



Stocktaking of the Commission's 'better regulation' approach

Summary report of contributions to the public consultation

1. INTRODUCTION

On 17 July 2015, the European Commission launched a public consultation entitled Stocktaking of the Commission's 'better regulation' approach¹. The consultation closed on 23 October 2018.

The aim of the consultation was to assess how well the various better regulation procedures and bodies used by the Commission are working in practice and to what extent they contribute to achieving its better regulation policy objectives. The focus of the exercise was on the changes made by the Commission since May 2015.

The consultation was structured under the following thematic areas:

1. The Commission and better regulation – general questions
2. Consulting the public and interested parties
3. Evaluating existing EU laws
4. Assessing new Commission proposals
5. Scrutinising the quality of impact assessments and evaluations
6. Final questions related to progress and improvement

¹ As announced in the [roadmap](#) published on 2 May 2018

The Commission received 626 responses to the consultation and would like to thank the respondents for their contributions.

This summary report provides a factual summary of the accepted 596 responses. The document does not assess the validity of the respective responses. The contents of this document therefore cannot be regarded as reflecting the position of the Commission.

2. WHO PARTICIPATED IN THE PUBLIC CONSULTATION?

The online questionnaire constituting the public consultation was available in 23 EU-languages between 17 July and 23 October 2018 on the [Have Your Say](#) web portal. The questionnaire consisted of ca. 30 questions.

From 26 Member States (Figure 1) 626 contributions were submitted. After application of the [rules for feedback and suggestions](#), 596 contributions remained. Of those, 433 (63%) came from citizens in their private capacity and 163 (27%) from professionals replying on behalf of an organization (Figure 2).

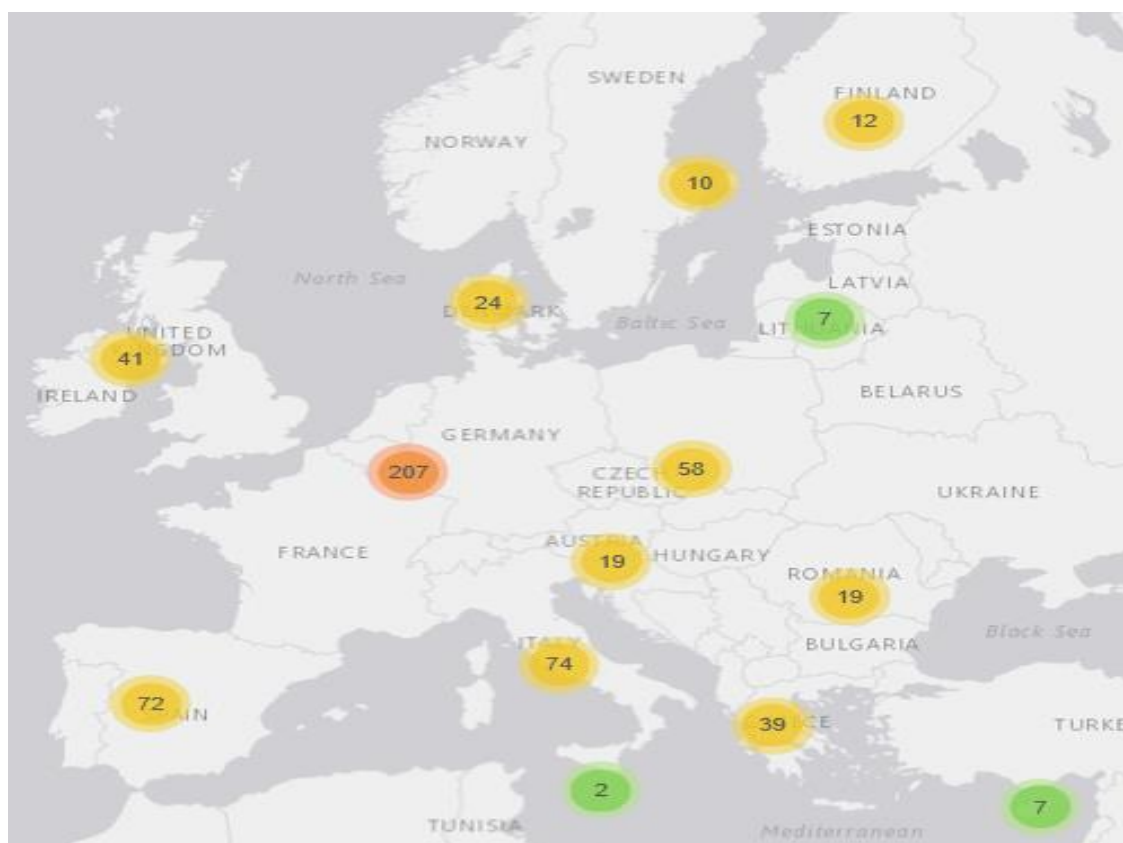


Figure 1: Geographical contribution of the responses



Figure 2: Distribution of type of organizations that the 163 professional respondents represented.

