU environmental regulation differences are said to exist between 'best available technology' (BAT, a technology-based standard) and 'pollution-based' systems (a performance-based standard). Elsewhere, we might expect to see the emergence of management-based standards. These have been widely adopted in the regulation of food (i.e. sectors where technologies are hard to define and where outputs and outcomes are difficult to measure). Standards can also refer to the definition of standards for the management of crisis in order to ensure appropriate and coherent responses across the EU. At the 'crisis' level, we expect standards that set out levels of preparedness and procedures to deal with and prepare for 'emergencies', including standards to decide when extraordinary powers can be applied and how.

- Information-gathering is about the way in which the implementation of standards is being monitored. This component includes both the routine monitoring of regulated activities and activities to detect emerging risks and potential crises. It also included provisions to inform other parties of the presence of a crisis. For example, information-gathering in food involved inspections by national and local actors (as well as the EU's Food and Veterinary Office, a directorate within DG Sanco, which assesses national systems of food inspection). However, transnational information channels existed to deal with the outbreaks of food crises, such as the discovery of the Norovirus or e.coli in particular food stuff. It is unsurprisingly an area where concerns have been raised about the quality of information, the access to information for non-national bureaucracies, and the nature of the party that is collecting the information as well as the style of inspection and information-finding.
- Behaviour-modification is about the ways in which any deviations from the desired standard are addressed so as to return to the subset of desired states of the world. Related questions refer to debates regarding crisis prevention and mitigation, and enforcement more generally. Differences in behaviour modification will therefore depend on the ways in which regulators and crisis managers perceive their 'target population' (well-intended/resource poor or ill-intentioned-resource-rich organisations, for example, or human vs non-human). There are also questions about how the enforcement activities

themselves are being viewed, as illustrated in the well-known debates about deterrence, persuasion, and responsive-type approaches. At one level, we expect the notion of 'risk-based' approaches to play an important role in the ways in which different organisations allocate resources to behaviour-modification. At another level, during moments of acute crisis, we expect separate tools and mechanisms to exist, which may or may not, be related to activities during 'normal' times. Again, how powers to modify behaviours are understood, whether they are part of an explicit procedure or whether they exist as part of conventions and professional standard operating procedures, is likely to vary across domains.

Table 1: Crisis management regime dimensions

	<i>Standard-setting</i>	<i>Information-gathering</i>	<i>Behaviour-modification</i>
During periods of normalcy	Definition of standards to be maintained in order to reduce likelihood of acute crisis	Reporting and inspection activities	Resource use to address diagnosed differences between actual and desired states of the world
During periods of acute crisis	Definitions of standards enabling extraordinary actions/resources to be provided in order to return to normalcy	Reporting and inspection activities relating to distinct crisis-related activities (such as special inspectorates)	Crisis response teams, special measures (internment, surveillance, military powers)

A crisis management regime perspective highlights the challenge of control and coordination as regime responsibilities are usually dispersed across a fragmented set of actors. Taking such an approach for the study of the European government of crisis raises a number of challenges given the complexities of EU multi-level governance. EU governance varies across domains, given differences in Treaty base, degrees of member state discretion in transposing common frameworks, directives of benchmark eating exercises, and there are further differences in the ways in which member states themselves allocate responsibilities. Accordingly, standard-setting at the level of the European Union will not just be a matter of Union legal competence, but also

decision-making procedure, the dynamics of particular working groups, or the organisational status and attitude of member states towards the substance and procedure of any EU initiative and provision. Similarly, information gathering at the local, national and EU level vary. On the one hand, there are limits to the gathering of information across levels of government, given also different constitutional competencies to 'reach' into practices at the national level. On the other hand, there are limits to information gathering across member states, since the latter may or may not be willing to share their information and co-operate. Finally, behaviour-modification will vary, with EU-member state relations being characterised by different interests and dynamics to practices at the national and regional level.

In addition, variations are likely to emerge in terms of level at which the transboundary crisis is being 'felt': crises can be experienced in one or more regime components, and public attention and responsibility will be located at different levels, leading to problems of multi-organisational co-ordination (Hood 1976). Similarly, crises might be experienced across a varying number of EU member states, or within one member state alone. The boundaries of the 'experienced' crisis and the resultant allocation of responsibility for handling crisis according to particular standards do not necessarily coincide.

Furthermore, the experience of transboundary crises may not lead to the emergence or modifications of EU crisis management regimes, especially since the responsiveness of the EU varies across policy domains (Dehousse and Monceau 2016). It is therefore an empirical question under which circumstances an event becomes a transboundary crisis that is seen to require an EU transboundary crisis management response. For example, it might be argued that the EU's original 'economic constitution' character has triggered 'crisis' consequences that have led to the emergence of a European government of crisis. Furthermore, as in all studies of 'government', it is likely that different crisis management regimes will vary rather than display shared characteristics.

In a first step, therefore, it is important to explore the dynamic evolution of formal capacities across these three components before moving to an exploration of particular crisis episodes (which calls for a more processual account). Accordingly, we can distinguish, across these three components, different aspects of 'content', namely in terms of size (i.e. how much and what kind

of resource is invested in this activity, and how 'aggressive' is it), in terms of structure (i.e., the degree of organisational density or dispersion and what kind of co-ordination requirements exist) and in terms of style (i.e., dominant operating conventions). Moreover, such an interest in the operation of crisis management regimes points to the importance of the available resources to the regime. Here, again following Hood (1983, Hood and Margetts 2007), the analysis distinguishes between four resources, authority (the right to permit/prohibit), nodality (information), organisation (the presence of particular state/EU-level organisations) and treasure (monetary resources).

ACCOUNTING FOR CRISIS MANAGEMENT REGIME DYNAMICS

As noted, this study is interested in investigating and explaining variation in crisis management regimes across four domains. The question why certain regimes emerge in their particular (if not peculiar) ways links to a set of approaches that have emerged in the fields of regulation, public administration and political science. After all, crisis management regimes reflect the preferences of different actors and require relationships between and across levels of government, often involving also non-state actors.

To analyse observable variations in crisis management regimes across the EU, this study draws on four central approaches, namely 'market failure', 'responsive government' and 'interest groups constellation' and 'market liberalisation compensation' (see also Hood *et al* 2001). As explored below, the first three approaches have been developed in the context of domestic governance. However, they are well-suited for the study of multi-level regimes as well. In addition, we draw on Genschel and Jachtenfuchs (2013) who put forward a number of 'demand' and 'supply' hypotheses, ranging from the functional (highlighting extent of externalities and economies of scale), the presence of heterogeneous coalitions supporting (or opposing) the existing regime, the presence of 'spill-overs', or the pressure of non-majoritarian bodies supporting integration or the presence of a 'permissive consensus' among publics for politicians to advocate EU-level initiatives. The rest of this section explores these four approaches in brief, and the following chapters will elaborate on each of them.

- 'market failure' - according to this functional explanation, the type of crisis management regime that we would expect to emerge reflects 'objective' needs to cope with risk and crisis at EU level: in other words, we would expect regimes to exist to tackle 'public bads' where individual or corporate actors and member states are unable to insure themselves against particular, risks, hazards and crises and prevent them from happening (i.e. where markets or law processes are unable to offer redress), and where national regulations are insufficient to prevent and tackle such crises. Such a context, therefore, points to the functional benefits of EU-level regimes. In other words, regimes would seek to tackle typical market failures, such as information asymmetries, market power or (negative and positive) externalities. Similarly, we would therefore expect regimes to reflect the 'objective' cost that particular crises are likely to incur/have incurred, whether this in terms of death headcounts, budgetary implications or system interruptions more generally. In doing so, this line of argument is informed by the literature on 'fiscal federalism'; it is argued that crisis management regimes should reflect an allocation of authority that addresses the appropriate level of crisis and risk. In other words, truly EU-wide transboundary crises would be reflected in EU-wide provisions, more diversely experienced crises are expected to be addressed by more discretionary and flexible measures. Such a 'market failure' argument might be regarded as naive as it discounts the role of political decision-making. However, it nevertheless offers a good measuring rod to assess crisis management regime characteristics.

- 'market liberalisation compensation' - according to this explanation, European crisis management systems emerge in response to negative consequences of market liberalisation in the European Union. Such an explanation can be linked to two types of phenomena; one is that crisis management systems emerge as a compensation mechanism to placate opposition to market liberalisation. For example, it has been argued that the liberalisation in European markets in telecommunications and other network industries evolved as part of incremental package deals that combined liberalisation with the specification of 'essential service' characteristics (Thatcher 2001). A variant of this explanation suggests that crisis management regimes emerge as a response to the unintended consequences of market liberalisation. Such a 'policy as its own cause' type explanation (see Wildavsky

1989, chapter 3) would suggest that trade integration and market liberalisation lead to economic, social and environmental consequences, if not disruptions, that trigger demands for the introduction and evolution of crisis management regimes at EU level, especially as member states increasingly lack the capacity (and authority) to deal with transboundary crises on their own. In this sense, functional and political spill over call for more integration to tackle the unintended consequences of market integration with 'flanking measures' (Armstrong and Bulmer 1998): crisis management are set up to protect the building of EU institutions (market, currency, political institutions) and tackle the interdependencies that member states lack capacities to deal with.

- 'responsive government' – according to this explanation, crisis management regimes reflect public perceptions about particular risks and crisis. One of the widespread criticisms of contemporary risk regulation is that it is supposedly opinion-responsive and that individuals are limited in their abilities to calculate and assess probabilities, and tend to give more weight to some (potential) crises and disasters than others. Particular high-profile incidents are to encourage 'knee jerk responses' and 'Pavlovian politics' (Hood and Lodge 2005) in which politicians rush for available solutions to dampen down the heat of alarmed media headlines (or social media 'shit-storms'). Accordingly, we develop two variants of the 'responsive government' explanation. One focuses on the issue of overall salience, suggesting that high salience over time will generate different regime characteristics than those areas that are usually outside of public attention. At the level of the EU, a high degree of salience may lead to pressure on EU-level decision-makers, or, more indirectly, may reflect the particular 'needs' experienced by one or more member state states. The second focuses on the incident of a 'scandal' or 'crisis'. Crises are salient events that put pressure on political leaders to be seen to be responding (such 'forced choice' situations might involve 'political problems' caused by politicians' indiscretions or by particular events, such as media feeding frenzies following bail-outs, industrial accidents or warnings about 'killer animals' crossing borders). In the case of the EU, pressure on policy-makers might also be indirect, through national media and voters pressurising their leaders, who in turn often blame the EU. Accordingly, we would expect regimes to be far more stringent and 'sizeable' where crisis or crises have been 'acute' at

EU level (for whatever reason), in contrast to those areas that are characterised by gradual and 'creeping' features, or limited regional scope/externalities.

- 'interest group constellation' – according to this explanation, crisis management regimes will reflect the underlying actor constellations, in particular in terms of the degree to which different actors' costs and benefits are concentrated or diffused. In the EU governance system, these actors could be businesses, experts and also member states that defend their interests in EU institutions. As noted in the wider literature on regulation, ideas about 'capture' have suggested that regimes will operate in favour of concentrated industries and at the expense of the highly fragmented electorate (evidence of capture requires the existence of some conception of a 'public interest' standard and evidence of intentional and directed pressure from the industry to achieve particular priorities (Carpenter and Moss 2013). We therefore expect features of the crisis management regime to reflect characteristics of the underlying target populations of the regime, i.e. of those who 'suffer' from the crisis as well as those who are seen as 'producing' the crisis (these two features may coincide, but not necessarily so). In the case of the EU, this reflects power relations, geopolitical alliances depending on countries' interests and features. For example, responses to the financial and economic crisis are said to have been dominated by Germany and Nordic countries, which suggested that crisis-ridden member states had themselves to blame for their economic situation. Such accounts can also be extended to 'conceptual capture', namely the dominance of particular ways of thinking, as expressed by privileged expert groups or bureaucrats.

THIS STUDY

As noted, transboundary crises represent a particular challenge for systems of administration (and politics). This study is about exploring transboundary crises where attempts at governing responses are inherently problematic. Furthermore, we explore transboundary crises that have become 'transboundary' as they have been recognised by central actors as being of a transboundary character. The following investigates transboundary crisis management regimes in the context of four different domains, environment (invasive alien species), social (youth unemployment), infrastructure (electricity transmission networks) and finance (banking resolution

mechanisms). All these four domains have been central to European integration, although crisis management regimes have evolved at different times and adopting different modes of governance. For example, the rise of banking resolution mechanisms has been sent as a central move towards a banking union, establishing the context for a rule-based system governing bail-outs and bail-ins. These arrangements are said to provide for banking restricting at the national level (as occurred in Spain) and to reduce the immediate link between national politics and banking sectors. Similarly, the rise of interconnecting electricity networks has been increasingly seen as a challenge to national politics of energy generation. In the area of youth unemployment, regime characteristics are said to have represented a major extension of social policy, whereas the case of invasive alien species, the crisis management regime represented potential barriers to the single market. We provide more detail on the four domains in the following chapter 2.

These four domains provides not just insights into crisis management regimes - and their variety - in their own right, they also offer insights into the different modes of governance that are said to characterise the EU, as noted earlier. In particular, the areas feature experimental governance supplemented by financial mechanisms (youth unemployment and the 'youth guarantee'), regulation (invasive alien species), regulation backed by supranational inspection (banking), and framework legislation supported by network codes emerging in the context of co-regulation (electricity networks). In all four areas, there is not just dependence on member states for 'enacting' EU responses to transboundary crisis - such as the management or eradication of invasive species, the provision of support to advance youth employability, the assessment of banks' vulnerability, the development of network capacity - it also requires member state engagement in informing EU regimes, such as alert systems; the degrees of interdependence and subsidiarity also vary across the different crises management regimes.

Furthermore, the different domains also give insights into types of crises that might be seen as potentially 'acute', but they also have features that point to more drawn-out and incremental change. They therefore offer features that might be associated with both 'latent' and 'acute' crises and they have features that elsewhere might be defined as 'fast-' and 'slow-moving' crises. Some of these domains focus on prevention (electricity), while others operated as a response mechanism (youth unemployment), or relied on both dimensions (banking, invasive alien species). In that

sense, they provide ideal conditions to study the contest of crisis management regimes, namely the presence of powerful interests and public opinion across and within EU member states.

Finally, exploring variety across crisis management regimes also raises wider questions for the study of EU governance, namely questions about the distribution of power and, therefore, legitimacy (Graziano and Halpern 2015). What then can be seen as a legitimate crisis management regime? How are responsibilities allocated and who are the blame magnets: member states, EU institutions, other stakeholders? At what point do member states accept to relinquish their limited sovereignty to allow for a European crisis management regime to be put in place. It highlights how regimes might reflect particular member states' interests rather than others, it points to the potential for blame games and highlights the importance for effective EU crisis management regimes of the 'goodness of fit' with domestic institutional arrangements.

The analysis is based on documentary and interview research that is ongoing. The background literature and overview of the 90-odd interviews are provided in the appendix. In particular, this involves a focus on both EU and member state levels. Even the most well-resourced study would be unable to engage with 28 member states in addition to the EU-specific politics. We therefore focused on interviews at the EU level and explored those member states that appeared to be of particular interest in these different domains (mostly, France, UK, Spain and Germany). This research might therefore introduce certain biases in terms of interview and documentary analysis, but it offers unique insights into the ways in which member states and domestic interests sought to influence EU crisis management regimes, and the ways in which these regimes were actually implemented at the member state level.

CHAPTER 2 - EU CRISIS MANAGEMENT REGIMES IN FOUR DOMAINS

As noted, this study explores the interdependencies in managing (potential) crises in four key domains in EU governance that traditionally have been associated with the survival of states and their populations, namely economic, environmental, financial and social domains. We focus on four regimes in particular: the creation of a European response to the rise in youth unemployment after the financial and economic crisis (social), the adoption of a Regulation in 2014 to provide a European framework to prevent and respond to invasive alien species (environmental), the adoption of a banking crisis management system (the Single Resolution Mechanism) following bank failures and bail-outs (financial), and the prevention and management of emergencies related to electricity networks as a consequence of increasingly interconnected electricity markets and systems under various European regulations (economic). These regimes vary in their age, they vary in terms of the decision-making mode, and they vary in terms of the resources invested. They are all of a transboundary nature, they reflect different types of crisis (as discussed below), they are characterised by competing perceptions of risk, and they feature different kind of interest constellations. The account in this section largely follows the formal provisions of the regime.

Philipp Genschel and Markus Jachtenfuchs (2013, 2016) noted a trend towards a growing encroachment of EU powers over core state powers, distinguishing between political-majoritarian and non-majoritarian areas on the one hand (which would attract either publicity or ‘stealth’ modes of integration) and regulation and capacity-building on the others. The four areas considered in this project, discussed further in some detail below, cut across all their categories, as illustrated in Table 2.

Table 2 – Overview of four transboundary crisis domains

	<i>Regulation Instrument</i>	<i>Capacity building instrument</i>
Stealth mode	Infrastructure: energy transmission networks codes Environment: Invasive alien species lists Finance: emergency of EU-level regulatory provisions (Single Resolution	Finance: European banking authority Environment: reinforcement of member states capacities to act on invasive alien species; European alert system (EASIN)

	<i>Regulation Instrument</i>	<i>Capacity building instrument</i>
	Mechanism)	
Publicity mode	Social: Youth unemployment European semester	Social: Youth unemployment policies financing (youth guarantee)

(drawing on Genschel and Jachtenfuchs 2013: 11)

In the following, we discuss the broad contours of each domain in turn before comparing the different crisis management regimes in more details.

INVASIVE ALIEN SPECIES

Invasive species generate acute crisis by disrupting (terrestrial, marine and freshwater) ecosystems. They are a threat to biodiversity and can cause serious environmental crisis as they endanger native species. For example, the European red squirrel is at risk due to the growing territorial spread of the American grey squirrel, in particular in the UK and Italy. Invasive alien species can cause environmental damage and threaten local ecosystems: for example, plants such as the Japanese knotweed or the water hyacinth can spread rapidly and threaten other native plants as well as freshwater ecosystems. Apart from representing a threat to native ecological systems by displacing or eliminating native animals by direct competition or interbreeding, invasive alien species potentially incur substantial economic damage among the affected systems. For example, the Asian hornet has contributed to the devastation of bee populations in France and Spain and the vinegar Asian fly has threatened the production of fruits, in particular cherries, throughout Europe. In some cases, they can causing toxic harms or be harmful to human health (e.g. *Aedes Aegypti* mosquitoes responsible for dengue fever, chikungunya and zika viruses, or the common ragweed – *Ambrosia artemisiifolia*) – causing severe allergies throughout Europe). The cost of alien species invasion has been assessed to be (at least) €12.5bn per year (amounting to 0.1 per cent of the EU GDP); of which, €9.6bn have been attributed to damages caused by invasive

species and €2.8bn to management costs (European Environmental Agency, 2012).⁶ This cost is moderate at the aggregate level, but can be particularly high for affected areas or sectors.

The issue of invasive species emerged on the international policy agenda as part of the 1992 Rio convention on bio-diversity and the early work of the International Union for the Conservation of Nature (IUCN) and its scientists. More particularly, the EU's regime built on initiatives in other fora, such as the Bern Convention, an international legal agreement dealing with nature conservation.⁷ In view of the Rio convention, the Bern Convention established a standing expert group on invasive species to explore national laws and encourage harmonisation. This convention included the development of a European wide agreement on a 'joint strategy' to deal with invasive species in 2003.⁸ It was suggested that cross-European trade as well as imports from outside the EU represented potential pathways for harmful invasions with considerable potential for economic and social consequences. It called for European governments to adopt a more consistent approach towards invasive species, especially in terms of information-exchange, monitoring and enforcement, not just by government but also non-state actors.

Drawing on these activities, there was a growing interest among actors (experts and some EU member states, such as Spain or the UK) in developing a framework for member states that would allow potential restrictions on trade between member states, enhance co-ordinated responses and strengthen member states capacities. This formed the basis of a first European Commission Communication in 2008.⁹ It was noted (similar to debates in member states, especially the UK) that the European Union had instruments to deal with habitat and climate change, pollution and over-exploitation. However, it did not have any specific tools to deal with invasive species (and

6. At the same time, this regime had to be distinguished from other plant health aspects, such as the spread of the bacteria *xylella fastidiosa* that affected olive trees in Italy and France and caused significant income loss as well as triggered Commission infringement actions against Italy. For example, in the case of the *xylella fastidiosa* bacteria that affected olive trees in Italy, the Commission requested Italy to cut down affected trees. These cases are dealt with under the plant health regime, a stringent regulation that might include some cases of invasive species, but do not specifically focuses on biodiversity issues and do not include animals.

7. <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/104> (last accessed 23 July 2017). The convention did not mention invasive alien species specifically, but set the basis for a growing awareness of the different pathways that could threaten existing (native) bio-diversity.

8. <https://www.cbd.int/doc/external/cop-09/bern-01-en.pdf> (last accessed 23 July 2017).

9. Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions - Towards an EU Strategy on Invasive Species. 2008. (COM/789) <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52008DC0789>.

especially 'pathways' encouraging invasions).¹⁰ There was a therefore the potential for issues relating to invasive alien species to 'fall between the cracks' of different legislative frameworks, as well as (at the national level) of different ministerial portfolios.

In advocating EU provisions to ensure a less fragmented approach towards damaging invasive species, the Commission referred to one initiative, namely the database on 'Delivering Alien Invasive Species in Europe' (DAISIE). This scientific project had been funded under the 6th Framework Programme and identified 12,122 alien species, 10-15 per cent of which were considered as invasive. The activities of this research project informed, especially in terms of personnel, subsequent work on EU legislation. Even before the agreement on EU-level provisions, there was evidence of co-operation among member states, and in particular, among experts. For example, the UK eradicated its ruddy duck population (which was regarded as a threat to the European duck) in co-operation with Spain and France.

In 2014, after lengthy discussions, the EU adopted Regulation 1143/2014 to provide prevention and response strategies to risks and crises posed by so-called invasive alien species (Breteché 2015). This was the first large initiative in the area of biodiversity in 20 years. The EU regulation put emphasis on prevention, early warning and rapid response (generally consisting of the elimination of invasive species deemed dangerous to existing eco-systems), including an obligation to prevent the introduction of these species into existing eco-systems, as well as control. To enhance the detection of invasive species, the Regulation introduced a black list of 'Invasive Alien Species of Union Concern', as well as an obligation to assess the pathways of introduction of listed species and to prevent new unwanted arrivals. It thus empowered the Commission to introduce common risk assessment tools and crisis management models.

The Regulation reflected, on the one hand, a high level of concern over the environmental and economic impact of invasive alien species, and need for harmonising the varying standards and procedure in place in the different member states on the other. Its focus was on biodiversity in

10. Existing provisions regarding plant health, animal disease, animal trade, nature directives the marine framework and water framework directives overlapped somewhat in the invasive species area, but were said to lack a consistent approach towards dealing with the concerns relating to invasive alien species in general.

order to differentiate this domain, plant- and human-health related issues. The development of this regime had two main components. One was the encouragement of member state interest in developing capacity to deal with invasive alien species, the other to direct attention to particular species that were listed on an evolving list. As noted, the negotiation of the Regulation had proven highly political, involving concerns within the Commission over the content of the proposals, and European Parliament committee criticism over the scientific robustness of the process. Furthermore, there was the 'surprise' that the initiative finally passed as a Regulation although initially it had been drafted as a Directive. This switch was to avoid, in the view of the Commission, lengthy and inevitably patchy transposition process. Resorting to a 'Regulation' was therefore offering the promise for a directly applicable, coordinated European approach. This, in turn, generated major law revisions in some countries (France and Hungary had to draft a strategy to deal with invasive alien species for the first time), as well as some legal problems in some member states, such as Germany. In the latter case, it required considerable adjustments in domestic federal and Land laws (for example, how the regulation's demand on mitigation and extermination was to be combined with wildlife protection requirements - such as not killing animals during their breeding season).

Member states were divided over the content of the Regulation, although they were broadly in agreement with the Regulation's intention. Partly this reflected existing member state (economic) interests and geographical positioning. The UK (as an island state), for example, was seen as particularly proactive in developing the European regime, shaping the content of various working groups that has been established in the development of the Regulation. Germany (a traditional 'transit' location for migrating species), in contrast, was somewhat more critical, especially regarding the possibility of effectively dealing with the existing stock of species that had been declared 'invasive' by the EU's list. Spain and Portugal, with their Mediterranean climate accommodating many species, were equally more supportive than their Northern counterparts such as the Netherlands. Others, such as France, showed moderate political interest, due to the fact that these issues were mostly packaged as local problems.

The transboundary nature of IAS differed across cases as they affected member states differently: some species were considered as indigenous or of economic importance in one country, but

defined as invasive and as potential threat in others. For example, the American mink (*Neovison vison*) was considered as an invasive species in several EU member states, such as the UK, France, Spain or Germany. However, in Denmark, the American mink was a central part of the fur production industry. As a result, following extensive lobbying by the fur industry, the American mink was not defined as an invasive species at the European level (at the time of writing). The fur industry in particular argued that a listing would be damaging to commercial interests and represented a (hardly disguised) attempt to exploit the invasive species regime for alternative purposes, namely the campaign to ban fur farming. In other cases, some member states, such as Hungary, objected to the designation of particular 'national symbols' as 'invasive'. In the Hungarian case, this was the black locust (or 'false acacia', *Robinia pseudoacacia*) - although this opposition took a rather extreme reading of the proposal for domestic political purposes. In the end, the black locust did not make it on the EU list despite evidence that it did cause considerable environmental problems in Eastern Europe.

Furthermore, some regions were said to be more vulnerable than others, as their climate proved to be more welcoming to potential invasions than others (and climate change potentially increased this particular vulnerability). Such was the case of the water hyacinth, a very popular plant and grown (for export) by the horticulture industry in the Netherlands. This plant has caused considerable damage in the Iberian peninsula's freshwater where it has been able to establish itself permanently. Spain succeeded in placing the water hyacinth on the list, causing great concern among Dutch plant growers.

The public visibility of particular invasive species also varied greatly, given differences in terms of media profile, affected economic interests and member state interests. For example, debates surrounding the raccoon dog proved highly problematic. This species was identified as highly invasive, but for some member states any actions regarding the raccoon dog were said to be 'too late' as they had already widely spread across Germany, making even mitigating activities potentially costly (and potentially drawing resources away from other habitat protecting activities).

Unsurprisingly, therefore, the main conflict emerged over the listing of particular species. The process was to include a two-stage decision-making procedure. First, a 'scientific' group was to consider species on the basis of risk assessments. These could be put forward by the European Commission or by member states. The eventual decision whether to list or not was made by a more political-administrative committee. This committee included more 'general' civil servants (but also subject experts sent by their member states). This committee was to consider broader social and economic impacts.

One initial dispute focused on the number of species that were to feature on the eventual list. As noted, the DAISIE project had suggested that 10-15 per cent of over 12,000 species could be considered as invasive. To reduce complexity, the Commission initially proposed that any EU-list should be restricted to 50 species. This (arbitrary) number was met with opposition by experts. It was agreed that there should be no cap on the number of species on the list. The first list contained 37 species. In part, this reflected difficulties in procuring risk assessments. In part, this reflected a lack of agreement over particular species.

Another dispute was on the content of the list. As noted above, some invasive species enjoyed political representation (e.g., the American mink) and therefore 'escaped' listing. Furthermore, the scientific basis of the initial risk assessments was disputed (the European Commission funded projects to develop guidelines over methodologies and working groups considered the development of risk assessment standards). Some noted that in the absence of European-wide risk assessments, studies were utilised that were not intended for the purposes of an EU Regulation (most of the 37 initial risk assessment came from the UK because their assessment had been agreed as the most advanced). Subsequent risk assessments that updated the initial list were seen as 'better' by some critical member states. Similarly, differences existed over the quality of some risk assessments - some member states were dismissive of the 'literature reviews' that posed as scientific risk assessment.

Crisis management capacities, expertise and resources resided largely at member state level. These procedures and the overall concern for invasive species reflected the dominant approach shaped among 'invasion' experts (biologists). This expert network had received funding under various

European research programmes since the 1990s in order to improve the understanding of invasion pathways and the detection of species. These programmes sought to put forward 'solutions' that were to deal with problems emerging from the immediate impact of invasive species. At the member state level, there were differences as some member states already had national lists - such as the UK, Belgium or Spain. The UK already had established risk assessment procedures in place and benefited from close access to ministerial interest and a well-established interest group community (including environmental and other interests, such as anglers). In the UK, the regime for invasive species had emerged in the early 2000s as ministers became concerned about the economic consequences of invasions (also for the angling industry) and as officials realised that there were sufficient legislative instruments to deal with invasive species. In other member states, the EU provisions strengthened weak domestic arrangements. For example, in France or Hungary, national policy and resources became available in view of the EU Regulation; including the development of national policy frameworks. In other member states, the adoption of the Regulation proved more problematic as it involved intergovernmental cooperation (such as Germany) and the need to change domestic legislation to address the demands of the Regulation. At the same time, there was considerable concern whether the legal requirements of the Regulation, which was not matched by additional financial resources (in particular to produce risk assessments and required the creation of additional administrative capacities to focus on the legal obligations arising from the Regulation), would provide for beneficial outcomes overall.

BANKING CRISIS MANAGEMENT

During the 1990s and 2000s, the banking market was liberalised in Europe alongside the completion of the single market. One key regulatory issue that emerged in the early 2000s was the regulation of banks that operated outside their country of origin. To address potential cross-border issues, informal co-operation mechanisms between national supervisors were set up through various memorandum of understanding. Nevertheless, member states were reluctant to relinquish their national autonomy in terms of supervising 'their' national banks. As a consequence, critics suggested that questions concerning the overall stability of the single market in banking were left unanswered so as to maintain 'banking nationalism' among member states (Véron 2015).

In the aftermath of the financial crisis of 2007/8, and after the initial round of banking sector crises (such as, for example, in Germany (IKB), Ireland (Anglo Irish Bank, Allied Irish Bank and Bank of Ireland), the UK Northern Rock, Lloyds and RBS, Austria (Raiffeisen) or France (Crédit agricole)¹¹), repeated calls were made to advance EU-level regulation and to develop an ex-ante crisis management framework to prevent and respond to future financial crisis. The context of the financial crisis, characterised by numerous bail-outs, recapitalisation and the nationalisation of large parts of national banking sectors, highlighted also the considerable transboundary effects of national regulatory decision-making (Woll 2014). For example, failure by subsidiaries in one member state could not be mitigated by their parent bank in another member state. Also, some member states (such as Ireland) responded with national measures that revealed the lack of a coordinated crisis response system in a single market: there was no specific mechanism for the collection of EU-wide information regarding national banking measures, let alone shared standards. Similarly, regulatory responses to the crisis in one member state led to business responses by transnationally operating banks that affected the confidence in financial markets in other member states. Member states were therefore engaged in an unintended ‘race’ in which national measures led to financial market responses that potentially undermined the viability of another member state’s sector.

Policy debates following the large-scale banking bail-outs supported the emergence of several institutions and mechanisms to prevent and respond to future financial crises. An initial report by Jacques de Larosière, commissioned by the EU, suggested creating European agencies to enhance co-operation between banking and financial supervisors in Europe. A European Systemic Risk Board (as part of the European System of Financial Supervision) was created in 2010 to assess the presence of systemic risks to financial stability in the Union, and address recommendations to member states. An independent EU agency, European Banking Authority (EBA), was established in 2011 to define common supervision standards for the banking sector, and thus facilitate regulatory convergence. It was in particular responsible for conducting ‘stress tests’ every two years to assess the capacities of banks to deal with potential crisis scenarios (consisting of severe financial and economic conditions). Stress tests had already features during various stages during

11. This list is not exhaustive.

the financial crisis - without much success in terms of predicting subsequent turmoil. In addition, EBA stress tests were criticised for their lack of rigour and failure to predict failure, as the one of the Spanish banks in 2011. The 2016 exercise raised less criticism after the methodology was revised.¹² However, as an agency, the EBA lacked the legal standing of an EU *institution*, and hence lacked decision-making power (and legitimacy) to intervene during a crisis.

The combined sovereign debt and banking crises of 2011-2012 represented a turning point in debates about the level of government at which regulation and 'resolution' of banking sectors should occur. In Greece, Portugal, Ireland first, recapitalisation was urgently needed, and the link between banks and their sovereign suddenly appeared as a so-called 'doom loop': bank failures were threatening the states' finances, and conversely, states' default on their debt threatened banks. When the crisis spread to a major EU member state in 2012, Spain, the situation was seen as untenable. As several major banks failed, including *Bankia*, a direct recapitalisation was finally agreed in June 2012. At that point, political leaders, including France and Germany, agreed to proceed to a further supranationalisation of banking supervision and crisis management in order to control banks better and more consistently across the EU and provide common orderly resolution mechanisms. Herman Van Rompuy presented the proposal for an integrated financial framework in a report 'Towards a genuine Economic and Monetary Union' at the European Council on 28-29 June 2012. Later, this proposal was associated with the label 'banking union'. That framework consisted of a single rulebook, an integrated supervision at EU level, a European deposit insurance scheme and a resolution scheme.

Following this, the European Commission launched (and/or re-packaged) a series of legislative proposals. On the one hand, several regulations and directives that were already being discussed were streamlined to complete a 'Single rulebook': the Capital Requirements Directives and Regulations that transposed the Basel III agreements into EU law as well as a recast of the Directive on Deposit Guarantee Scheme. Notably, a Bank Recovery and Resolution Directive was adopted in May 2014 (Directive 2014/59/EU) that provided member states with common banking crisis prevention and management tools. It obliged member states to create resolution authorities,

12. For example, <http://www.finance.gov.ie/what-we-do/banking-financial-services/publications/reports-research/eu-wide-bank-stress-test> (last accessed 23 July 2017).

if they did not exist already (only a minority of member states, France, UK, Germany, Spain had by then), as well as a series of tools that aimed to ensure that the resolution of a failing bank would be 'orderly': preventative measures, early intervention, resolution, and resolution funds. The most significant advance came with the creation of the 'bail-in' tool that reversed the previous logic: states would no longer bail-out banks in the first place, but would require creditors and shareholders to contribute to the bank's failings. Resolution funds (financed by banks' contributions) could only be accessed once losses would have been covered by 8 per cent of total liabilities, and small depositors (under € 100,000) would be guaranteed. This was a significant reversal, at least in theory: tax-payers' money was not to pay for the banks' failures, as was the case during the crisis. Political leaders hoped that such measures would re-boost their legitimacy, that of their state and that of the European Union.¹³ In doing so, the move towards 'bail in' was seen by some as representing an international consensus that had emerged during the financial crisis in international finance circles; for others, the 'no bail out' provision had already been enshrined in the European Treaties, but had been politically undermined due to industry misconducts and over-reactivity of national political leaders. The agreement to establish a procedure for failing banks was combined with the creation of standards to reduce the possibility of national regulatory and bank 'free-riding'.

On the other hand, Eurozone countries adopted a common supervision and resolution mechanism (the banking union) that proceeded to the biggest transfer of sovereignty since the creation of the single currency. A Single Supervisory Mechanism (SSM) was proposed in September 2012 by the Commission, and approved only a year later, in 2013. The supervisory functions were attributed to the ECB, although the supervisory body was to be independent (as requested by the Germans). The Single Supervisory Board was thus autonomous from the monetary policy. The Single Supervisory Mechanism had the ultimate responsibility for the 6,000 banks of the Eurozone, although only banks with more than €30 billion worth of assets and those engaged in cross-border activities were under the direct supervision of the ECB (representing about 120 banks and 82 per cent by asset of the banking sector). This split between largely reflected the demands of the German government, reflecting on the large number of local *Sparkassen* and *Volksbanken*. In part,

13. For example: Moscovici, Pierre. 'L'union bancaire est une avancée politique pour tous les peuples d'Europe'. *Le Monde*, 20 December 2013.

it responded to the functional demand that SSM oversight need not be involved with local banking of little systemic interest; in part, it reflected the considerable political clout of these banks in the German political system (Epstein and Rhodes 2016). Other member states only accepted this split at the condition that the SSM had the ultimate supervision responsibility, and the national authorities would thus be acting in a delegated way – which nevertheless leaves ample scope for discretionary practices. This issue is still perceived as contentious by several member states, in particular those that have a majority of large banks (Netherlands, France) or smaller countries that benefit from the common supervision legitimacy (Portugal, etc.): they argue that the banking union is left uncomplete, that its benefits cannot thus be maximised, that banks are still not evenly treated which increases risks of systemic failures, and minimise opportunities for their own banks.

As regards resolution, the negotiations took longer (the Commission proposal was put forward in July 2013 and was agreed upon in December 2014) and were far more contentious, as resolution touches upon fiscal powers. The Single Resolution Mechanism (SRM) consisted of a Single Resolution Board, an independent agency attached to the Commission so that it can benefit from institutional powers and order resolution and a Single Resolution Fund governed by an Intergovernmental agreement as some members states (in particular, Germany) felt there were no legal basis in the Treaties. The SRF consisted of €500 billion financed by the banking sector over a 10 years period, involving the progressive mutualisation of national compartments.

The banking union amounted, to a large extent, to a ‘radical’ change (Véron 2015). However it still faced by considerable challenges. First, it was regarded as incomplete: a European Deposit Insurance Scheme (EDIS) was, at the time of writing, still lacking, and the state of the discussion between the advocates of risk sharing and those of risk mutualisation did not suggest that an agreement would be found soon. For the same reason, a common ‘backstop’, strongly advocated by France, was still missing, and therefore, the EU could be said to lack some discretionary powers to intervene in case of a large crisis.

Second, the actual functioning of the banking union left many agenda items incomplete and some questions unanswered. The system was complex, and hence the actual power game between the Commission, the member states, the ECB and the SRB remained a subject for discussion (European

Court of Auditors, 2017 and 2018). There was, in particular, a credibility problem: it was not certain whether, in the case of a failure of a significant bank, the rules would actually be followed or whether member states would seek to exploit loop holes or disregard the provisions completely. The initial two 'common' resolution cases in 2017 suggested that the system was still subject to contestation. For example, resolution was applied by the Single Resolution Board to the failing Spanish bank, Banco Popular, in June 2017. The resolution was mostly orderly and did not cause further financial damage; however, the bail-in process was legally contested by creditors, putting into question the role of the SRB. Whether the agreed procedures were sufficiently 'hardwired' became more significantly a subject of contention after the successful 'precautionary recapitalisation' (of Monte dei Paschi) and the liquidation of Veneto Banca and Banca Popolare di Vicenza under a particular Italian insolvency law (European Parliament, 2017). These interventions by the Italian state in July 2017 were seen by some as deliberate avoidance of the agreed regulatory system. This was justified in light of the peculiar conditions of the Italian situation, namely the limited impact outside the operating regions of the liquidated banks and also the specific consequences that the application of a 'bail in;' would have had on the affected local population. In addition, the SRB had deemed that a resolution would not be in the European public interest. The case of *Monte di Paschei* raised more substantial questions as to the 'bite' of the Single Resolution Mechanism and the possibility for member states to 'cheat'. While these events were not seen as a fundamental challenge to the resolution regime, they nevertheless raised wider debates regarding the need for a harmonised insolvency regime (for banks), and revived questions as to whether small banks really only had a regional impact or could potentially have wider systemic consequences for member states individually and collectively.

YOUTH UNEMPLOYMENT

Following the 2007-2008 financial and economic crisis, youth unemployment increased markedly across EU member states, affecting especially southern Europe, and causing major social distress and long-term issues. For the EU as a whole, unemployment increased from 7.1 per cent in 2008 to 11 per cent in 2013, and more than doubled in countries like Greece and Spain, reaching 27.5 per cent and 25 per cent in 2013. Young people were seen to be most affected by the crisis: Youth

unemployment¹⁴ peaked at 20.3 per cent in 2013 (for the EU-28). Some member states were particularly affected, in particular in Southern and Eastern Europe Youth unemployment rates reached 55.5 per cent in Spain, 40 per cent in Italy, 50 per cent in Croatia, 38 per cent in Portugal and 58.3 per cent in Greece at the worst moment of the crisis in 2013 (Source: Eurostat¹⁵).

Although youth unemployment has traditionally been regarded a matter for national welfare states, the rise in youth unemployment in the context of the financial crisis turned the issue into a European crisis for a number of reasons. First, it constituted a crisis for those affected young people and their families who had to support them while they were often themselves affected by the recession. Second, it constituted a considerable budgetary burden for the southern states of EU that were already severely affected by the crisis, and were already dealing with public sector debt burdens. Third, youth unemployment led also to considerable internal EU migration towards Germany and the UK in particular. Finally, youth unemployment and migration created long-term issues ('slow-burning crisis') over fertility, productivity, growth, the sustainability of retirement schemes sustainability, social integration and such like.¹⁶

Following initial reluctance (or un-interest), the issue of youth unemployment rose on the European Commission agenda from 2010 onwards (although it featured to some extent in earlier OMC-related activities), pushed by the DG Employment and Social Affairs of the Commission, and in particular its Commissioner (from the Hungarian Socialist Party). Rising levels of youth unemployment came to be presented as a 'social disaster', highlighting the failure of the EU to look after its youth and to ensure social protection (EC 2014), and as attempt to redress previous economic policies. In turn, the European Commission emphasised the economic risks and the potential consequences to political stability: 'this [youth unemployment] harms competitiveness and growth potential in the EMU as a whole. European integration is also likely to lose legitimacy and popular support if seen solely as an economic and budgetary project that damages Europe's social model and welfare systems. This would result in political instability at the national and EU

14. According to Eurostat, unemployed young people are those aged between 15 and 24 years old unemployed (in the sense of the ILO definition of unemployment) – irrespective of the participation in education.

15. http://ec.europa.eu/eurostat/statistics-explained/index.php/Youth_unemployment#Definition_of_unemployment_and_youth_unemployment_indicators

16. For discussion of EU member states' approaches emphasising work-life reconciliation policies over pro-natalistic policy goals, see Kreyenfeld and Rasner (2014).

levels, where socio-economic divergence risks creating disunity' (European Commission, 2014, p.38). MEPs and Council ministers became increasingly vocal in their concern about a 'lost generation' and the potential political consequences, such as a rise in populism and further hostility towards the EU (interview, MEP). In general, the demands to deal with youth unemployment arguably reflected a particular social-democrat coalition acting in Brussels to push forward a social response to the crisis, counter-balancing the focus on financial and economic responses.