As part of the responses to the online public consultation, 40 position papers were submitted. Of those, 16 were either duplicates or concerned a different topic than taking stock of the Better Regulation policy. An in-depth analysis of the responses and position papers will be included in a staff working document assessing the findings of the stock-taking. This document will be published on 10 April as announced in the 2019 Commission's Work Programme².

Public consultation is a tool which provides transparency in the policy-making process. It informs the broader public and stakeholders about a certain policy issue and collects their views and evidence. In contrast to systematic surveys, public consultations are not statistically representative. Web-based public consultations also have a self-selection bias of the respondents towards the views of those who choose to respond to the consultation against those who do not. These elements need to be kept in mind when interpreting the results.

3. WHAT DID RESPONDENTS SAY?

This section presents the overall results per question, as well as a breakdown of replies according to the type of respondent (i.e. individuals, professionals) in order to make the views of the different stakeholder groups more visible.

3.1. General questions: The Commission and better regulation

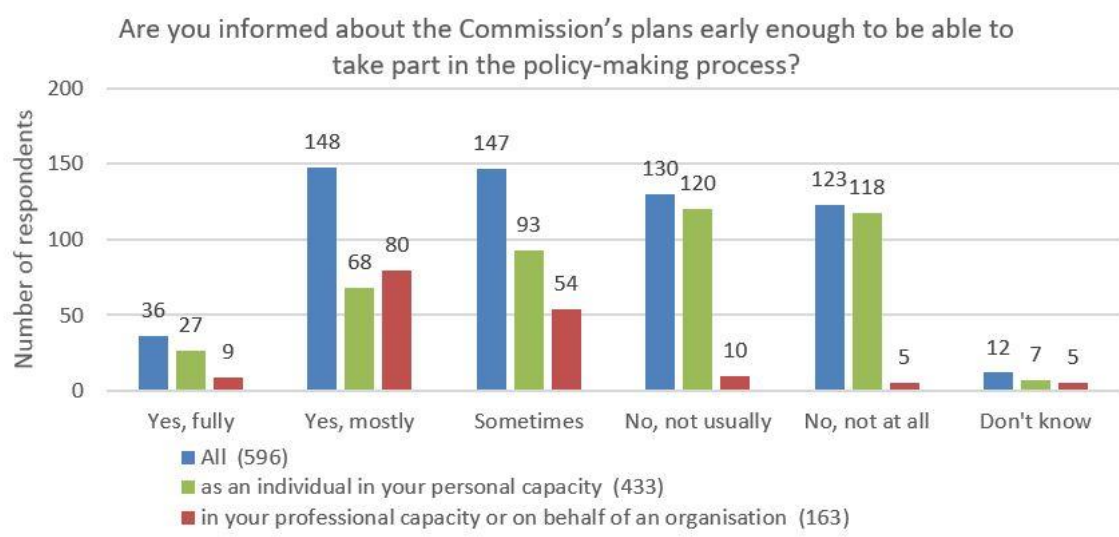
Q1. Are you informed about the Commission's plans early enough to be able to take part in the policymaking process?

Out of 596 respondents, 184 (31%) agree that that they are fully or mostly informed early enough to take part in the Commission's policymaking process; whereas 147 (25%) of the