Two summits in 2012 in Berlin and Paris led by Angela Merkel and François Hollande established youth unemployment as a major item on the EU agenda. In particular, the German position was informed by the view that tackling youth unemployment by encouraging education measures offered a focused way of showing solidarity with those member states that were undergoing severe economic downturn. The support by the German federal government included financial commitments whose extent surprised other actors, including the European Commission. It was regarded as a shift from an earlier policy position that appeared to be largely disinterested in developing a social response to the crisis. That earlier position was said to be informed in particular by the more 'economic' parts of the European Commission, but included also its President (i.e., the President of the Commission, Barroso, as well as Olli Rhen, Commissioner for Economic and Monetary Affairs).

Subsequently, the European Commission developed a Youth Unemployment package in December 2012 that focused on job creation and labour market reform. A Council Recommendation of April 2013 established the 'Youth Guarantee' to support 'school to work transitions'. The Youth Guarantee was finally adopted in a Recommendation of the European Council conclusions of June 2013 (EUCO 104/2 13 REV 2). The Youth Guarantee's objective was to ensure that young people received, within four months of being unemployed or inactive, an offer of employment, training or education. This was regarded as creating the first ever EU social right. Inevitably, the 'guarantee' term was contested by various actors, especially business groups, economically positioned centre-right parties as well as the European Court of Auditors. These actors warned against 'guaranteeing' employment opportunities as governments were not supposed to be in the business of directly providing jobs.

The Youth Guarantee was initially framed as an emergency measure to deal with rising unemployment numbers. It was supposed to be addressed in particular to so-called NEETs ('not in education, employment or training'). A scoreboard of indicators was created to establish 'early warning tools'. In addition, funding was made available to qualifying member states. A dedicated budget of €3.2bn (for the Youth Employment Initiative) was matched with €3.2bn of national allocations from the European Social Fund (ESF), which were made available to ESF regions with a youth unemployment rate of at least 25 per cent. Another €6.2bn could be drawn from the ESF.

To respond to the immediate strain on member states' budgets and administrative capacities caused by the recession, funding was front-loaded to 2014/5 and measures were pre-financed (i.e. money was made available from the start, even for retroactive projects). As the basis for action was a Recommendation, the Commission was required to rely on the voluntary cooperation by member states to implement appropriate policies and to report on the chosen indicators. For this reason, MEPs pushed for the inclusion of the Youth Guarantee within the ESF since the latter is legislated by regulations, not recommendations, therefore enhancing the ability to constrain member states policies through their use of ESF money (which was substantial in some cases: Spain was allocated nearly €1 billion, Italy €567.5 million and France €310 million).

Apart from these constraints, youth unemployment was integrated in the so-called European Semester, especially also with the intention to include social considerations into debates about the management of the financial and economic crisis and push for structural reforms of active market labour policies and employment agencies. The sole non-participant was the UK that argued that the chosen strategy conflicted with domestic policy preferences (of a Eurosceptic government and of different labour market strategies).

In terms of implementation, the Youth Guarantee was seen as a mixed success. On the one hand, it was seen as a unique European social initiative that signalled that the European Union was capable of responding to the social crisis. On the other hand, critics either focused on the 'value for money' of these initiatives at the member state level (as expressed by the European Court of

Auditors in its 2015 and 2017 reports) or on the insufficiency of financial resources to properly address the emerging problems (especially in countries such as Spain, Italy or Greece).

Responses by member states varied. Since the Youth Guarantee was only a recommendation, there was no uniform way of implementing it, and member states put in place highly diverse policies depending on their type of welfare state and unemployment policies. The type of offer varied (involving, for example, internships, unpaid work, training, education), as well as the type of support (internet based, dedicated collective group, or individual coaching), and its length (four months to one year). Northern European countries preferred rapid interventions, while Southern European member states were concerned about long-term social support. Providers also varied: they ranged from employment agencies, contracted private actors to local agencies.

There were debates about what a 'good' (or 'quality') position was and how it was defined so as to count as part of the Youth Guarantee since no definition was provided in the Recommendation. There were also differences in terms of the emphasis as to whether job seekers were placed in further education or directly in employment. Departing from previous policies, France, for example, encouraged direct employment opportunities through its French Youth Guarantee specifically targeting NEETs (obtaining higher level success rates than expected). This involved direct financial hand-outs and individual coaching to affected NEETs so as to enable them with the material conditions to participate in the labour market. However, this measure was focused solely on NEETs (although its scope was to be broadened out during 2017) and was coupled with other education and training measures. For some, it also highlighted the tension between focusing on NEETs in particular and wider ambitions including social rights for young people. Germany - which did not receive any financial support - regarded the measures as reinforcing its own dual training system.

The administrative 'feasibility' of these measures however proved challenging for affected member states. They were said to affect, in particular, implementation across the Spanish regions despite being one of the worst affected country. Indeed, because of austerity cuts as well as existing organisational issues, employment agencies lacked the capacity to implement a focused, resource intensive support system for young people. Instead, they relied on a separate internet

based system, which was criticised for being difficult to access and poor in offering adequate opportunities to young people.

In addition, a bifurcation emerged between those aspects of youth unemployment that were particularly concerned with indicators and measurements, and those that were engaged in the actual policy-making who paid less attention to emerging benchmarking. At the same time, the exercise of engaging in reviews of national initiatives was seen as useful in understanding the existing 'stock' of national initiatives, while it also encouraged peer-review learning across and within social partners (i.e. business associations and labour groups).

ELECTRICITY NETWORKS AND SECURITY OF SUPPLY

Since the early 2000s, the issue of energy security of supply has attracted considerable interest, reflecting in part a growing awareness of the limitations of privatisation and liberalisation of energy markets (Buchan and Keay 2016). While most attention has been on debates about sources for energy generation (such as nuclear energy, the rise of renewables and so on) or on geopolitical considerations (such as gas pipelines from eastern Europe), the focus here is on a further critical component of any security of supply debate, namely the critical infrastructure of electricity transmission networks. The concern here is with ensuring the continuous flow of electricity and ensuring the capacity to respond to potential supply disruptions.

In contrast to the previous three cases, concerns with the prevention of crises relating to energy security, including infrastructure disruption, have a much longer pedigree in EU governance. Since the 1960s, there has been an obligation on member states to maintain strategic oil stocks (Council Directive 72/425/EEC raised this level to 90 days of domestic consumption). Energy policies have been developed since the 1960s, even though their impact was limited until the 1990s when the market was liberalised. The European Commission made repeated calls to connect European energy networks in order to ensure 'security of supply'. Infrastructures also featured in the context of the Trans-European Networks initiative in the 1990s (in the context of the 'Essen summit'), and contributed to reinforcing the general focus on the security of supply (in the sense of continuity in the provision and transmission of energy).

Alongside these rather limited initiatives, European transmission systems operators (TSO) developed collaborations to manage their interconnected networks (interconnections featured increasingly in continental Europe, especially since the second half of the 20th century). These collaborations created the basis for shared understandings and mutual learning experiences in dealing with and preventing emergencies. In particular, the Union for the Coordination of the Transmission of Electricity, founded in 1951 to manage transboundary networks involving France, Germany and Switzerland, had developed technical standards that were ‘coded’ and made binding in the 2000s – in the context of the Single Market – into an ‘Operational Handbook’, that included notably a ‘Policy 5’ on dealing with emergencies.

It was not before the mid-2000s and the growing integration of energy markets that the need was seen for a formal and institutionalised common form of emergency management at EU level, and most notably, that member states accepted such an initiative. Due to the subsidiarity principle, security of supply has remained a national competence as made clear by the Lisbon Treaty. As energy was not a Union competence, the Commission could only act through environmental or competition issues (Buchan and Keay 2016).

The first directive to clearly tackle security of electricity supply was adopted in 2005 with the aim of reaching an adequate level of interconnection, of generation capacity and balance to ensure a smooth functioning of the market, and to reinforce ‘solidarity’ between member states. In addition, and outside of the EU framework, exposure to interdependence had led to the adoption of cross-national initiatives with their own memoranda of understanding. In particular, an incident in 2006 led to widespread blackouts (in parts of Germany, France, Belgium, Austria, Italy and Spain). The trigger for this event was the ill-coordinated switching-off of two high-frequency transmission cables to enable the inaugural journey of a large cruise ship (the ‘Norwegian Pearl’). This incident revealed not just poor information exchange prior and during the incident. The incident also revealed legal constraints that would have potentially impeded remedial action.

This incident encouraged France and Belgium, later on joined by Luxembourg, the Netherlands and Germany to create the Pentalateral Forum, a mechanism aimed at reinforcing security of supply and adopting common standards (in particular for the pricing mechanism that served to

allocate electricity flux across countries). This led also to the establishment of CORESO, an operational centre located in Brussels that monitored networks and supported TSOs in sharing information and making joint assessments

The third energy package established two central bodies to deal with network interconnections. One, the group of national economic regulators, ACER, built on looser forms of joint working among economic regulators. The other (as already noted), ENTSO-E, represented the various transmissions systems operators. It merged the former UCTE with new members from Eastern Europe in particular. In view of the legal requirements arising from the third energy package (following the adoption of the Regulation 714/2009), ENTSO-E was tasked with the development of network codes to ensure security of supply (in particular, the grid code, the balancing code, and the emergency and restoration code). These draft codes were also considered by ACER before being submitted to comitology. The Council for European Energy Regulators that brought together national supervisory authorities remained an important informal site of exchange, and also complemented various committees within the Commission. The Commission also reaffirmed the goal of reaching a 10 per cent interconnection target for electricity networks in 2010 as a way of preventing disruptions in the provision of electricity (Communication 'Energy infrastructure priorities for 2020 and beyond', November 2010)¹⁷.

Following the rise in renewable sources of electricity and in particular the Energiewende in Germany (following the tsunami-related nuclear disaster at Fukushima), new legislative proposals were, at the time of writing, in development in order to further improve security of supply and the smooth running of electricity markets. The Commission (DG Energy) launched a draft regulation on 'risk preparedness in the electricity sector' in November 2016. This proposal was to replace an earlier Directive of 2005 (2005/89/EC) and responded to the perception that member states had no consistent understanding of a crisis situation, were prone to respond to disparate ways to crises and that there was no shared methodology for assessing risks. This involved notably a risk preparedness regulation proposal that sought to develop a common methodology for risk assessments, national risk-preparedness plans, and rules for transboundary crisis management.

17. For gas, multiple rules were adopted to manage the risk of disruption (see in particular the Regulation 347/2013 of Trans-European networks).

Incidents in the winter 2015/6 with extensive cold spells had indicated that existing provisions lacked sufficient 'bite'. This raises also a more general question of how to manage crisis now that electricity networks are interconnected and markets coupled across European states, but the legitimate power to make decisions about security of supply remained with member states.

The structure of the crisis management regime differed from the other cases in that private actors played a much greater role, in part as a consequence of national and EU energy liberalisation policies implemented in the 1990s and early 2000s. The liberalisation of electricity networks, especially in terms of attempts at creating a European market, had created a unique setting for transboundary crisis management. For one, the role of transmission systems operators had become increasingly central in making decisions regarding electricity generation decisions. Furthermore, the interconnections between national (and sub-national) electricity networks meant that there was the potential not just for growing 'security' arising from greater interconnections, but also a greater need for codes and cooperation. Finally, the electricity domain remained divided over strategy. For some, European-wide market liberalisation and the development of interconnections was seen as sufficient to develop security of supply. For others, such a belief in the market was problematic - it was not just that national politics would always trump European-wide provisions regarding electricity markets when faced by shortages. It was also that questions remained regarding national capacity bottlenecks, and the ways in which the redistributive consequences of an expanding regulatory state could be resolved between member states.

COMPARISON

The crisis management regimes across the four domains varied in significant aspects. Table 3 highlights the different crisis management regimes, focusing primarily on their formal architecture. In terms of standards, the different regimes varied in terms of the degree of their legal bindingness. This ranged from the 'direct effect' relating to the invasive alien species-related Regulation and the Regulation Mechanisms designed for the banking sector, the binding network codes developed by TSOs and economic regulators, to the far more discretionary provisions relating to the Youth Guarantee. In terms of information gathering, variety existed between those regimes that relied on extensive EU-level monitoring, such as with the creation of EU-level 'stress tests' for financial institutions regarded as being of systemic value. This contrasted with the

reliance on member state information provision, either as part of formal information exchange mechanisms (electricity, invasive alien species) or part of benchmarking exercises (youth unemployment). Behaviour-modification also varied with formal infringement proceedings and fines on the one side (banking and electricity to a lesser extent), and naming and shaming on the other (youth unemployment). There were also variations within the different crisis management regimes. As noted, the financial commitments under the Youth Guarantee were regulated by formal ESF-related provisions, whereas national reporting on initiatives was a far more discretionary exercise.

Table 3: Overview of varieties in formal crisis management regimes

	Standard-setting	Information-gathering	Behaviour modification	Tool mix
Invasive species	Database and risk assessments procedures dominated by experts and member state governments	Local/national systems of reporting/alarm systems. EASIN (European Alien Species Information Network) monitoring system	Mandatory monitoring, management and eradication requirements on member states, normal infringement provisions	N: high reliance on information exchange A: Regulation establishes legal force to act T: reliance on member state resourcing O: reliance on national/local administrations (and non-state actors, such as hunters)
Youth Unemployment	Benchmarking among member states; some constraints on ESF funding	Reporting by member states via European Semester (and Eurostat)	Naming & Shaming; infringement proceedings over financial expenditures	N: reliance on benchmarking A: based on Commission Recommendation T: specific funds provided O: reliance on member state measures

	Standard-setting	Information-gathering	Behaviour modification	Tool mix
Banking	ECB & EBA set methodology with Council – but institutional complexity with SRB	ECB & EBA and national regulators conduct stress tests (depending on systemic importance of bank)	Imposition of mandatory sanctions & remedies	N: growing emphasis on testing, data and inspections A: extensive regulatory regime T: bail-out funds O: presence of European institutions and Europeanisation of national oversight over significant institutions
Electricity infrastructures	Dominance of expert groups setting network codes	Mandatory reporting by system operators	Limited sanctions; reliance on cooperation among operators	N: extensive ‘real time’ information A: network codes T: reliance on national arrangements O: primary reliance on TSOs and national regulators

These differences are also prominent when looking at the different ‘tools’ employed at the EU level to deal with the different domains. It highlights the regulatory dominance across the different domains. Distinct EU funds feature only in the area of the Youth Guarantee. In the case of banking, financial resources are drawn from the wider banking sector rather than from EU resources. Similarly, in the electricity sector, transmission operators’ resources are the most important ones. Invasive alien species mostly rely on member states resources, which is likely to influence the future of the regime considerably.

There are differences in terms of the authority and in terms of the use of information ‘trafficking’, depending, in part, on the existence not just of defined indicators, but also on legal backing for information-gathering. Processes are much more constraining for banking, and electricity (although in that case, authority and information sharing is mostly organised within multi-lateral cooperation systems, rather than through formal EU procedures. This feature was not seen as

attractive by the Commission). Youth unemployment relies on non-binding reports to the European semester, and the comparability of data in what remains a national competence remains an issue (for example, for legal reasons related to privacy laws, France cannot compile all its databases to have a complete overview of who are the NEETs).

Table 4 offers a somewhat different perspective on observed regime variety. It highlights the differences in the types of crises that the different crisis management regimes seek to address. Table 4 highlights that a distinction in slow- and fast-burning crises collapses in view of the considerable overlap – regimes deal such as electricity deal with the constant possibility of an acute event, but at the same time, the regimes seek to make provisions to reduce the likelihood of such a critical event from occurring. Table 4 also highlights that regime features do not necessarily link to distinct types of crisis. Instead, Table 4 highlights differences in the size of the regime at the EU level. There are differences in terms of the structure of the different regimes. Some rely on dispersed set of actors for information-gathering and behaviour-modification (i.e., invasive alien species). In banking, in contrast, the regime has become increasingly centralised, especially following the rather disappointing results of national regulator-driven stress tests. Youth unemployment is characterised by moderate dispersion, given the reliance on national scheme to develop the Youth Guarantee. This contrasts with electricity infrastructures where limited dispersion of actors is present at the EU-level, given the limited number of national TSOs. In other words, the crisis management regimes vary in terms of their degree of centralisation and size (what some might argue represents levels of ‘intensity’) as well as in terms of mode of governance.

Table 4 Variety of crisis management regimes in terms of regime characteristics

	<i>Type of crisis/presence of distinct crisis management regime</i>	<i>Size</i>	<i>Structure</i>	<i>Style/Mode of governance</i>
Invasive species	Long-standing ‘creeping’ crisis with potential critical events, e.g., the invasion of a particular species (such as Asian Hornet); Reliance on member states to establish ‘acute’ crisis management regime	Limited. Clearly formed network of expertise, but limited member state resources (varying across member states)	Networks and high dispersion. Expert committees and member state working groups to discuss list, but high dispersion in regional/legal structures to detect and mitigate invasive species.	EU Regulation involving regular updating of ‘black list’ of species. Dependent on member state administrative organisation and expert networks for monitoring, information exchange and ‘management’
Youth Unemployment	Long-standing structural issues in some member states, with ‘peak’ interest during financial crisis; structural issues defined as ‘acute crisis’ by interested parties No specific measures for ‘acute’ management	Medium – specific financial resource investments are significant in particular contexts	Dispersion at centre (between political decision-makers and indicator teams) and reliance on national vocational education strategies	European semester benchmarking and limited legal constraints over spending commitments
Banking	Long-standing structural vulnerability. Acute incidents to deal with failing financial institutions and managing distribution of costs and monitoring of systemic developments. Presence of a distinct ‘acute’ crisis management regime	High – specific resources (organisation, authority and treasure) devoted to oversight activities	Relative regime concentration by concentrating key activities at EU level institutions; nevertheless complexity due to supranational and intergovernmental governance arrangements	Potentially rule based and non-discretionary, based on stress tests and ongoing supervision.

Electricity infrastructures	Potential crisis due to fluctuations and bottlenecks, acute crises through 'blackouts'. Presence of distinct acute crisis management regime.	Medium-high. Extensive range of agreement to deal with incidents and day-to-day practices, but limited 'bite' and monitoring to ensure compliance.	Concentrated – development of codes via ENSO-E and ACER, national implementation by close networks of TSOs and regulators.	Framework directives and legally binding codes among TSOs overlapping with other transnational agreements – dominated by TSOs
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The following chapters assess the extent to which the regime approach developed above can account for the observed variation.

CHAPTER 3 - CAN 'MARKET FAILURE' AND ' CONSEQUENCES OF MARKET LIBERALISATION' ACCOUNT FOR REGIME VARIETY?

In this chapter, we focus on two key theories that have been used to account for or assess the development of policy regimes of different kinds: market failure and the consequences of market liberalisation. Ideas surrounding 'market failure' have emerged in the context of welfare economics-related discussions about the rationale for regulatory interventions. Discussions about compensating for the consequences of market integration have featured broadly in analyses of European integration and the creation of a single market. Both are a priori relevant for analysing crisis management in Europe. Since the European Union has consistently used the market as a strategy to build itself as a supra-national institution (Jabko, 2006), it is no surprise that concerns with market failures, spill-overs and externalities have been prominent as a way to protect EU institutions from major 'life-threatening' crisis.

MARKET FAILURE

The 'market failure' justification for policy intervention has been traditionally put forward (largely as a strawman) to discuss regulatory interventions. Natural monopolies, information asymmetries and externalities are used to illustrate where markets might fail and regulation is required. Such arguments are often summarised as a 'public interest theory' of regulation. Even though the 'public interest theory' of regulation has been largely dismissed on the basis of observed regulatory patterns and assumed absence of political decision-making costs. Nevertheless, approaching regimes from a 'market failure' perspective offers a number of important insights in terms of what the goals of a regime might be and what actors could be assumed to bargain for. After all, crisis – the collapse of transactions between parties due to issues of operational failure or the breakdown of trust – is an extreme form of market failure. In this light, a range of 'market failure' arguments can be put forward to account for why EU transboundary crisis management regimes might emerge. The notion of 'transboundary' already highlights one of the important assumptions: the existence of externalities that cannot be captured by national or regional crisis management regimes and might have consequences that called for interventions at the supranational level.

The notion of an ‘externality’ is, of course, rather broad. It signals the presence of negative or positive phenomena that cannot be captured by purely national approaches due to coordination problems that disable joint working and/information exchange. In addition, we would expect ‘market failure’ to also lead to considerable costs, whether this is in terms of dealing with ‘cleaning up’ activities, death or loss of economic and social activities. On the one hand, we can therefore distinguish those cases where the externality could be said to be of EU-wide impact (in terms of affecting all or most member states relatively uniformly) from those cases where the impact is highly differential. On the other hand, we can separate scenarios where there is a mutual interest by member states in co-operating and those cases where there the dominant incentive is to ‘free-ride’, such as when the locational competition incentives favour ‘light touch’ rather than ‘tough’ regulatory or tax approaches. Table 5 summarises the expectations in terms of type of crisis management regime. The so-called ‘Solidarity clause’ is an example of a combination of factors where the interests for cooperation are aligned – member states are not in conflict over particular issues or see a benefit in non-cooperating with a member state experiencing extraordinary problems – but where there is a differential impact – the crisis overwhelms (or threatens to overwhelm) particular member states.

Table 5: Market failure and crisis management regimes

	<i>EU wide impact</i>	<i>Differential impact</i>
Interest alignment favours cooperation	Joint regulatory measures (directives) backed by member state information exchange.	Adoption of joint measures (recommendations) with some binding commitments and mutual information exchange
Interest alignment does not favour cooperation	‘Hard’ regulatory measures (regulation), backed by EU level monitoring	Loose benchmark system with broad information exchange requirements. Reliance naming & shaming

In short, we would expect to see the emergence of ‘hard’ regulatory measures of the ‘regulation’ kind to emerge in contexts where member state deviation from shared commitments is most

costly, but also most likely. In contrast, where there is an overall interest among involved parties in addressing a certain crisis and where there is an EU-wide impact, then we would expect a reliance on joint commitments, allowing for domestic variation in terms of transposition. Similar arguments hold for those areas where the transboundary crisis is mostly having a differential impact on member states and where there is a mutual interest in addressing the issue, we would expect a differential set of requirements with limited legal force to emerge. Such an approach allows for the consistent approach to different substantive problems. In other words, the emphasis would be in particular on the development of consistent methodologies rather than substantive objectives. Least binding arrangements are most likely to emerge in those areas where member state interests are not aligned and where transboundary crises are having a differential impact. Here, only loose arrangements are likely to emerge.

Invasive alien species represents a case where all member states have arguably a shared interest in ensuring that other member states develop arrangements that address potential and existing invasive species. Indeed, the case of the invasive alien species represents a typical market failure: importers in the EU have little interest (and capability) to ensure that their imports do not contain any stowaway ‘hitch-hikers’. For example, Asian hornets were introduced in Europe following the importation of Chinese pottery in South West France, and contributed to high mortality in bee colonies. In most cases invasions due to the release in the wild of an animal or a plant, whether intentional or not, will not be spotted immediately, making subsequent eradication very difficult. Therefore, market or individual actors will rarely, if at all, pay for the environmental damage and ecosystem losses resulting from an invasion.

Similarly, it might be argued that member states are likely to cheat on the actual monitoring and mitigation activities, especially if they are supposed to deal with management of species that are already widespread in their own territory (by managing populations and seeking to hinder further migration). However, the effect of any one invasion is likely to be felt on a regional rather than EU-wide level, given different climatic zones and particular pathways through which species enter the continent. In the case of the Asian Hornet, for example, neighbouring member states have suggested that if the Regulation had already been in force at the time of the initial arrival of the hornet, then the French administration would have been legally obliged to act, reducing the

probability of invasions in neighbouring regions and countries, as well as reducing the negative consequences. However, to respond in a timely way – regardless of legal obligation – requires extensive detection resources (often also involving ‘citizen science’ and other local groups) as well as rapid response mechanisms. It also requires a good understanding of the behaviours of invasive alien species. Such mechanisms were not present in all member states. Finally, producers and sellers of plants, for example, are unlikely to be keen on being prevented from trading specific species across member states. This might involve being prevented from growing alien species that are invasive in another part of Europe, but not on their territory (such as the water hyacinth, very popular in the Netherlands, but causing serious damage in southern Europe), being required to monitor the utilisation of particular plants, or refusing to sell plants to particular customers. Many have nevertheless accepted ‘horticultural codes of conduct’ under the pressure of their governments (in France, Spain, Belgium for example), but these are rarely binding, unless specific regulatory measures are taken and these codes are not binding when it comes to potential consequences on neighbouring countries. In other words, we would expect a rather loose regime to emerge, even if the actual economic and social costs of particular invasions are concentrated in particular industries and areas and likely to be high.

As our previous discussion indicated, the actual regime looks very different. It contains a (controversial) list of species and it is backed by the legal authority of a Regulation rather than more discretionary means. In fact, earlier drafts of the measures were in the form of a Directive, which arguably would have fitted the ‘market failure’ expectations. The Commission finally opted for a Regulation. Nevertheless, the implementation of the regulation tells a somewhat different story. The Regulation mostly relies on the existence of a list. Since this list was of a limited scope (37 species initially, but growing), and since member states were not all enthusiastic about expanding the list (either because of a lack of capacities or willingness to produce risk assessment and/or to implement the regulation, or because the list was seen as an unnecessary burden) the constraining power of the Regulation was more limited than what could have been expected. Therefore, in this case, the market failure expectations as formulated in Table 5 are not fully supported.

Banking crisis management offers an interesting case in that member states remained reluctant to

engage with the development of joint standards despite repeated calls for shared standards and common crisis resolution measures emerging from the European Commission and other actors. This was despite the fact that the completion of a common banking market posed significant risks of major transboundary crisis that would have tremendous costs on the European economy. The financial crisis illustrated that banking failure was inherently having an EU-wide impact even though banking systems were of a national character and remained closely tied to national politics (such as the Spanish saving banks or the Italian regional banks). The response by the EU to the financial crises and the bank failures illustrated such a trend: state aid measures to financial institutions approved by the European Commission between October 2008 and October 2011 reached up to €4.5 trillion, amounting to 37 per cent of EU GDP¹⁸.

Such (potential) crises and gigantic costs called for a regulation of banking that seek to prevent crises, through detection and surveillance mechanisms to ensure the availability of information to regulators, and force market players to deposit sufficient funds to respond to crises (with the bail-in mechanism put in place with the Single Resolution Fund). Several measures reinforced the detection capacities: the creation of the EU Systemic Risk Board, or various reporting systems put bank under the surveillance of the BCE and EU regulators. Other measures included behaviour modification following stress tests; for example, by incentivising banks to comply with rules and prepare for crises. Stress tests supported by a common methodology devised by the European Banking Authority were supposed to be a way to reveal information about the robustness of financial institutions. Given these constellations of interests and impact, we would therefore expect the emergence of 'hard' regulatory tools. However, even the emergence of the Single Resolution Board and other measures remained controversial given different member states' banking sectors. For example, in June 2017, the Italian government managed to convince the Commission not to enforce the SRM procedure to its failing banks arguing that they were only of 'regional' significance, thereby allowing an intervention from the Italian government, in sharp contrast with the application of the SRM a month before in Spain. In other words, the interests remained biased against cooperation to an extent, although the extent of bail-outs made that argument somewhat untenable. Nonetheless, in this case, the expectations seem to be broadly confirmed, given the

18. European Commission, 2012. New crisis management measures to avoid future bank bail-outs. Press release. Available at: http://europa.eu/rapid/press-release_IP-12-570_en.htm.

creation of specific institutions with monitoring powers and the creation of bail-in and bail-out provisions as well as the provision of an emergency fund.

The area of youth unemployment offers an example where national welfare systems are confronted with a highly differential impact of the financial crisis. As noted, youth unemployment was concentrated on particular member states (from southern and eastern Europe), with very high costs. As previous studies of EU social policy have shown, interests were hardly aligned to ensure cooperation. In other words, we would expect the kind of loose arrangements that have been characteristic of the 'open method of coordination' in the past. Member states developed indicator sets for mutual benchmarking (and naming and shaming) without seeking to interfere in national labour markets and education systems. The example of the Youth Guarantee therefore comes as a surprise: youth unemployment became a high priority subject backed by considerable financial resources (considerable at least for those member states in receipt of funding). Interestingly, the measure was made possible by a member state (Germany) that did not have much financial interest in it given its low unemployment rate and usual reluctance (shared by northern European countries) to transfer money into member states that were accused of not having engaged in structural labour market reforms. This might be viewed as a compensation 'payment' for the high costs paid by for integration in the Single Market, into the Euro and accepting austerity policies.

Finally, in the case of electricity networks and security of supply, the effect of any major disturbance is likely to be very high, impacting the whole economy because of black-out and load-shedding measures that might affect the production of essential services (hospitals, transport, food systems, financial transactions). However, the impact would, in most cases be regionally concentrated, even though the effect is likely to be of a transboundary nature – as revealed the 2006 incident. At the same time, even though transmission networks and interconnections were only in part fully Europeanised, the existence of a 'community' of transmission system operators should be expected to encourage mutual cooperation. In other words, we should expect the development of EU-wide measures that allow for national transposition. In this case, the expectations are broadly confirmed, network codes implementing common standards emerged in discussion among TSOs and national regulators organised under the umbrella of ACER and the Commission. These included in particular a network code on emergency and restoration (at the

time of writing this code had yet to be approved by the European Parliament) that formalised clauses of mutual assistance in the case of crisis. The draft regulation on 'risk preparedness' appeared more 'tough', and was criticised by some actors (outside of the European Commission) as imposing 'solidarity' from above. It nevertheless, emphasised the role of developing consistent protocols and commitments. In short, the 'market failure' expectation cannot be dismissed in this case.

CONSEQUENCES OF MARKET LIBERALISATION: IS EUROPEAN INTEGRATION TRIGGERING CRISIS MANAGEMENT REGIMES?

As noted, according to this approach, crisis management regimes are expected to develop to deal with the (anticipated, unintended or experienced) consequences of market liberalisation at the European level. Previous accounts have suggested that member state support for liberalisation has often involved the granting of 'social' measures, such as universal service obligations. How then, do we expect crisis management regimes to evolve under different conditions of market liberalisation? Market liberalisation as a policy trigger is somewhat related to the argument about externalities made earlier. However, in this case the externality emerges as a distinct consequence of opening markets: the transboundary problem would not exist – to such an extent – if there were not market liberalisation. In other words, the lifting of market boundaries creates effects that national policy responses are unable to accommodate. This allows us to expect the emergence of extensive crisis management regimes under certain kind of conditions. One is the need to 'buy off' certain kind of 'losers' of liberalisation, the other is to deal with emerging imbalances created by market liberalisation.

According to this argument, we would expect invasive alien species to be the example where this explanation holds least. After all, while the field of invasive alien species is defined by the unintentional or intentional spread of species by human activities, such as economic trade, the rise on the agenda was not related to changes within the Single European Market. One might argue that invasive species have become prevalent in terms of presence at 'external' customs borders of the EU, but changing patterns in global trade are not related to market liberalisation within the EU. Arguably, the spread of plants is facilitated by the growing propensity of cross-member state trade – and increasing trade and transport flows bring an increased likelihood of invasions.

Furthermore, removing internal barriers to trade and therefore also potential bottlenecks for the detection of invading species, might be seen as requiring a European-level response to provide for consistent management responses to invasive alien species. While, therefore, invasive species are certainly a by-product of economic exchange and therefore are related to market liberalisation, it is not the case that the emerging regime for invasive species was the direct result of a response to market liberalising measures at the European level. Some other explanation for this regime is required.

In terms of banking regulation and electricity networks, the 'response to liberalisation' holds more weight. The emergence of a EU-wide banking sector in which commercial actors engaged in regulatory arbitrage between member states and where the low interest rate environment facilitated certain economic behaviours suggests the need for a EU-wide regime. Indeed, the financial crisis highlighted the unevenness of regulatory regimes at the national level, the impact of one country's regulatory decision on other countries' banking sectors (and therefore regulatory regimes) and the problems of relying on national 'stress tests' given countries' preferences and interests. In other words, in this case, the emergence of the single resolution mechanism appears as logical extension of integrating capital markets, although it took rather considerable time and negative consequences (involving sovereign debt crises) to encourage the adoption of an EU regulatory regime.

Incidents in electricity networks were less prominent than in the banking sector, although regional blackout incidents highlighted the interdependent nature of European electricity networks. Crisis management regimes developed in order to support the completion of a single energy market and to reduce the prevalence of 'national' measures, such as 'capacity-mechanisms' which had been adopted by member states to ensure their security of supply. These national capacity mechanisms (seen by some as forms of state aid) contradicted the idea of security of supply as generated through a cross-European market. The Commission therefore advocated market mechanisms and sought to oppose national measures¹⁹ (unless a capacity mechanism was open to foreign participants as in the UK). In other words, in part crisis management regimes were developed to

19. European Commission (2016) *Final Report of the Sector Inquiry on Capacity Mechanisms*. COM(2016) 752. Brussels.

support market liberalisation and thereby anticipate potential negative consequences. At the same time, this interpretation highlights the continued 'unmentionable underpinning this regime. Namely, market liberalisation and a growing emphasis on network interconnectors were increasingly in tension with the continued emphasis on the national competency for 'security of supply'. In other words, in order to witness strong evidence for a 'compensation' explanation, one would have to observe the emergence of cross-boundary compensation systems. At the time of writing, conflicts over such schemes remain unresolved and were dealt with in committees occupied with the development of methodologies.

There was disagreement about whether youth unemployment is 'caused' by market liberalisation and the completion of the single market and the common currency, or whether this results from the types of welfare states, labour, employment and social policies favoured by some states (that already had high youth unemployment rates long before the crisis). Nevertheless, it can be argued that market liberalisation sharpens the costs of national labour markets in not being able to 'deliver' qualified employees, and reduces the availability of labour market opportunities. The recession following the financial crisis further facilitated, for some at least, the asymmetric economic effects of European market integration, leading to the kind of regionally differentiated trajectories regarding youth unemployment figures with stark increases in eastern and southern Europe. For some (and especially those supporting the Youth Guarantee), therefore, it is plausible to argue that the development of the Youth Guarantee was in part to deal with 'losers' of European market liberalisation by providing compensation of job losses after the crisis. However, this was also a way of seeking to encourage employability and promoting structural reforms in these countries as to adapt them to the single market. It is therefore possible to suggest that the Youth Guarantee in particular emerged in response to the negative consequences of market liberalisation both in the senses of compensating losses and accompanying the single market through structural reforms.

CONCLUSION

This chapter has offered a summary examination of whether market failures and consequences of market integration can offer persuasive accounts for the emergence and variation of the four crisis management regimes of interest in this study. It developed expectations that related to broad

'market failure' and 'response to market liberalisation' explanations. In the case of the former, it was found that two cases are broadly supported by the expectations formulated in Table 5. In two other cases, this was not the case. In the 'responding to negative consequences of market liberalisation' hypothesis, a similarly mixed picture emerges. The case of the invasive alien species does not appear to be directly related to market liberalisation, but might indirectly be triggered by growing internationalised markets for plants and animals as well as international trade being met by under-qualified customs controls. The case of electricity networks seemed to address anticipated consequences, whereas the case of banking regulation offered the example of a belated response following a major set of incidents. The adoption and design of the Youth Guarantee was mostly a case of an indirect response to wider structural change affecting European economies that might be seen as driven by market liberalisation and to the asymmetric effects of the global financial crisis on different national economics. In conclusion, it appears that these market hypotheses enable to shed light on the fact, rarely noted in the literature, that, crisis management regimes have been developed in the European Union as 'flanking measures' to the completion of the single market. However, we have also shown that this functional argument can only be taken so far: neither the market failure, nor the consequences of the market integration, provided straightforward explanations for each of our cases.

CHAPTER 4 - REACTING TO EUROPEAN CRISES? MEDIA SALIENCE AND POLITICAL RESPONSIVENESS TO TRANSBOUNDARY CRISES IN THE EUROPEAN UNION.

INTRODUCTION

One of the central debates in contemporary politics is whether policies are responsive to public opinion and preferences. Such concerns relate to the wider literature on ‘thermostat’ models of opinion-responsive policies (Wlezien 1995, Jennings 2009), interest in blame management and blame avoidance (Hood 2011, Hood et al 2009) to a wider debate about the state of the US political system (Hacker and Pierson 2010, Winters and Page 2009). The literature on risk regulation has similarly developed a considerable interest in the role of public opinion in shaping regulatory regimes, pointing to potential problems regarding over-zealous regulatory regimes and the emergence of regulatory tombstones. Similarly, one could expect that the threat of particular incidents will lead to extensive crisis management arrangements. Elsewhere, too, public preferences, fed through political processes, have been used to explain differences in the way in which transatlantic approaches towards risk have evolved in contrasting ways (Vogel 2012).

While the EU has therefore been seen as ‘responsive’ in terms of moving towards a ‘precautionary’ approach in view of changing political landscapes, the actual design of the EU is seen to be less open to ‘responsive government’ where policies change in view of changing policy preferences and issue salience (but see Franklin and Wlezien 1997). Responsiveness by policy area has been argued to provide a ‘more subtle reaction to public opinion shifts’ (Dehousse and Monceau 2016).

In the absence of transnational, European, as well as continuous and consistent opinion data relevant for our cases²⁰, we use media salience in national and international (European) newspaper outputs to explore whether nature of salience has effects on the nature of crisis management regime in our four domains. It is relevant to study public opinion at national level and then link it to policy responsiveness at EU level since we aim to see if issues are perceived at the same time as European issues. If attention is correlated, we may speak of European crises, if not, crises may

20. Eurobarometer could potentially offer such kind of data with homogeneous questions and dataset throughout the EU, but the range of questions is either limited or not consistent throughout the years.

have a more regional scope or remain within national politics. This does not necessarily mean that a policy issue will emerge at the EU level only when issues reach European-wide salience status. However, we expect to observe differences in the type of salience patterns to result in differences in crisis management regimes.

The rest of this chapter explores in more detail the theoretical background of this study before moving to a discussion of the methodology. We then explore the media salience across the four domains before assessing whether media salience offers a persuasive explanation for accounting the contours of the EU crisis management regime in the respective domains.

SALIENCE AND CRISIS MANAGEMENT REGIMES

An interest in and concern about the degree to which risk regulation in general is responsive to public opinion has been, as noted, central to the literature on risk regulation. It is argued that risks with a high degree of dread and visibility are more likely to attract intensive regulatory regimes than those less visible ones. Similarly, the heat of media headlines is said to provoke politicians into action, whether in cases of immediate 'knee jerks' or in terms of conditioned 'Pavlovian responses' (Hood and Lodge 2005). In other words, theories of opinion responsiveness would suggest that certain risks and crises are more likely to generate stringent regimes than others, with stringency being defined in terms of codified standard-setting and/or non-discretionary draconian enforcement tools and/or extensive and focused monitoring. Similar processes can be assumed to apply to the study of crisis management regimes which focus not just on the 'day to day' operation of a risk regulation regime, but also involve provisions regarding moments of acute crisis. In other words, this paper suggests that we should not find that levels or types of salience matter for 'risk regulation regimes', but that they will also matter when it comes to the specificity and explicitness of provisions that deal with moments of acute and urgent crisis.

Whereas the inquiry into the responsiveness of national politics and policies to shifts in public salience has been a well-established field, this is less so the case in the case of EU policies. A number of factors seem, in the first instance, to stand in the way of responsiveness. One is the absence of a European-wide media and (first-order) European-wide elections. Even in an age of the 'Spitzenkandidaten', there are few direct EU-related electoral pressures for politicians to

demand EU-wide action in face of aggressive media headlines. Second, the EU institutions are arguably designed to reduce direct accountability pressures, especially when also considering the rise of agencies at the EU-level. Indeed, there has been considerable concern about the potential 'import' of populism in discretionary decision-making in the case of the precautionary principle, for example. In sum, EU multi-level governance might be said to be intentionally designed to reduce responsiveness to shifts in attention, and has indeed been often perceived as lacking responsiveness to opinion, and thus lacking democratic sensitivity.

At the same time, moments of heightened attention and crisis are unlikely to pass unnoticed in the current context of EU governance that is said to have undergone a period of 'politicisation' (Saurugger 2014). After all, transboundary crises affect multiple jurisdictions, as one national crisis is traced to decisions in another jurisdiction, and as calls for 'consistency' are being made, calls for co-ordinated EU governance are likely to emerge on the agenda. Therefore, the appearance of transboundary crises is likely to challenge the appropriateness of continued national risk and crisis regimes, pointing to the need, at a minimum, for some form of co-ordination, as flagrantly revealed by the financial, migration or terrorism crises (Boin et al. 2014). Furthermore, in the face of the perceived loss of national regulatory boundary control, policy entrepreneurs are likely to make the case for EU-level regimes (or their strengthening). Such advocacy may even appear attractive to those actors keen to rearrange institutional architectures in order to shuffle responsibilities and blame away. In short, therefore, it is likely that EU related regimes are a legitimate focus for the study of responsiveness.

In the following, we focus on three different ways of considering responsiveness to salience in media headlines, adjusting for the specific context of EU multi-level governance. These relate to the 'volume', the 'shape' and the 'tone' of media attention across EU member states. We discuss the methodological choices in the subsequent section.

Volume matters. According to this view, we would expect regimes to vary in terms of the size or volume of media salience (as measured by the number of articles) regarding particular risks and crises. Those with higher degrees of salience are likely to display features that point to more explicit and codified arrangements, as actors will seek to shuffle around responsibilities and

establish blame magnets. In contrast, in those domains characterised by low levels of interests (or volume), the emphasis will be more on informal settings and arrangements – with processes dominated by professional and administrative actors. In addition, we would also expect differences in the type of standards: whereas high degrees of salience are likely to be associated with headline grabbing objectives, low volume areas are more likely to identify themselves with professional learning—type objectives and goals.

Shape matters. It also matters how attention to any one issue or broad field is shaped over time (variation of volume of articles over time). Studies of risk regulation, for example, draw, on Downs' 'issue attention cycle' (Downs 1972) according to which issues with particular attributes rise on the agenda under conditions of 'alarmed discovery', but subsequently drop given the realisation of the considerable cost involved in addressing the problem, leaving, however, certain footprints behind. Similarly, Breyer's 'vicious cycle' in risk regulation notes the contribution of alarmed publics, hyperactive politicians and risk-averse regulators in addressing risk, leaving disproportionate regulatory tombstones behind (Breyer 1995). In other words, most of the concern in the literature on responsiveness has been around the context of disasters, acute crisis and the actualisation of certain risks. We would therefore expect distinct features to emerge in those domains that are characterised by the presence of major crises, which would be revealed by particularly 'peaky' attention. In contrast, those domains characterised by 'smooth' attention are likely to witness not just less political interest, but also therefore less rapid change. We would therefore expect evolutionary and gradual change to occur in those crisis management regimes.

The context of EU multi-level governance provides particular challenges for questions regarding 'shape'. There might be domains that witness continued high attention across member states, domains that experience low interest everywhere, domains that witness a crisis in one or a select few member states only, and domains that experience European-wide, if not global attention. Such different patterns can be expected to matter when it comes to responsiveness in some crisis management regimes rather than others. It is likely that common crises and shared high attention are likely to lead to calls for 'tougher' EU-level provisions. However, the case of localised crises is more problematic even if they have transboundary characteristics. It might be expected that single

incidents that only affect one or a small subset of countries are unlikely to generate a response that goes beyond commitments towards enhanced co-ordination among national jurisdictions.

Tone matters. Finally, we also expect the ‘tone’ of the reporting to matter. Tone here refers in particular to the problem definition. Those crises and risks that are inherently seen as being of a transboundary nature are more likely to attract calls for ‘tougher’ transboundary crisis management regimes than those where the overall discussion focuses on the national specifics; in such cases, the main responses are likely to be in the area of national regime arrangements with only limited interest in ‘stretching’ provisions to the EU level. Reporting that is inherently critical about transboundary crisis management is likely to lead to looser forms of regimes than those crises where there are universal calls for ‘strict’ regulatory and management capacity.

Table 6 notes the expected impact of the three ways of understanding salience by exploring potential variation across the three regime components of standard-setting, behaviour-modification and information-gathering. We only note ‘extreme’ expectations. Table 7 illustrates the ways in which each of the three salience measures is expected to have consequences for crisis management regimes. This then also allows for an assessment as to whether observed regimes follow the expected patterns across the three regime components, as defined above.

Table 6: Salience and expectations for EU crisis management regimes

	<i>Volume</i>	<i>Shape</i>	<i>Tone</i>
Standard-Setting	High: high degree of prescription	Peaky: Headline-driven precautionary standards	Dramatic: high degree of prescription/contestation about standard
	Low: limited presence of EU provisions	Smooth: Indeterminate – reliance on co-ordinated communication	Technical: ‘best available technology’ (dynamic updating)
Behaviour-Modification	High: highly punitive and rigorous enforcement	Peaky: draconian enforcement provisions	Dramatic: formal enforcement provisions
	Low: Hardly any provisions	Smooth: limited by ‘dynamic’ enforcement models	Technical: limited remediation provisions

Information-Gathering	High: Proactive and extensive monitoring and reporting, registration	Peaky: High degree of attention/information gathering	Dramatic: emphasis on 'transparency'
	Low: limited and 'fire-alarm' based reporting	Smooth: limited, at most benchmarking	Technical: internal information-sharing

Table 6 also implies that crisis management regimes are affected by all three salience measures at the same time. Taking into account these three facets of salience allows for more dynamic explanations of salience and regimes at EU level. In other words, we would expect a 'triple whammy' of dramatic, peaky and high volume media salience to lead to a crisis management regime with particular characteristics that would not just put its emphasis on highly prescriptive standards, active monitoring and highly punitive sanctions to deal with the day-to-day 'risk regime', but that would also have extensive provisions when it comes to moments of actual crisis. Such a pattern contrasts with salience profiles where there is low volume, smooth attention characterised by technical conversations rather than over conflicts over jurisdictional competence or policy direction. In this case we would hardly expect any EU crisis management regime to exist, or at best, to rely on co-ordination, self-regulation within industries and low-level information exchange regimes based on common minimum standards. Somewhere in between we would expect regimes based on joint indicators and benchmarks to exist (low-volume peaky attention characterised by 'dramatic' tone).

In other words, we expect different types of salience to have effects in the ways in which standards are set, information is gathered and assessed, and enforcement formalised, backed by sanctions and/or conducted by specific oversight units.

Moreover, this perspective provides account for policy change or creation as media salience changes over time. In particular, stringent regulations or crisis management formal procedures are likely to emerge after acute crisis, event in the case of a low volume, smooth attention and

technical profile case. We would also expect that after a regulation or at least some forms of crisis management is adopted at EU level, media attention is sustained by the very existence of these institutions, and therefore create more salience and incentive to EU responsiveness. Table 7 provides an overview of different patterns and the expected EU crisis management regime.

Table 7: Expected variations in EU crisis management on the basis of different salience constellations

Pattern	Combinations	Expected crisis management regime
Continued issue attention cycles	High volume, peaky, dramatic	Joint prescriptive standards, high degree of monitoring and centralised information collection, formal sanctions
General consistent concern	High volume, smooth, dramatic	Joint prescriptive standards, formalised information gathering, reliance on national enforcement
Inherent interest without public concern	High volume, smooth, technical	Joint indicators, benchmarking reporting, reliance on peer pressure
Limited interest with conflicting attitudes	Low volume, peaky, dramatic	Prescriptive standards, formalised information exchange, reliance on national administrations
Incident-driven limited concern	Low volume, peaky, technical	Prescriptive standards, regularised 'fire-alarm-reporting, no formal sanctions
No public concern	Low volume, smooth, technical	Minimum standards, ad hoc information provision, no formal sanctions
Limited concern, conflicting attitudes	Low volume, smooth, dramatic	Hardly any regime components

METHODOLOGY

For each of the four crisis management regimes, we assessed salience by measuring media attention during the time period 2000 to 2016 for seven European countries, each of which representing different regions and political contexts: France, Germany, Hungary, Italy, Spain,

Sweden, and United Kingdom. In addition, to get a sense of what a European opinion might look like, we used the Financial Times as an indicator of the European mood amongst European elites, and the news provider Euractiv.com as representative of the mood in Brussels over perceived crises.. The time scale (2000 – 2016) was chosen as the 2000s have seen the emergence of extensive crisis management regimes among EU organisations as well as national administrations (Boin et al. 2013). The choice of countries is partly dictated by pragmatic reasons: we were interested in maximising coverage while being able to ‘understand’ the tone of media coverage. The choice of countries is however also driven by a distinct research logic: we include EU member states from different ‘regions’ (Scandinavia, Eastern, Central and Southern Europe, UK) that have been differently affected by financial and economic crises, that are differently ‘connected’ to European networks and that therefore can be expected to have distinct interests in European crisis management regimes.

To identify crises and their salience, we utilised newspaper databases or archives using keywords that provided for a relevant proxy for each of the cases (see table 7). Expressions and terms were adapted to each language to provide the most relevant results as possible, and assess the potential connections between national and EU levels. For each search, the number of articles per year and per newspaper was counted, providing for an indication of the salience of crises, in terms of volume and shape. For tone, we analysed media content.

Table 8: Keywords used to assess media salience of selected crises

	<i>Keywords</i>
Youth unemployment	Youth unemployment + Europe
Invasive species	Invasive + alien + species Asian + hornet xylella + fastidiosa
Energy infrastructure	Energy / power + electricity + networks / grid + security of supply + Europe Interconnectors + electricity + Europe
Banking crisis management	Stress test + banks + Europe Single Resolution Mechanism

Chosen keywords mostly refer to European crises and their salience in the media, and we then compare salience to crisis management regimes. To ensure we would capture the European dimension, we added the term 'Europe' or 'European Union' where necessary. This choice may over-emphasise the European dimension among the studied cases; but, since we want to assess European responsiveness, this bias is inevitable. Where necessary, we provide a comparison with the results that emerge without adding the specific European search-words in order to provide a sense of the importance of the European dimension. This choice also meant that in some cases, we capture attention *before* the emergence of an EU regime, while in other cases, attention emerges in the context of the adoption of an EU regime. We do not assume that the timing matters for the content of the regime in contrast to questions of volume, shape and tone.

For invasive species, we searched for articles including the expression 'invasive alien species' used in the EU Regulation 1143/2014 'on the prevention and management of the introduction and spread of invasive alien species'. This expression – or its local variations – was commonly used in each language. We also analysed one specific case predating the 2014 EU Regulation (the invasion of Asian hornets in South West France and neighbouring countries).

For energy, we focused on interconnectors – i.e. the interlinking of electricity networks in Europe, a requirement of the Commission to prevent crises by ensuring the smooth and continuous transmission of electricity. Concerns over security or continuity of supply relates to the building of a European energy market and the necessity to ensure interconnections and compatibility between networks and grids, as well as the security of critical infrastructures. As for youth unemployment, we captured the European salience of this theme in the media in relation to the role of the European Union in providing for emergency measures to tackle the youth unemployment crisis.

Finally, for banking crises, we explored two European interventions developed after the financial crisis: stress tests that were performed by the European Banking Authority during three moments between 2010 and 2016, as well as the Single Resolution Mechanism adopted in 2014 and effective from 2015. In contrast to the three previous cases that assessed the European salience of crises, the

keywords here directly refer to a European response to a crisis, and thus provide a direct measure of responsiveness, which may bias our results. However, given the very high salience of the financial crisis it was necessary to specify our search to make sure that our results reflected the European dimension of the crisis; in addition, since the results measure the visibility of European responses to the financial crisis, it (indirectly) suggests how important or weak these interventions were.

For each country, three newspapers were selected on the basis of different political orientations and to also address different newspaper audiences. Media landscapes and readership vary across national contexts and may have even witnessed significant change over the period under investigation here.²¹ We sought to select two ‘serious’ newspapers with national coverage, one liberal/left-of-centre and one conservative/right-of-centre, as well as one ‘popular’ newspaper or tabloid also with national coverage. As national media landscapes vary, the search for appropriate newspapers could not always follow these selection criteria. France, Spain and Italy have ‘popular’ newspapers but no equivalent to *Bild* (Germany), *Aftonbladet* (Sweden), or *The Daily Mail* (United Kingdom). Even here, some may question the inclusion of the *Daily Mail* rather than the *Sun*, for example. However, observers agreed that the *Daily Mail* was seen as more politically important. Also, for Italy, the two main and widely diffused ‘serious’ newspapers are liberal (*La Repubblica* and *Il Corriere della Serra*); but for the ‘popular’ newspaper we could select a conservative one also with an important coverage (*Il Giornale*). For Spain, we selected two national newspapers (*El Pais*, centre left, and *El Mundo*, centre-right), and one regional (*La Vanguardia*), from Catalonia, centre-right also, but more popular and with a wide national audience (4th most read). Finally, for news site and journal with a European audience, *Euractiv.com* has more socio-democrat, progressive line, while the *Financial Times* can be defined as economic liberal.

To access data and due to considerable variation in obtaining coverage, we had to rely on a number of newspaper databases (Factiva, Nexis, Europress for French newspapers, and Mediearkivet for Swedish newspapers). Again, a reliance on different databases may introduce its

21. We considered the use of Google Analytics and other social media measuring devices, but found that a reliance on social media would not provide for insightful analysis.

own biases, however, where it was possible to compare coverage across databases, there were no significant differences. Furthermore, in some cases, we had to rely on newspapers' own online archives (mainly for *Frankfurter Allgemeine Zeitung* and *Euractiv.com*). For Hungary, no existing database or newspapers' websites contained the full archives for the selected period and newspapers (*Magyar Nemzet* for the conservative newspaper, *Népszabadság* for the main left-oriented newspaper, and the tabloid *Blikk*). Factiva only provided full archives access since 2000 to MTI-Eco and MTI-Econews, an economic news and information service from the Hungarian Press Agency. We used this source, as well as Index.hu, the most popular internet news source in Hungary. Both of them provided a significant number of results for all our cases and a relevant indication of media salience of the selected crises for this country. Nevertheless, since we only used two sources instead of three, results are accordingly lower than for other countries, and not fully comparable. However, as we are interested in the overall volume and shape rather than the precise wording of different articles, these imitations do not challenge our findings.

We acknowledge that a precise measure of volume would also have to consider the ratio of stories on a particular topic as the total of stories being reported on. For example, reduced paper sizes and page reduction have meant that the 'value' of a single newspaper story may have increased over time. Given the comparative ambition of this exercise, as well as the problem of obtaining representative samples of the different outlets for the whole time period, it is impossible to address these potential limitations of our study. However, again, as our interest is to highlight volume and shape in broad terms, it is merely important to bear these limitations in mind rather than question the overall findings outright. Table 9 offers an overview of our choice of media outlets.

Table 9: Selected newspapers

	<i>Liberal / left-leaning newspapers</i>	<i>Right / economic liberal / conservative newspapers</i>	<i>Tabloids or popular newspapers</i>
France	Le Monde	Le Figaro	Aujourd'hui en France / Le Parisien
Germany	Süddeutsche Zeitung	Frankfurter Allgemeine Zeitung	Bild
Hungary	MTI-eco / MTI -econews		Index.hu

Italy	Corriere della Serra La Repubblica		Il Giornalo
Spain	El País	El Mundo	La Vanguardia
Sweden	Dagens Nyheter	Svenskadagbladet	Aftonbladet
United-Kingdom	The Guardian	The Times	The Daily Mail
Europe/EU	Euractiv	Financial Times	

COMPARING MEDIA PROFILES OF EUROPEAN CRISES

In this part, we assess the media salience of our different cases (invasive species, youth unemployment, banking crisis management, energy infrastructure) and describe the various types and dynamics of crisis in the European Union. As stated above, results are expected to vary depending on volume, shape and tone. The combination of these three parameters forms different patterns that characterise existence or salience of European crises. In this regard, we want to assess whether European crises exist in the media. Put differently, do the studied cases feature prominently in the media? Which kind of crisis is of a more European type? In other words, does media coverage from different European countries follow similar patterns, or do issues appear uncorrelated?

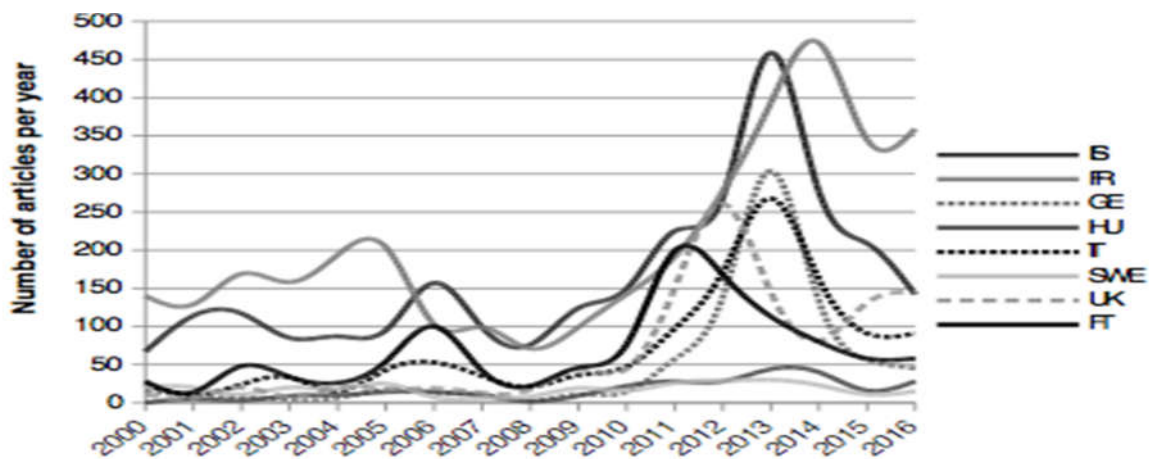
Volume

The volume of media salience, as indicated by the number of articles per year, varied greatly between the cases studied here (from a dozen articles to thousands over the studied period). All in all, social and financial issues achieved high visibility, while environmental and infrastructure risks and crises were not very salient crises.

Two issues featured prominently as highly visible issues: youth unemployment and banking crisis-management. Youth unemployment is the most salient issue (totalling 9,022 articles), with all

countries²² displaying an important number of articles (between 808 for Germany and 3,314 for France), suggesting that the economic and financial crisis was felt thoroughly across Europe and raised important and general concerns, not only in the most severely affected countries where youth unemployment rocketed above 40 per cent (Spain and Italy), but also in countries in which youth unemployment did not increase as starkly (UK, Germany and Sweden). Youth unemployment is most salient (in terms of volume) in France, despite not having the highest rate or increase (it reached 26 per cent at its highest level in 2013). This suggests that national politics still shape the European salience of crisis since the higher volume appears correlated with president Hollande’s decision to make youth unemployment one of the deciding issue of its presidency.

Figure 1: media salience of youth unemployment



Banking crisis management also witnessed a high degree of salience, with stress tests being covered by 3,327 articles, and the Single Resolution Mechanism by 1,043 articles. All countries devoted attention to EU interventions, even though interest was not equally strong in all countries. Stress tests were a major issue in Italy (since several of its major banks including Banca Monte dei Paschi failed the tests), in Germany and to a lesser extent in the UK, while they remained moderately if not little visible in the other cases (France, Hungary and Spain). The Single Resolution Mechanism achieved much less salience than stress tests and was mostly debated in Spain, the UK and Germany and remained a moderate/little visible issue in the other countries.

22. Except Hungary, probably because of limited access to data in this case, since youth unemployment also achieved very high level after the crisis (between 25 and 30 per cent from 2009 to 2014).

The contrast between the two cases suggests that stress tests were a showcase to display responsiveness, while the discussion of the actual EU regulations remained out of the sight of the general public.

Figure 2: media salience of stress tests

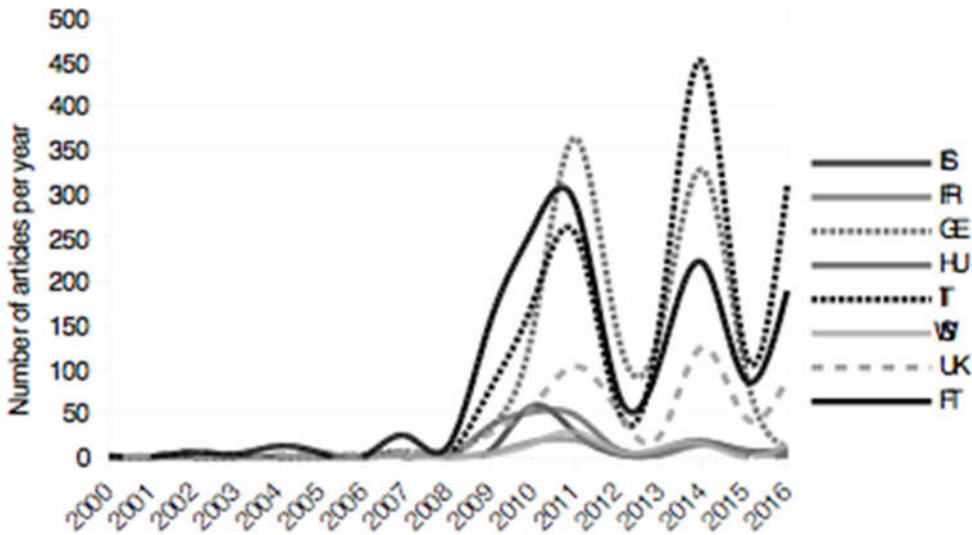
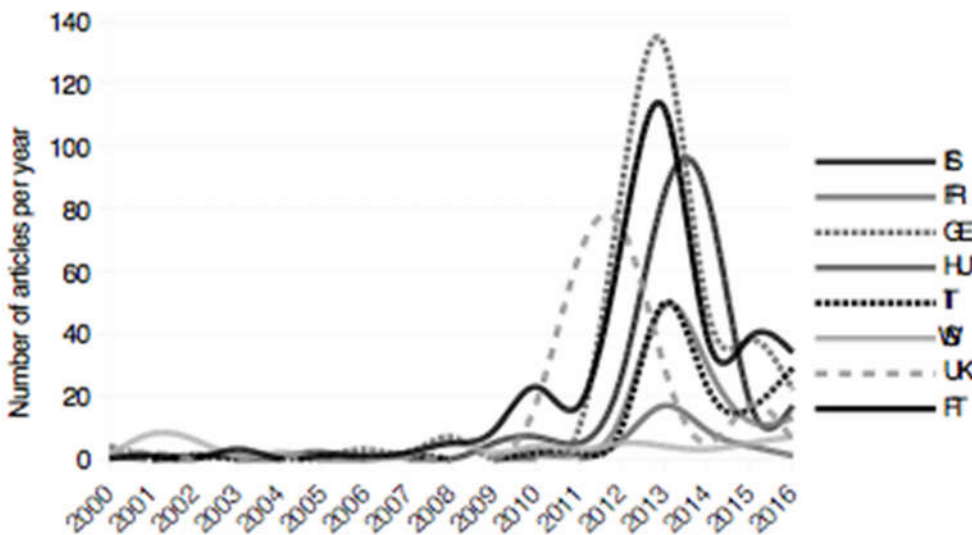


Figure 3: media salience of the Single Resolution Mechanism



In terms of volume, electricity crises related to interconnections and networks were a moderately salient issue throughout the EU. All countries featured a medium level of articles (between 116 and 368), suggesting that the issue was continuously present throughout the years, without ever being perceived as an important European crisis, except when other 'interconnected' crises, such as the

electricity crisis in Germany 2006, raise the profile of this issue. It is also notable that at the moment of a major crisis - as seen from participants in the domain - namely early 2016 due to a cold spell that affected a range of EU member states, media salience was not particularly high - and was declining in most countries in our sample.

Figure 4: media salience of electricity infrastructures and networks related crises

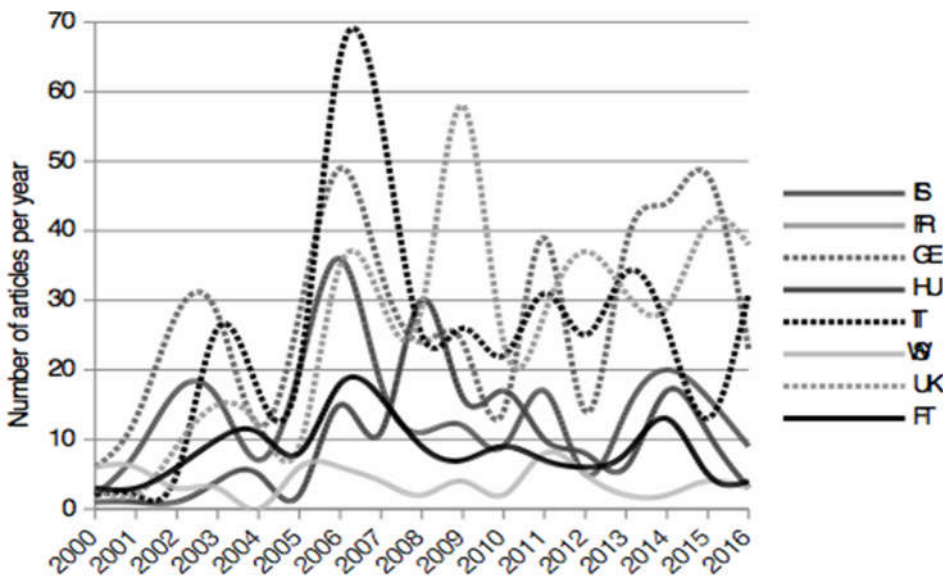
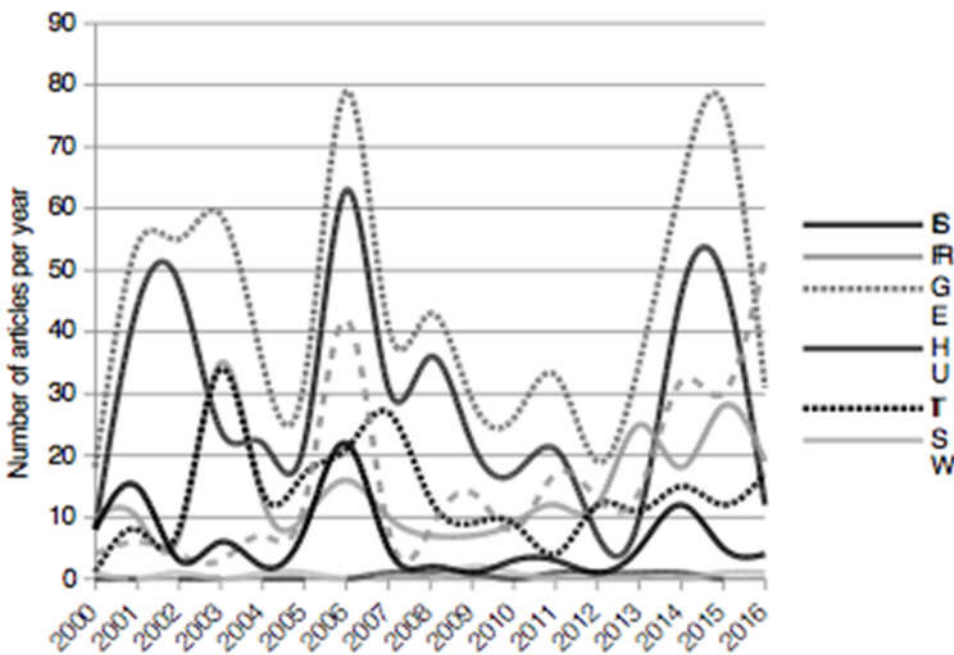
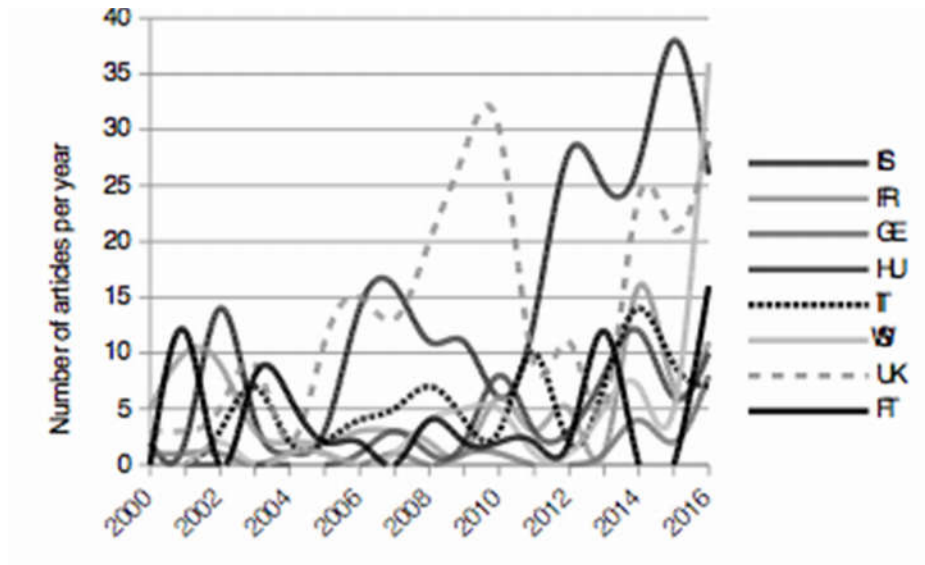


Figure 5: media salience of electricity interconnectors related crises



Environmental crises were far less salient than other cases. The volume of articles about invasive species remained at a much lower level than for other cases: 593 articles in total, with two countries (UK and Spain) totalling more than half of the articles, two with a comparatively average interest (France and Italy with 79 and 80 articles each for the whole period), and for the others countries (Germany, Sweden and Hungary), the issue was almost invisible (less than 30 articles).

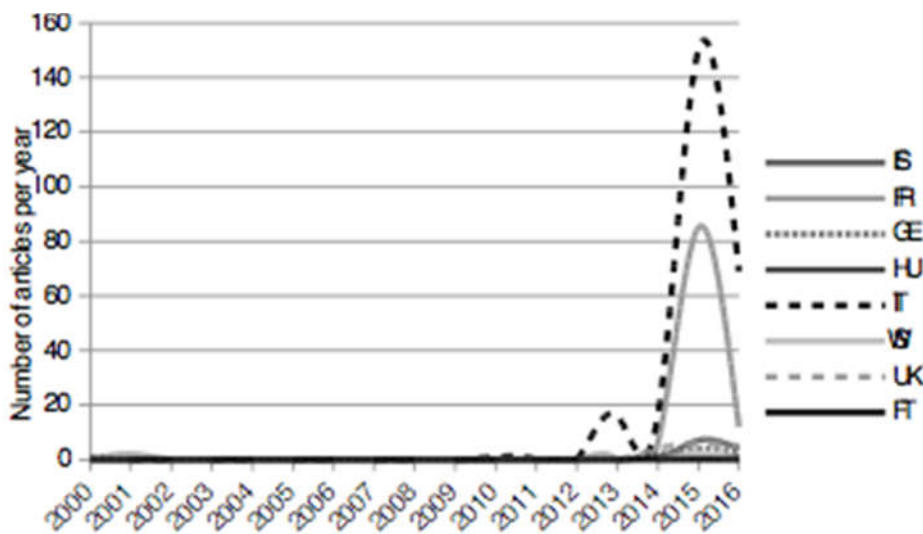
Figure 6: media salience of invasive species



However, when looking at specific crises, media salience was suddenly much higher in affected countries. In the case of Asian hornets, the crisis that followed the arrival of the insect in South West France suddenly triggered visibility in the media, peaking in the years when the crisis was felt most acutely, but remaining at national level a low/moderate issue (below 70 articles per year at maximum) – however the visibility within the regional press was very high (more than 3,000 articles for the considered period). The Asian hornet only gained some (limited) attention in the neighbouring countries (Spain, UK, Italy and Germany to a lesser extent), and mostly in relation either with dramatic cases (deadly attacks by hornet) or concerns in regions bordering France (Basque Country and Liguria).²³

23. This contrasts with the related (but not invasive alien species-specific) case of the olive tree crisis that followed the disease triggered by the *xylella fastidiosa* bacteria, it gained high attention in the affected countries, mostly Italy (223 articles) and France to a lesser extent (98 articles). The issue was a little discussed in Spain and the UK, and barely in the other countries.

Figure 7: media salience of the Asian hornet



Shape

In terms of shape, two main types of dynamics can be identified: crises can be either ‘peaky’, corresponding to the common sense of crises as acute events in a limited period of time; or crises can be slow-onset events that maintain a ‘smooth’ attention over time, either because of continuous concerns, repetitions of small crises or accidents, or concerns over their prevention. It is expected that the first type of crises attract much more attention from media since journals need to change headlines and focus regularly to maintain their sales.

A first pattern is made of ‘peaky’ types of events, with acute crisis during a limited period achieving high media attention. This pattern corresponds to four of the cases studied here: youth unemployment with a stark increase from 2009 until 2012 or 2014 and then a decrease; banking crisis management, which suddenly gained high attention after the financial crisis. Media attention to EU crises responses was in each case (stress tests and the Single Resolution Mechanism) very peaky, i.e. limited to the timing of the intervention. Whereas these two crises achieve high salience EU wide, specific invasive alien species crises that constituted local/regional acute crisis also led to a peak in media attention in the affected countries and to a lesser extent in the neighbouring countries: the arrival of the Asian hornet in France started as an acute crisis, but then, as no evident solution was found and the hornet established itself, media attention remained ‘smooth’.

Not all crises however feature this 'event' type sort of attention. Crises can be long-term processes; also, their prevention can attract moderate but continuous public attention outside acute moments and specific events. Two cases correspond to this situation, with bumpy but continuously growing curves. The first is electricity crises, which achieved average but increasing salience throughout the studied period, with uncorrelated curves between countries and continuous up and downs suggesting that the issue attracts media attention at times, without ever disappearing from the headlines. The second case to feature similar dynamics is invasive species (when taken as a general issue, not a specific crisis related to a plant or an animal). There is a continuous and mild interest for invasive species, punctually attracting some attention in relation to either European policies (there is for example a peak of attention in most countries in 2014, the year the EU Regulation on Invasive Species was adopted), or to specific national crisis (red crab in 2015 in Spain) or policies (following the 2008 GB Strategy, media attention on various related crises – Japanese knotweed, American crayfish, amongst others – increased).

Another question is the European dimension of the media salience of crises. The volume analysis already suggested that issues are more or less important depending on countries, even when they are felt throughout the European Union. To which extent do crises unfold throughout the EU, or do they impact only a limited number of countries?

Three patterns can be identified. A first one is made of EU wide type of crisis: the most evident case is banking with all countries displaying high media salience for EU response to the financial crisis. Likewise, youth unemployment gained high visibility in most countries, with the curves following more or less the same pattern, partly reflecting the general increase in youth unemployment throughout the continent after the economic and financial crisis in 2008. Yet, the curves are not as clearly correlated as with banking, suggesting the importance of national dynamics. The second type consists of regional transboundary crises, typically happening in one country but with transboundary effects. This is most evident in the olive tree crisis, affecting first Italy and then France; or in the case of the Asian Hornet, impacting first France and then moderately impacting neighbouring countries (Spain, UK, Germany, Italy). Finally, some issues appear vaguely correlated at EU level: invasive species and electricity for which is a continuously

increasing interest, with peaky events at times, but curves remain little correlated, suggesting that salience, even when correlated to European issues, mostly depends on national factors.

Tone

A third aspect determining the media salience of crisis is the tone of articles. Two main types of crisis can be distinguished according to this dimension.

The first type comprises crises that display 'dramatic' features, i.e. that catch the attention of the public, either because they are of a spectacular type that will catch the public's attention ('killer Asian hornet'²⁴), or because they arouse opinion polarisation and politicisation (Grande & Hutter 2016; Wilde et al. 2016) at EU level as for youth unemployment and banking.

On the contrary, crises that have a more technical profile are much likely to receive less attention amongst the public, but may still achieve salience amongst policy communities at EU level given the linkages between professionals, experts, and policy-makers in specific sector. In those cases, the tone can be said to be technical in the sense that media articles and headlines will most likely follow experts, professionals, scientists or any other interest groups' opinions and focus on aspects that are generally not well known from the public. This tone is present in two cases: invasive alien species, a topic dominated by scientists and experts, and electricity related crises, a complex issue mostly discussed within the industry and 'old boys networks' apart from the rare but then highly visible black-out situations. .

Interestingly, banking crisis management features both types of tones. The actual stress tests were perceived as rehearsal of crises that achieved high visibility, and allowed regulators to perform publicly responsiveness and control after the failures exposed by the financial crisis and the massive bail-outs. On the contrary, the Single Resolution Mechanism and its very technical negotiations on the procedures to tackle failing banks were much less popular and generated

24. 'Are these the first killer Asian hornets to reach Britain? Horde of TWO INCH wide venomous insects 'makes beeline across the channel after killing six in France', *Daily Mail Online*. 17 May 2016. Available at: [Accessed 10 June, 2016].

much less public and politicised debates, suggesting that there may be a decoupling between public responses and responses within a policy sector.

European audience

Finally, what can be said about a European ‘audience’? Using the same keywords as above, but focusing solely on the *Financial Times* and *Euractiv* reveals rather different patterns. These can be seen in figures 9-14 (due to the low – two - number of articles on *Euractiv*, we do not present graphs for the specific environmental cases (Asian Hornet). The main finding is to highlight that *Euractiv* reflects on the institutional EU responses (i.e. meetings in Brussels) rather than on reporting on crises themselves. It therefore provides a measure of the intensity of Brussels activity rather than the salience in the wider European media - as represented by the *Financial Times*. Most prominently, it also highlights that it is exactly the moments of most EU-level decision-making - surrounding youth unemployment and electricity supply - that an EU-media outlet provides most coverage. The results suggest that Brussels responses lags behind perception of crises amongst European readership, but that could reflect as well the natural course of the policy cycle, as an actual lack of reactivity due to bureaucratic procedures, and do not take into account the fact that what Brussels does is also partly determined by member states. In the rest of the analysis we therefore focuses mainly on the overall picture that arises from the national and FT coverage

Figure 8: Security of electricity supply

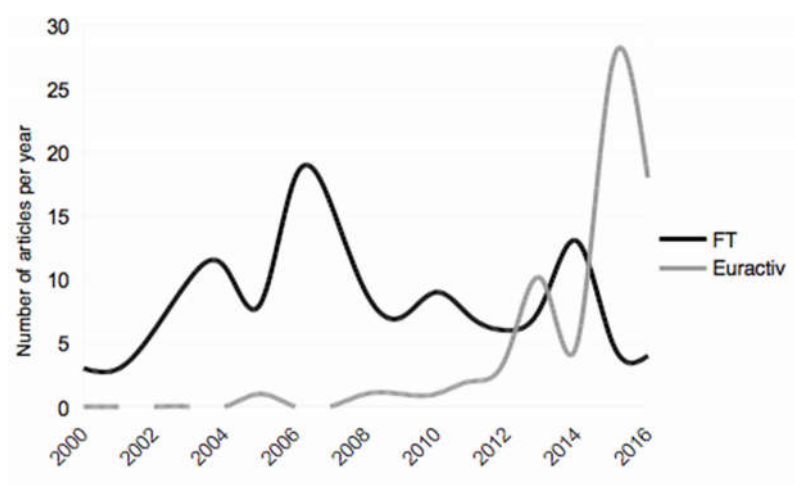


Figure 9: Electricity interconnections

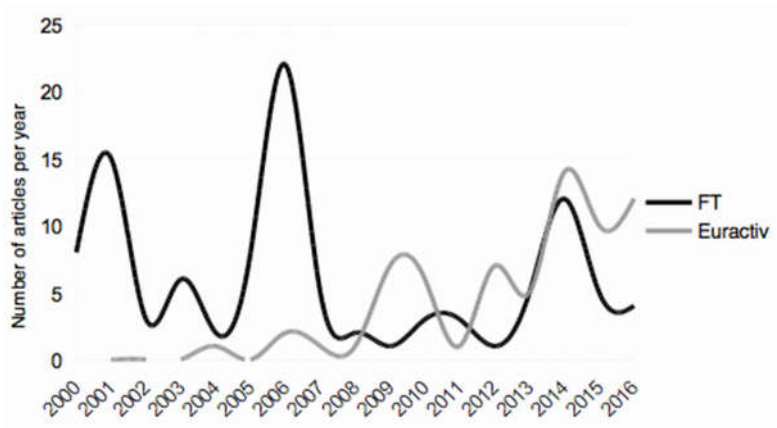


Figure 10: Stress tests

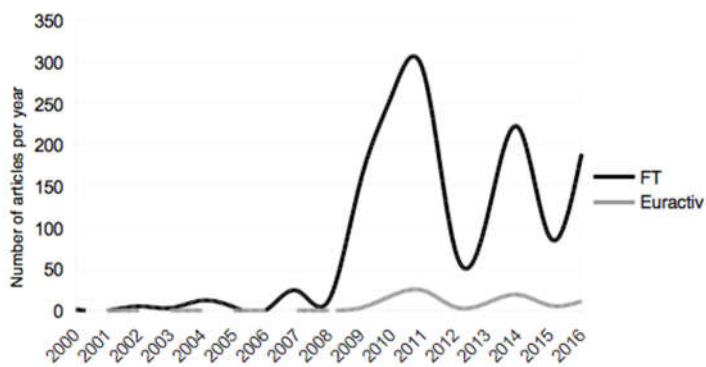


Figure 11: Single Resolution Mechanism

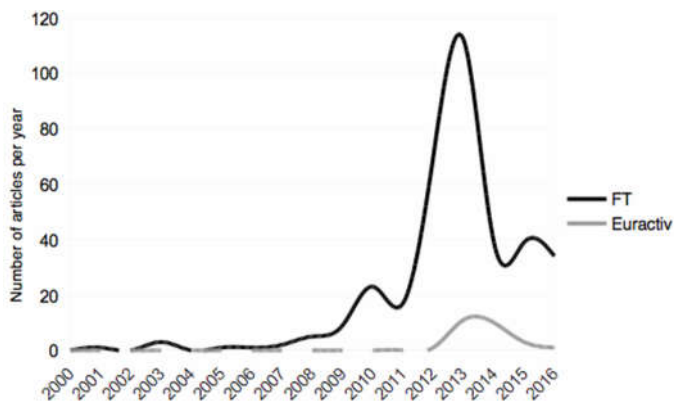


Figure 12: Youth unemployment

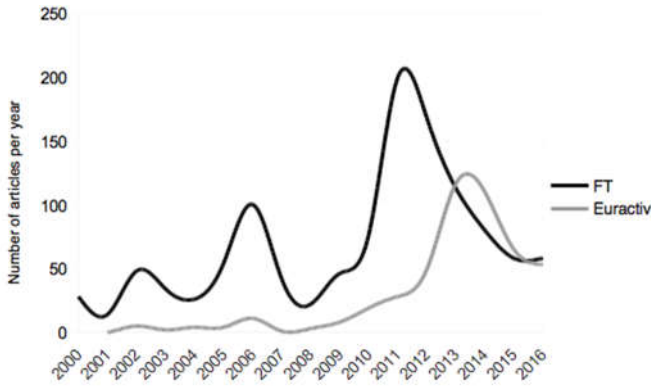
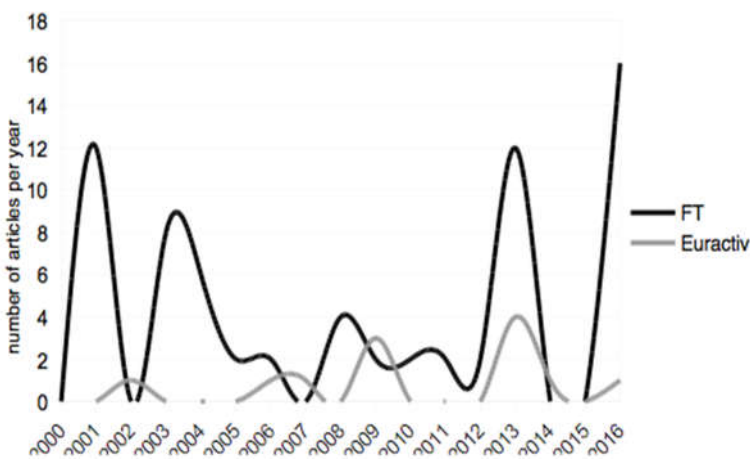


Figure 13 Invasive Alien Species



FOUR TYPES OF EUROPEAN CRISIS

From the description of how the media salience of crisis varies depending on volume, tone and shape, four main types of European crisis (as they appear in the media) can be identified.

- *European 'acute crisis'*: these are crises that correspond to peaky events, that unfold more or less homogeneously within the EU, i.e. that affect all countries and will receive average to high attention in the media, and are covered with a dramatic tone, in the sense that they are featured as European crises concerning the public and calling for a EU response. Two cases correspond to these features: youth unemployment and banking crisis management.
- *Regional/transboundary crisis*: likewise European crises, these are peaky dramatic events calling for an EU response, except that they only affect one or two countries with medium to high volume in relevant countries, and some media attention in neighbouring countries

for fears of a transboundary crisis. The featured case here is the crisis related to the spread of the Asian hornet in France and its neighbouring countries.

- *Slow-onset crisis*: these crises resemble the previous one insofar as they are peaky at first in one country and generate smooth noise in neighbouring countries for fear of a similar crisis, but all in all, attention remains at low level (average in the affected country), despite a dramatic tone. These crises could either be of a sentinel type (in the sense that they preempt future European crises), or simply a national crisis that fails to generate European salience. In our dataset, this corresponds to the Asian hornet case, that happened mostly in France, attracted some attention in Spain, Italy, the UK, but all in all does not give any sign of European salience (despite an on-going crisis at local level and warnings from scientists that the Asian hornet would eventually spread throughout Europe).
- *'low noise' / below the radar crises*: these are events (or rather processes or situations) that mostly remain out of sight of the general public (with low to moderate article volume), but nevertheless remain a concern throughout times. This concern is in the overall growing throughout Europe but curves remain largely uncorrelated, suggesting that these crises remain national issues. However, they generate some 'noise' when small or related crises happen and maintain a certain level of attention throughout times. Because of these features, the tone of these crises remains largely technical. Invasive alien species crises display such features overall – but some individual species encourage different types of pattern.

MEDIA SALIENCE AND POLICY REGIMES

How do media salience results compare with the existing or newly developed EU crisis management regimes? In each of the studied cases, different forms of crisis management were introduced at EU level from regulations, to emergency responses, full crisis prevention and management procedures, from standards to coordination and information sharing. These regimes display various levels of stringency, responsiveness and strength. A first question is thus to which extent these regimes relate to the salience of crises in the media. In other words, is the European Union responsive to crises? Were specific EU crisis management regulations adopted or altered after these crises and how coherent are these with our initial expectations in terms of standard setting, behaviour modification and information gathering? In second step, we investigate the

factors that can explain responsiveness (or lack of) in the context of EU crises. Are certain types of crises more likely to generate attention and policy response? Which features in terms of volume, tone and shape are more likely to trigger EU responsiveness? In the following paragraphs, we analyse responsiveness case by case before moving on to a synthesis and more general analysis of EU responsiveness.

Youth unemployment: direct but mild EU responsiveness

In accordance with the high volume of articles, the peaky and dramatic type of attention displayed by the curves, we would expect EU policies to have been developed and implemented quite swiftly to respond to the crisis. This was partly the case. After the financial crisis, as youth were severely affected by unemployment throughout Europe (as noted, 23 per cent of youth unemployed in 2013, with several countries peaking above 40 per cent, affecting more than 4.5 million young people²⁵), EU leaders committed to tackle this issue. Adopting a same tone of urgency, the Commission rapidly put in place several policies to support young Europeans, such as the 'Youth on the move' and the Youth Employment Package. Nevertheless, these measures were not very significant. It was only in 2013, five years after the beginning of the crisis, that a significant initiative was adopted, the 'Youth Guarantee', backed by substantial funding. All in all, it can be said that the EU was broadly responsive and that the high visibility of youth unemployment compelled political leaders not only to act nationally, but also at EU level, pushing the European Union to develop its own policies to prevent further political crises and rejections of the EU.

However, in view of the high salience of youth unemployment, the EU response appears rather moderate. It mostly consisted of moderate financial support (especially in comparison with supports to banks), information gathering (through the European Semester) to encourage labour law reforms and labour mobility, but was rather weak in terms of constraining standards. This discrepancy between expectations and regime can be explained by the fact that even if youth unemployment is considerable in terms of volume at the EU-level, it remains first and foremost a national issue. This becomes evident by the considerable difference between the volume of articles

25. *Conclusions of the European Council* (27/28 June 2013 EUCO 104/2/ 13 REV 2).

at EU and national level, which in the case of France, Italy and Spain – three of the most badly affected countries – was ten times more important at country level. Even European policies, such as the Youth Guarantee, were presented in some member states such as France as ‘national’ policies, not as an implementation of a European wide attempt to tackle the youth unemployment crisis²⁶.

Table 10: National and European media salience of youth unemployment

	<i>ES</i>	<i>FR</i>	<i>GE</i>	<i>HU</i>	<i>IT</i>	<i>SW</i>	<i>UK</i>	<i>FT</i>
Youth unemployment	22764	33805	3667	768	12703	13639	5505	6683
Youth unemployment +EU	2751	3545	844	206	1223	312	1133	1166

Banking crisis management: direct and indirect EU responsiveness

In comparison with youth unemployment that also achieved high salience, and was equally an acute type of crisis, the EU was much more responsive to the financial crisis, not just in terms of swiftness, but also in the stringency of measures adopted following the financial crisis. Responses to the crisis did not only consist of massive bail-outs of important European banks, but also led to setting up a full crisis management regime.

As noted in chapter 2, the response to the financial crisis included the creation of a European Banking Authority in 2011 in order to conduct stress tests, the European System of Financial Supervision was created (in 2010) to mitigate systemic financial risks to system stability. More specifically, the measures as part of the Bank Recovery and Resolution Director (Directive 2014/59/EU) involved the subsequent creation of the Single Resolution Mechanism. In sum, this regime represented a very centralising response involving, at least potentially, considerable resource implications.

26. *Plan national de mise en œuvre de la Garantie européenne pour la jeunesse : réponse des autorités françaises*, Paris: Premier ministre de la République française, 2013.

In this case, the initial expectations arising from the observed salience patterns are met. The combination of high volume, peaky and both dramatic and technical tone led indeed to the adoption of joint prescriptive standards, high degree of monitoring, centralised information collection and formal sanctions. However, the difference in salience between stress tests and the Single Resolution Mechanism (the former being much more salient than the later) suggests that EU responsiveness may not be so straightforward. In particular, there is nothing in the more technical and confined tone of debates that characterised the adoption of the Single to indicate that direct popular pressure alone would explain the rather stringent regime (in comparison with the other cases) put in place under the banking union regime. In the context of multi-level governance – such as in the EU – it is therefore more likely that even if public opinion does not play a direct role, it could still have some influence indirectly through national political leaders trying to avoid blame and having to be accountable for very costly bailouts or debt crisis management of other countries like Greece to their electorate.

Invasive alien species: limited responsiveness

With the relatively low volume of articles and lack of EU wide acute events, we would not expect EU policies to be responsive to the risks and crises triggered by invasive alien species. Crisis management regime in this case is expected to be made of minimum standards, ad hoc information provision and no formal sanction.

The results partly correspond to the expectations. A regulation was adopted in 2014 after lengthy discussions, and six years after the first EC Communication on that topic. Despite repeated calls for action on invasive species (with the Bern convention in 2004 and numerous scientific reports throughout the 1990s and 2000s), the EU cannot be said to have been particularly responsive. However, despite the low visibility, the EU adopted a ‘regulation’ (rather than a directive as initially discussed), a more binding and stringent type of instrument, especially if compared to youth unemployment that was a much more headline grabbing issue. The technical tone of the articles as well as interviews suggest that invasion biologists achieved a high level of influence both at EU and national level in this case, even without the public support – and maybe better than without public support since the regulation involves the banning and the killing of animals (like the American grey squirrel) that the public would rather avoid.

The peaky shape of the curves related to specific crises would suggest a potential for pressure on political leaders at the EU level given the transboundary nature of these crises. Yet, the Asian hornet crisis did not lead to any specific responses from the European Union, despite repeated calls from some members of the European Parliament.²⁷ At EU level, some coordination happened between France, Italy, Spain and the UK through the exchange of scientific and management information, which led in particular to the setting up of a formal contingency plan in the UK. This lack of EU response fits the initial expectations since the Asian hornet curve was only peaky at the beginning, then attention ‘smoothed’ out and remained at a low level. In addition, the case was controversial in France (with bee-keepers clamouring for stringent eradication while scientists (backed by state officials) suggested that such measures were largely inefficient). Controversy at the national level is unlikely to have proven supportive of an EU-level response.

Electricity networks and security of supply

The observed pattern in this case reflects a slowly growing issue salience that, at the same time, reflects a degree of ‘peakiness’ due to select incidents on the network. Overall, the patterns do not suggest a high degree of media salience and therefore also no major pressure to respond at the EU level. Furthermore, much of the issue attention reflected on related crises (such as blackouts or conflicts related to interconnectors). The patterns and tone also suggested that the debate focused on the national level as the appropriate level for problem-solving. At the same time, the gradually growing issue salience does not exclude the emergence of distinct features of EU-level crisis management regimes.

Similarly to invasive alien species, the very technical features of this domain suggest that there is still a potential for prescriptive regulation backed by formal sanctions (for examples, through network codes and regulations) given the existence of a strong and well-organised policy community. The structure of the crisis management regime differs from the other cases in that

²⁷ Bizotto, M., 2015. *Motion for a resolution on the spread of the Asian hornet and the damage it could cause to honey production in Italy* – B8-0673/2015, European Parliament; Rodriguez, M. et al., 2016. *Written declaration on setting up a European strategy for the management, control and possible eradication of the Asian hornet (Vespa velutina nigrithorax)*, European Parliament.

private (or para-state) actors played a much greater role, partly in response to national and EU energy liberalisation policies that were implemented during the 1990s and 2000s. The implementation of crisis management thus relied on transmission systems operators (brought together in the business associations ENTSO-E, the European Networks of Transmission System Operators for Electricity). At the EU level, an Agency for the Cooperation of Energy Regulators (ACER) was set up by the Third Energy Package in 2009 to elaborate network and market rules in collaboration with national authorities. Finally, the European Commission played an important role in advocating for common coordination among member states and European common standards. In general, therefore, expectations arising from salience-related theories are generally met in this particular domain.

CONCLUSION

This chapter is limited in its focus on seven EU member states and the four distinct domains. However, it nevertheless provides some important insights for the wider study of the responsiveness of transboundary crisis management regimes.

The EU appears to be responsive to peaky, high volume and dramatic events throughout the EU. But the level of responsiveness varies depending on the degree to which the issue is perceived as a national or a transboundary issue, and the degree to which specific issues are dealt with as an intergovernmental or a supranational issue. Partly this also reflects on the existing institutional setting under which the particular issue is being processed. In other words, responses to salience are shaped by the existing resources (whether financial or political) available to different actors. At the same time, some crises do lead to extensive changes, as in the case of the acute banking crisis. However, the marked difference between the Single Resolution Mechanism and the Stress Tests also suggests that other factors than salience explains type of regime change.

One interesting result is that even crises that have a low and smooth or bumpy profile may still generate a rather formal crisis management regime when dominated by technical issues. In this case, responsiveness can be explained by the presence of either policy entrepreneurs or interest groups who manage to get their views heard in Brussels, and maintain close policy networks. Remaining out of the public sight in these cases can be beneficial since policy decisions can be

taken avoiding public controversies. Media crises only happened in relation to specific cases or related issues (geopolitical or price crises for energy), incidents that are decoupled from the actual regimes.

The Asian hornet offers an interesting example in that it suggests that not all crises, even with a transboundary dimension, bite in terms of translating into EU-level responsiveness. One possible explanation is that the slow onset type of crisis leads to a loss of the sense of emergency, and reduces the pressure to respond immediately. Second there may be specific difficulties to design a stringent policy and enforce coordination and information sharing measures adapted to each case. Policy timing could also be a shaping factor: would the Asian hornet had arrived in 2015, the EU invasive species regulation could maybe have forced France to respond more actively to the invasion. But as scientists expect the Asian hornet to invade the rest of Europe, the question as to whether this would be enough to EU trigger responsiveness.

Table 11 provides an overview of the observed patterns and compares them with initial expectations. It notes that salience seems to have some influence in some cases, but not in others. This raises the question as to whether this discrepancy can be best explained by institutional arrangements (i.e. decision-making rules), interest group constellations or other elements. Answering these questions will require further research; however, this paper has highlighted that there is, under certain conditions, a degree of responsiveness in EU-level crisis management regimes to evolving issue salience.

Table 11: Overview

Pattern	Combinations	Cases	Crisis management regime	Expectations met
Continued issue attention cycles	High volume, peaky, dramatic	Youth unemployment, Stress tests	Joint prescriptive standards, high degree of monitoring and centralised information collection, formal sanctions	Not in case of youth unemployment; yes, in case of stress tests
General consistent concern	High volume, smooth, dramatic		Joint prescriptive standards, formalised information gathering, reliance on national enforcement	
Inherent interest without public concern	High volume, smooth, technical		Joint indicators, benchmarking reporting, reliance on peer pressure	
Limited interest with conflicting attitudes	Low volume, peaky, dramatic		Prescriptive standards, formalised information exchange, reliance on national administrations	
Incident-driven limited concern	Low volume, peaky, technical	Single Resolution Mechanism	Prescriptive standards, regularised 'fire-alarm-reporting, no formal sanctions	No - both regimes more stringent
No public concern	Low volume, smooth, technical	Invasive alien species Energy	Minimum standards, ad hoc information provision, no formal sanctions	No in case of invasive alien species - more stringent. No in case of energy - more formalised
Limited concern, conflicting attitudes	Low volume, smooth, dramatic	Asian Hornet	Hardly any regime components	No. Link to invasive alien species - regime subsequently more stringent

CHAPTER 5 - INTEREST GROUP CONSTELLATION AND CRISIS MANAGEMENT REGIMES

James Q. Wilson (1980) in his seminal study on interest group politics in the context of regulation noted the importance of different group constellations in explaining different regulatory policies. In doing so, he moved the study of interest group politics and regulation beyond the orthodox 'capture' school of regulation in which legislator-regulators 'sold' regulation to those interests that could offer most resources. According to these 'capture' accounts, inevitably those interests would gain from regulatory interventions that were concentrated and therefore well-organised. Diffuse interests, in contrast, were not recognised as they lacked electoral, monetary or organisational resources to support re-election seeking politicians (Stigler 1971). The literature on 'capture' offers variants on this argument (Lodge and Wegrich 2012). While emerging in the context of regulation, capture-informed accounts also offer considerable insights for the study of crisis management systems. After all, managing crises has redistributive effects, whether this involves the allocation of areas for flooding, the designation of those users or regions that will take the first hit when electricity shortages occur, or those who will bear the cost for mitigating crises or having to invest in precautionary measures.

In the following, we bring together insights gained from this interest group related literature with ideas regarding member state interests. We expect the presence of a well-resourced member state to matter similarly to the presence of a well-resourced interest group in both putting forward proposals for advantageous regime design - or to be able to stop initiatives or at least take critical aspects 'off the table' (or to ensure that they never appear on the table. Following Wilson, therefore, we can distinguish between four types of interest group politics, characterised by the distribution of costs and benefits. We use Wilson's labels, but develop the argument further below where we explore into the presence of each one of this type of policy 'style' across the four domains. Table 12 summarises the four types of politics that emerge from Wilson's argument and that we apply here in the context of crisis management regimes.

Table 12: Interest group constellations and politics

	Costs concentrated	Costs diffused
Benefits concentrated	Interest group politics	Client politics
Benefits diffused	Entrepreneurial politics	Majoritarian politics

The absence of majoritarian politics...

Under the label of majoritarian politics, Wilson understood settings in which there were no concentrated interests, but where dispersed constituencies were putting forward proposals and where the overall direction of policy change was therefore undetermined. In these cases, politics emerges without any publics (May 1991). In none of our cases did such a 'vacuum' exist, in all cases, business interests (in various shapes) were involved and affected, and so were other interest groups. For example, in the area of invasive species, this involved ecological groups, traders of particular species or of their products, and experts with a commitment to the policy domain. However, it might be argued that it was at the national and regional level, that some 'vacuum' politics could exist - for example, the UK's eradication of the ruddy duck (to support Spain) occurred without major economic or social concerns (despite considerable anxiety about potential public protest and hostile media headlines).

Balancing powerful interests or 'interest group politics'

The notion of 'interest group politics' defines a constellation in which powerful interests are pushing in opposite direction. Both of these sides are well-resourced and therefore the likely outcomes are package deals and side-payments. Such dynamics were prominent across all domains.

Some of our domains involved the presence of multiple interests groups whose advocacy went in opposite directions. Such patterns were particularly evident in the case of the invasive alien species. Here, particular producer interests (such as Dutch plant exporters and, even more significantly, the Danish fur industry) were very active in ensuring that certain species were kept off the list.

Environmental interests were somewhat divided - partly they were involved in ensuring that the responsible DG Environment maintained its interest in developing the invasive species list, but they were divided over the overall outcome of the Regulation. Member states, too, were divided; partly seeking to establish a regime that would support the reduction of economic and social costs arising from transboundary invasive alien species, partly member states were to ensure to protect particular industries or to reduce the cost to their own administration. These member states dynamics were

particularly evident in the evolution of the Regulation, with the UK, Spain and Portugal being particularly supportive. At the same time, decision-making in the committee of member state representatives revealed the ambivalent attitude towards specific costs and benefits. French interests favoured the inclusion of ragweed on the list of species of 'EU concern' as it caused considerable damage in France, Denmark was concerned about the potential inclusion of the American mink as that would have represented a potential threats to one of its largest industries, whereas Germany was concerned about the administrative cost of tackling the raccoon dog (a species that was of concern to Sweden). The scientific committee was also reflecting particular expert interests, namely that of a well-established network of scientists that shaped also the development of the methodologies for risk assessments. At the national and local level, there were also dynamics that reflected interest group politics. Decisions to actively eradicate species were partly supported by interests who pointed to the significant social and economic costs, but other groups mobilised to 'protect' 'cute' species (such as the raccoon dog).

The case of youth unemployment is similarly characterised by interest group politics - it involved political, industrial and trade union associations, even though NEETs themselves were hardly directly involved in the political process. The dynamics leading to the adoption of the Youth Guarantee were shaped by opposing coalitions consisting of 'sceptical' northern EU member states and those representing more southern EU member states. One might even argue that the absence of measures supported migration, thereby alleviating the problem for those national governments facing rocketing youth unemployment figures. The development and implementation of the Youth Guarantee was shaped by the well-mobilised interests, whether they were engaged in supporting the European Semester process or, at the national level, the development of national responses to the Youth Guarantee. This involved the European trade union and business associations and their national members. However, the actual emergence of the Youth Guarantee, and in particular its financial backing, cannot be accounted for by interest group politics.

The non-action regarding banking regulation until 2012 can also be explained by powerful interest group politics involving member states with their close ties to their banking sectors and fears regarding fiscal liabilities. This reluctance to engage in EU-level provisions, and thereby break with the client politics of the traditional close ties between national politics and national banking sectors, was arguably due to the change in coalition membership given the costs arising from banking bail outs. This involved

on the one hand a coalition of advocates, such as the EU institutions (especially the ECB, the Commission, and some economists) and member states directly affected (southern European member states), or those with considerable exposure (France with considerable exposure to Spanish and Italian bonds) and, on the other hand, opposition from Germany, the Netherlands and Finland (Epstein and Rhodes 2016). France had historically opposed a further integration of banking supervision in order to promote its national 'champions'. It shifted its position in 2012 when it realised how exposed its banks were. Joining the coalition of the 'risk sharers' (against those in favour of risk reduction first), it contributed to strengthened the banking union coalition (Howarth and Quaglia 2014, 2016). Bringing these interests together, however, cannot be fully explained by interest group politics alone and points (as in the case of youth unemployment) to the presence of coalition-building by policy entrepreneurs.

Finally, in the case of electricity networks, there is less evidence of outright interest group politics at the EU level. At one level, one might view the presence of ETSO-E and ACER as an example of interest group politics - representing transmissions system operators on the one side and national economic regulators on the other. Interest group politics-related dynamics existed more at the national level when it comes to the planning and design of transmission networks and debates about network charges. Nevertheless, TSOs were clearly dominant in terms of their expertise and resources.

The presence of entrepreneurial politics

Examples of entrepreneurial politics include episodes where powerful (i.e. concentrated) interests would bear the brunt of regimes that were advocated by particular individuals or institutions on behalf of diffuse interests. To some extent, one might regard the emergence of invasive alien species as a EU crisis management regime as an expression of such entrepreneurial politics in that a group of scientists with close connections to national officials (especially in the UK) succeeded in placing the issue on the national and EU-level agendas. They did so by highlighting the economic cost of invasive alien species. Similarly, entrepreneurial elements might explain why the EU banking regime emerged in the wake of the crisis. As some observers have noted, the underlying interest constellation had not shifted to any great extent (even if there was greater realisation of the potential costs of not resolving the transboundary implications of a mostly national approach backed by a state aids regime). According to this argument, it was ECB, some experts in the Commission and in European think tanks in particular which put forward the proposals for EU banking union.

Entrepreneurial politics featured very strongly in the case of youth unemployment. As noted, it was a coalition of 'centre left' politicians inside the Commission, especially the leadership of DG Employment that pushed for a social dimension to the economic measures accompanying the crisis of EU member states. and that was backed by likeminded interests in other EU institutions. The enthusiastic endorsement of the then French President could be explained by the need to appear 'reform minded'. More puzzling, at first sight, is the support of the German Chancellor (Angela Merkel), but here it might be argued that the Youth Guarantee expressed a degree of solidarity that could be 'exported' in a (national) politically palatable way by emphasising the centrality of training and education measures.

The case of electricity networks, in contrast, cannot be said to be dominated by entrepreneurship. The Commission (DG Energy) was seen as seeking to push an agenda for market liberalisation ('at all cost'), but this entrepreneurship was to some extent checked by the presence of the powerful interests of the TSOs and of member states.

In sum, therefore, entrepreneurial politics, do feature in EU crisis management domains. However, it featured in different ways - entrepreneurship featured in putting items on the agenda and framing methodologies (invasive alien species), it featured in gathering political support for social measures (Youth Guarantee), and it featured in exploiting changing perceptions of costs and benefits to pursue policies that had previously been opposed (banking).

Is it all about client politics?

Client politics represents the world of 'capture' as initially conceived by regulation scholars. Accordingly, one would expect to observe the presence of powerful (major) member states and/or well-resourced interest groups in pushing for or against particular proposals. Such advocacy or opposition may be both about the substance of particular proposals, but also about jurisdictional competence, i.e. the type of allocation of competencies matters.

As in the previous sections, client politics can explain some of the observed patterns, but not the overall dynamic of each crisis management regime of interest in this study. Youth unemployment is a domain that offers very little scope for a client politics-driven explanation. There were networks of advocates that supported the emergence of social measures and of structural reform of national labour markets,

but these were not 'concentrated interests'. Equally, while German support for the Youth Guarantee was critical, this did not mean that Germany benefitted directly (in a material sense) from this proposal.

In the case of the banking union, there is also limited evidence of straightforward 'client politics'. After all, the financial crisis provided for a context in which traditional opposition to EU-level measures were overcome, leading to an arrangement where, under the new regime, the traditional close linkages between national banking sectors and national governments has been weakened considerably through bail-in and bail-out clauses.

The overall shape of the invasive alien species regime was arguably not shaped by any one interest, however, it was the case that the list of species of 'EU concern' was a product of different 'client politics', for example, the lobbying by the fur industry was said to be among the most ferocious ever according to some participants.

The strongest case for client politics is the area of electricity transmission systems operators, especially since the emergence of European-wide network operators (following unbundling). The organised resources of ENSO-E were said to have grown over time, as had the sophistication of regional cross-border collaborations. At the same time, some transmission providers remained close to national politics (France), whereas elsewhere, there was a 'co-dependence' between TSO and affected government, especially in developing new networks to deal with the rise of renewables. However, it was not the case that the TSOs were shaping the overall direction of the domain on their own - crisis management regimes were shaped by ACER (i.e. economic regulators) and, more importantly, by DG Energy with its overall interest in market interconnection and liberalisation that did not always overlap with the interests of the TSOs.

In other words, client politics were certainly present across the four crisis management domains - however, examples were mostly oriented towards selected aspects of a regime rather than the overall regime.

CONCLUSION

This chapter has explored the relevance of interest-based accounts for EU crisis management regimes. We have focused here in particular on the dynamics at the EU level. On-going work

explores how these dynamics affect the different components of crisis management regimes, especially considering the member state level. Dynamics at the 'frontline' of crisis management regimes are different to those of EU-level standard setting. Nevertheless, this chapter has highlighted that no single type of interest group politics dominated. Instead, different dynamics explain different aspects of the emergence and shape of the four crisis management regimes. We have highlighted how the financial crisis has given scope for entrepreneurship in the case of banking and youth unemployment. We also noted the scope for client politics, especially in the area of invasive alien species. In other words, EU transboundary crisis management regimes are shaped by well-organised interests, but this does not necessarily mean that regimes can emerge that fly in the face of these dominant interests. The understanding of experiencing a crisis can shape the context in which entrepreneurship moves policy agendas forward that previously were blocked by well-resourced interests and member states.

CONCLUSION & IMPLICATIONS

This report has offered preliminary insights into the emerging findings from on-going research. More extensive work in some domains, especially banking, is on-going, as is a closer analysis of the role of member state behaviour, especially in terms of information-gathering and behaviour-modification.

This report offers a range of contributions that highlight the overall significance of this study for the development of a better understanding of EU crisis management regimes in the context of the financial crisis. This final section offers a brief summary of the overall contribution of this study and points to some of the emerging overall policy recommendations.

The analysis of crisis management should not be solely concerned with the presence of particular institutional arrangements within bureaucratic organisations. Similarly, this study has adopted an 'open' definition of the crisis-word in that we were interested in the diverse understandings of what constitutes a 'crisis' in particular regimes. Adopting a crisis management regime therefore offers the advantage of focusing on the broader organisational instruments intended to avoid and cope with moments of uncertainty, threat and urgency. Such arrangements are important as is the study of their actual working in the context of simulation and real events. Adopting a crisis management regime perspective offers additional insights, namely that

- crisis management should not just be understood as a response to societal security concerns, but is also central to areas traditionally associated with the creation and maintenance of markets. In many ways, it might be worth abandoning this separation between security and market-related aspects of governance both in the worlds of research and practice.
- crisis management, especially in the context of the EU, has to be understood as being co-produced by a fragmented set of actors, spread across different levels of government, and including non-state actors. 'Emergency politics' (White 2015) or crisis management is therefore not the ultimate expression of a unified sovereign, but is rather the product of a diverse set of collaborating and co-producing actors whose interests are not necessarily aligned. By taking a regime perspective, we understand better the limitations of particular

modes of governance in providing for effective crisis management regimes at the 'frontline' interaction with the citizen. We also are required to pay closer attention to the way in which member states administer and resource crisis management regimes – in many ways the critical questions for the legitimacy and effectiveness of EU crisis management regimes lies with member state administrations;

- crisis management should not be understood as a response to 'fast- or slow-burning' crises. Instead, crisis management regimes combine elements dealing both with slow-moving 'creeping' elements that might defy detection, and with 'acute moments' in which extraordinary powers are required and where the legitimacy of states (and markets) might be questioned.
- crisis management regimes emerge at different times and circumstances. While the four domains offered diverse types of constellations (and types of crises), it was also not the case that regimes were driven by any one dynamic alone. One could not reject the view that crisis management regimes were shaped by media salience. Equally, there were elements in crisis management regimes that could be best explained by interest group constellations. Indeed, the evidence that crisis management regimes reflected broader 'market failure' justifications also received mixed support.
- crisis management regimes become institutionalised not as an immediate 'neo-functional' response to the experience of transboundary crises. Rather, regimes' institutionalisation depends on how crises are perceived, on whether the appropriate means of addressing these crises are said to be at 'EU', 'European level' or national (or even subnational) level, and whether there was overall acceptance of such a regime across member states and other interests.
- crisis management regimes revealed considerable variation - in terms of their chosen mode of governance, their dynamic and allocation of responsibilities across standard-setting, behaviour-modification and information-gathering. Different forms of resources were employed - in terms of bindingness, the crisis management regimes involved regulation (invasive species), assistance clause (electricity), dedicated institutions (banking), and voluntary cooperation (youth unemployment). The observed patterns also included differences in terms of their support from EU-level institutions and the way these regimes

were perceived in front of domestic audiences. Some domains enjoyed high salience, others were mostly 'under the radar' of public attention.

- crisis management regimes reveal different understandings of what constitutes a 'crisis' in general, and what constitutes a 'European crisis'. Across the four domains, differences reflected types of externalities, salience in media attention, and the shape of the interest universe. These crisis understandings are also dynamics: the case of youth unemployment suggests that political leaders became only involved when they were faced with a large-scale legitimacy crisis of the EU.

The analysis of crisis management regimes across the different domains does reveal some joint dynamics. At the most fundamental level, the four domains pointed to an unresolved tension in EU governance, namely that the emphasis on market liberalisation and integration coincided with the call for more consistent rules and approaches - which however impeded democratic politics. For example, in electricity networks, the emphasis on market liberalisation and interconnection was difficult to combine with a continued emphasis on national autonomy over questions regarding energy generation. Similarly, the banking crisis highlighted the difficulties in relying on coordinated national regimes in the era of integrating banking markets with national banking systems being exposed to market and regulatory developments in other member states.

The adoption of a crisis management regime perspective also highlights limitations in the management of transboundary crises. As part of a multi-level governance system, one can highlight the diverse and problematic implementation of the Youth Guarantee across EU member states that did not feature in national reporting exercises. Similarly, regardless of the politics surrounding the 'EU list' of invasive alien species, the problems of establishing and/or maintaining effective information-gathering and behaviour-modification at the local level proved challenging to member states.

The crisis management regime perspective also points to questions as to the effects of the financial crisis. Surprisingly, there was limited evidence that member states had 'abandoned' the provision of services in the face of austerity stemming from the financial crisis – although such effects featured to some extent in those member states affected most by the financial crisis. Nevertheless,

it was widely argued that the financial crisis had reduced the resources available, therefore reducing required redundancy for crisis management regimes to operate. On a different level, the financial crisis did offer the rationale for the emergence of two crisis management regimes included in this study, banking and youth unemployment. As noted, the other two crisis management regimes evolved in the context of the financial crisis (but were largely untouched by financial crisis-related dynamics). It was not the case that the wider legitimacy crisis of the EU impeded the dynamics of the crisis management regimes to any great extent (although some provisions in banking might be seen as national safeguards, and youth unemployment policies were framed rather broadly so as to reduce potential national sensitivities): even though criticism of EU governance may have become more prominent, problem-solving via the creation of crisis management regimes continues at the EU level.

Finally, what policy recommendations can be drawn from this study? Are there any lessons for developing effective and legitimate crisis management regimes that address transboundary crises? Posing such questions always risks the development of 'politics free' suggestions. For example, noting the tension between market integration via liberalisation and regulation on the one hand, and national politics on the other, highlights inherent trade-offs that cannot be wished away by some crisis management manual. A crisis management regime perspective also highlights the limitations of hierarchical planning exercises that used to feature in military and civil protection exercise handbooks. Taking a regime perspective highlights a range of key issues. We note them in the following as four 'deficits':

- Crisis management regimes suffer from a hierarchy deficit. A diagnosis of institutional fragmentation and dominance of national administrative structures should come as no surprise to EU multi-level governance watchers or crisis management enthusiasts. However, all four domains pointed to a rather limited understanding of developments in different member states. Reporting by member states existed, but these reports were usually 'edited scripts', potentially helpful for national administrations in focusing their attention, but arguably less helpful in developing a good sense of the strength of administrative capacities to enact crisis management regimes on an on-going basis.

- Crisis management regimes suffer a mutuality deficit. Such a diagnosis might come as a surprise to some, given that underlying the whole European Union is an understanding that member states are motivated and capable to contribute to administering their responsibilities to reduce transboundary conflicts. Networks among experts in invasive alien species or among TSOs in electricity were certainly not short of joint understandings. Indeed, we were told that TSOs and bureaucracies dealing with them resembled a 'community of fate'. Nevertheless, to what extent this existence of joint understandings supported mutual learning exercises was more questionable. Evidence existed of focused 'peer learning' activities relating to youth unemployment and joint training exercises existed in electricity. However, whether such mutuality can compensate for the dominance of national politics during moments of 'acute crisis' is questionable. Similarly, it was questionable whether these learning activities fed into actual decision-making during high-level political decision-making. At best, mutuality was reserved for the politically least relevant aspects of crisis management regimes.

- Crisis management regimes suffer from a rivalry deficit. In any crisis management regime domain, there is a tendency to seek consistent methodologies to support decision-making. Such consistency-supporting devices are useful at some level, but could be further used to offer more explicit comparison of different performances (for example, in Youth Guarantee programmes). Of course, comparison will always be blighted by differences across member states, but comparison and benchmarking within national systems and among similar providers (such as TSOs) was not particularly prominent.

- Crisis management regimes suffer from a contrived randomness deficit. A central question in the literature is how systems remain 'open' to inconvenient insights - and how they detect 'rude surprises'. Our examples include the adoption of crisis management regimes following 'known surprises' - namely dealing with a collapsing banking sector or with structural youth unemployment. At the same time, in other domains, such as electricity and invasive alien species, there was a particular need to search for rude surprises. In electricity, some regional centres operated to support coordination across boundaries. In the case of invasive species, this work was supposed to be pursued by scientists, In the case

of the TSOs, the work was done through codes and 'trust' (and by consistent reporting, if Commission proposals were to be approved). The risk of such exercises is a lack of searching for inconvenient information. In the case of invasive species, for example, it was argued that the legal implications of the Regulation meant that attention would inevitably be drawn to the 'EU-list' rather than local priorities that might have greater impact on diversity.

Crisis management is central to the European Union. The variety of crisis management regimes - in terms of their resource demands across levels of government and in terms of their mode of governance - should pose a warning to any attempt at standardisation. At the same time, subsidiarity and interdependence provide for difficult politics - but rather than establishing ever more working committees to develop methodologies to 'hide' these difficult (redistributive) choices inherent in crisis management, a legitimate way of governing crisis management regimes is to make these choices explicit. This requires debates about how to address the four deficits highlighted above. This means that there is no 'one best way' of developing crisis management regimes in a multi-governance setting. Addressing the deficits noted above and focusing on known vulnerabilities involves tricky trade-offs, but the more open these are discussed, the less likely will be disappointment over poor performance or criticism over legitimacy concerns.

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APPENDIX 1: REPORTS AND LEGISLATIVE ACTS

1. Invasive alien species

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APPENDIX 2. LIST OF INTERVIEWS

In order to preserve the anonymous character of the interviews, only the names of the institutions are provided.

INVASIVE ALIEN SPECIES

UK

1. Protected & Non-native Species Policy Unit, DEFRA, 03/06/2016, APHA, Nympsfield.
2. Non-native Species Secretariat, 11/07/16, York.
3. Protected & Non-native Species Policy Unit 2012-2016, DEFRA, 10/10/2016, Bristol.
4. Wildlife and Countryside Link, 20/10/2016, London.
5. Royal Society for the Protection of Birds (RSPB), 28/10/2016, London
6. Anglitrust, 8/12/2016, London
7. Newcastle University, 16 January 2017 (*phone interview*)
8. Centre for Ecology & Hydrology; 23/02/2017 (*phone interview*)
9. Member of Parliament, 28/03/2017 (*phone interview*)

France

10. Ministère de l'environnement, 04/10/2016, Paris.
11. Agence Française pour la Biodiversité, 28/10/2016 (*phone interview*)
12. Museum National d'Histoire Naturelle, 03/11/2016, Paris.
13. International Union for the Conservation of Nature, 03/11/2016, Paris.
14. Office national de la chasse et de la faune sauvage, 29/11/2016, Paris.
15. Fédération des conservatoires botaniques nationaux, 06/12/2016, Montreuil.
16. Laboratoire de Santé des Végétaux, ANSES, 07/12/2016, Paris.
17. Fédération des conservatoires d'espaces naturels, 08/12/2016, Paris.
18. Ministère de l'Agriculture, 16/12/2016, (*phone interview*).
19. Ministère des Affaires Sociales et de la Santé, 12/2016 Paris.
20. Museum National d'Histoire Naturelle, 27 January, Paris.

EU

21. European Commission, 05/12/2016, Brussels.
22. MEP assistant, EU Parliament, 05/12/2016, Brussels.
23. EASIN, Joint Research Centre, 16/12/2016, *phone interview*.

Belgium

24. Cellule interdépartementale espèces invasives, Service public de Wallonie, 05/12/2016, Brussels.
25. Belgian Biodiversity Platform, 05/12/2016, Brussels.

Spain

26. Ecologistas en accion, Madrid, 21/03/17
27. Ministerio de Agricultura y Medio Ambiente, Madrid, 21/03/17
28. WWF, Madrid, 23/02/2018

Portugal

29. Instituto da Conservação da Natureza e das Florestas, 04/04/17 (*phone interview*)

Hungary

30. WWF, Budapest, 06/04/17
31. Department of Nature Conservation, Food & Agriculture Ministry, Budapest, 06/04/17

Germany

32. Conservation Unit, BUND, Berlin, 22/05/17
33. Landesamt für Natur, Umwelt und Verbraucherschutz, NRW, 31 May 2017, *phone interview*.
34. Species protection unit, Federal Environment Ministry, Bonn, 23 June 2017
35. Deutsche Jagdverband, Berlin, 17/07/017

Stakeholders

36. Dutch Federation of Agriculture and Horticulture, 17/11/2016 (*phone interview*).
37. WWF, 05/12/2016, Brussels.
38. FUR Europe, Brussels, 22/02/2017
39. European Plant Protection Organisation, Paris, 26/05/2017

Asian Hornet

40. DRAAF Aquitaine, 13/06/2016, Bordeaux
41. AAAFA, 13/06/2016, Le Haillan.
42. AFAVV, 14/06/2016, Floirac
43. UNAF Gironde, 14/06/2016, Cestas.
44. GDSA Gironde, 15/06/2016, Le Bouscat.
45. INRA, 16/06/2016, Bordeaux.
46. Museum National d'Histoire Naturelle, 27/10, Paris.
47. Bureau de la santé animale, DGAL, MAAF, 28/10/2016.

YOUTH UNEMPLOYMENT

UK

1. Department of Work and Pensions, 17.02/2017, *phone interview*

France

2. Ministère du travail, Paris, 16/03/
3. CFDT (trade union), Paris, 30/03/17
4. Ministère du travail, Paris, 28/04/17
5. Ministère du travail, Paris, 28/04/17
6. Union Nationale des Missions Locales, Paris, 27/04/2017

Spain

7. Consejo Español de la Juventud, 20/03/17, Madrid.
8. USO (trade union), Madrid, 21/03/17
9. CCOO, trade union, Madrid, 21/03/17
10. UGT, trade union, Madrid, 22/03/17
11. Servicio Publico del Empleo, Ministerio del Empleo y Seguridad Social, Madrid, 23/02/2018

Germany

12. BAMS, Labour Ministry, Berlin 22/01/05
13. BDA (Employers Association), Berlin; 17/07/17

EU

14. European Trade Union Confederation; 09/02/2017
15. European Youth Forum 09/02/2017
16. European Commission, Brussels, 22/02/2017
17. European Commission, Brussels, 8 March 2017,
18. Business Europe, Brussels, 8 March 2017
19. European Commission, Brussels, 9 March 2017
20. European Commission, Brussels, 29/03/17
21. Former EU commissioner, Budapest, 03/04/17
22. Event at Parliament on the European Court of Auditors report.
23. European Commission, 31/05/2017
24. Member of the European Parliament, Brussels, 31/05/2017
25. European Court of Auditors, 16/06/2017, *phone interview*

ELECTRICITY TRANSMISSION NETWORKS

France

1. Ministère de la transition écologique, Paris, 26/05/2017
2. Commission de Régulation de l'Énergie, Paris, 21/06/17
3. RTE, Paris, 29/06/17
4. RTE, 20/07/17
5. RTE, Brussels, 14/09/17

UK

6. National Grid, *phone interview*, 01/06/2017
7. BEIS Ministry, London, 14/06/2017
8. Ofgem, London, 18/07/17

Germany

9. 50 Herz, 21/07/17 (*phone interview*)
10. Department for Energiewende, agriculture & environment. Schleswig-Holstein; (*phone interview*)
11. EnergieBW, 15 August, (*phone interview*)
12. Netzentwicklung, Ampion (Dortmund) - former network of RWE, 15 August,
13. German Infrastructure Regulation Agency, 08/09/17

Spain

14. CNMC, Madrid, 19/02/2018

EU / European stakeholders

15. CORESO, Brussels, 30/06/2017
16. Pentalaforum, Brussels, 30/06/2017
17. European Commission, Brussels, 30/06/2017
18. ACER, *phone interview*, 13/07/17
19. ENTSO-E; 17/08/17 (*phone interview*)
20. ENTSO-E, Brussels, 14/09/17

BANKING CRISIS MANAGEMENT

EU

1. former EU commissioner, phone interview, 1 march 2017
2. former expert at the Commission and the Financial Stability Board; 19 oct 2017
3. European Commission; Brussels 30 November 2017
4. European Commission; Brussels 30 November 2017
5. European Commission; Brussels 8 December 2017
6. Single Resolution Board, Brussels 8 December 2017
7. European Council, Brussels 8 December 2017
8. former Member of the European Parliament, 22 December 2017
9. Single Supervisory Mechanism Board Member, December 2017

10. European Banking Authority, London, 22 January 2018.
11. Single Resolution Board, Brussels, January 2018
12. European Commission, Brussels, January 2018
13. European Court of Auditors, 13 February 2018, phone interview
14. Former EU commissioner, Madrid, 18/02/2018
15. Former Commission member, Madrid 22/02/2018

UK

16. Resolution Division, Bank of England, 7 November 2017
17. former member of the Bank of England, London, 1 December 2017

France

18. DG Trésor, Ministère de l'économie et des finances, 26 oct 2017, Paris
19. Former member of the French Treasury, 31 oct 2017, Paris
20. Présidence de la République française, Paris, 14 November 2017.
21. ACPR, Banque de France, 27 november 2017; London
22. former member of DG Trésor, Paris, 29 Nov 2017
23. DG Trésor, Ministère de l'économie et des finances, Paris 29 november 2017

Germany

24. FMSA, 14 November 2017; Frankfurt.
25. Deutsche Bundesbank; 27 November 2017
26. member of the Bundestag, 13 December,
27. Bundesfinanzministerium, Berlin, 13 December
28. Bundesfinanzministerium, berlin, 14 December
29. Bafin, 19 December 2017, Bonn.
30. FMSA, Frankfort, 10 February

Spain

31. Fondo de Resolución Ordenada Bancaria, Madrid, 19 February 2018
32. Tesoro Publico, Madrid, 19/20/2018

Portugal

33. Bank of Portugal, December 2017

Experts and stakeholders

34. Bruegel institute, 8 October 2017

35. former economic adviser to heads of state, 8 November 2017, LSE

36. former member of the IMF, 15 November 2017