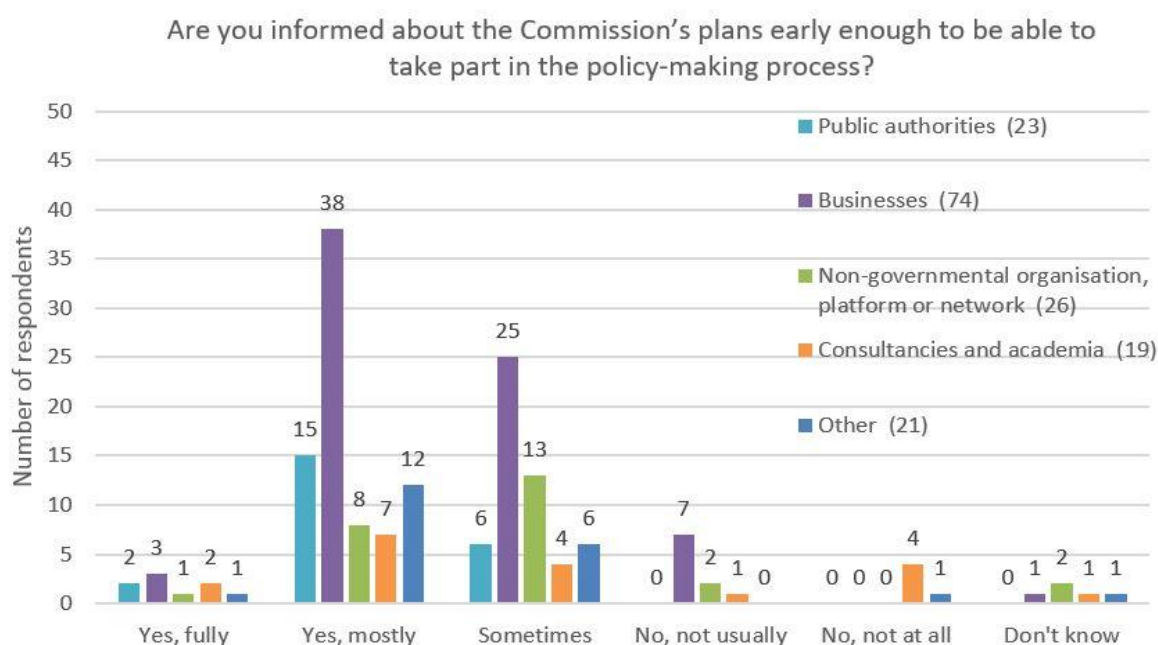
² https://ec.europa.eu/info/publications/2019-commission-work-programme-key-documents_en

596 respondents argue that this is sometimes the case, and 253 respondents (42.4%) said they were not informed early enough.

Public authorities and businesses said most frequently that they are fully or mostly informed early enough in the process (41 out of 74 and 17 out of 23; 55.4% and 73.9% respectively). In contrast, the majority of the individuals (238 out of 433, 55.0%) responded that they are not usually or not at all informed early enough.

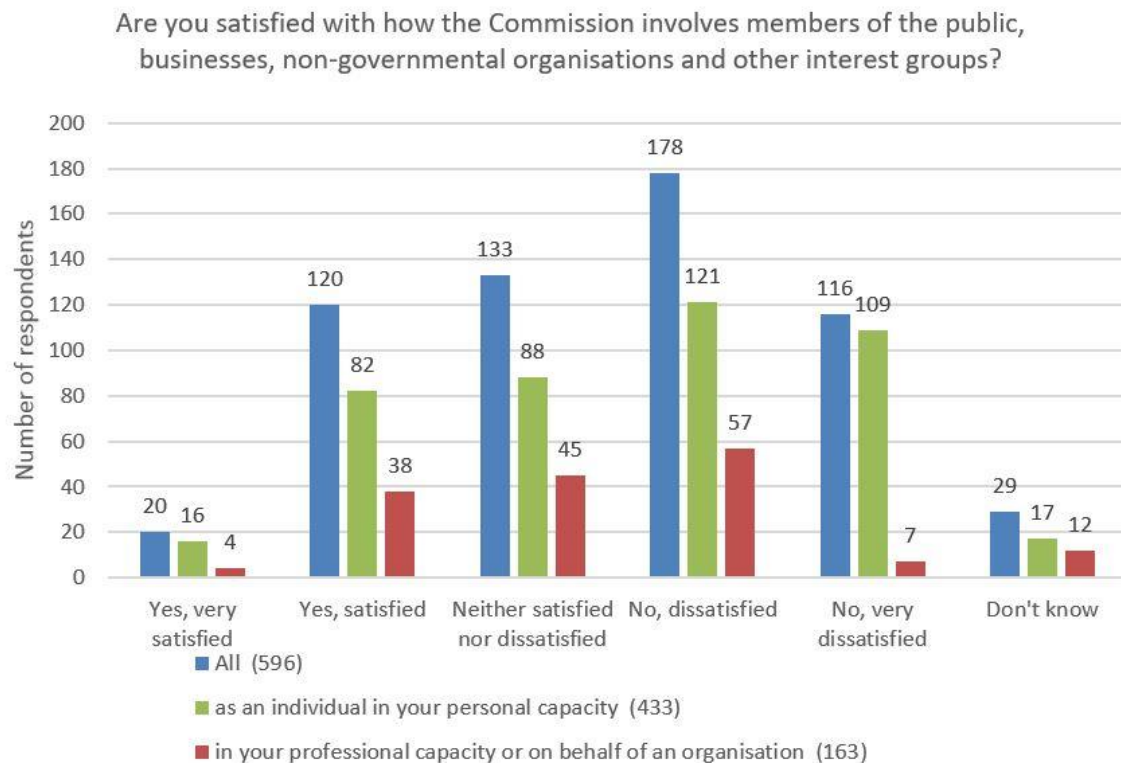


Breakdown of answers given in a professional capacity:



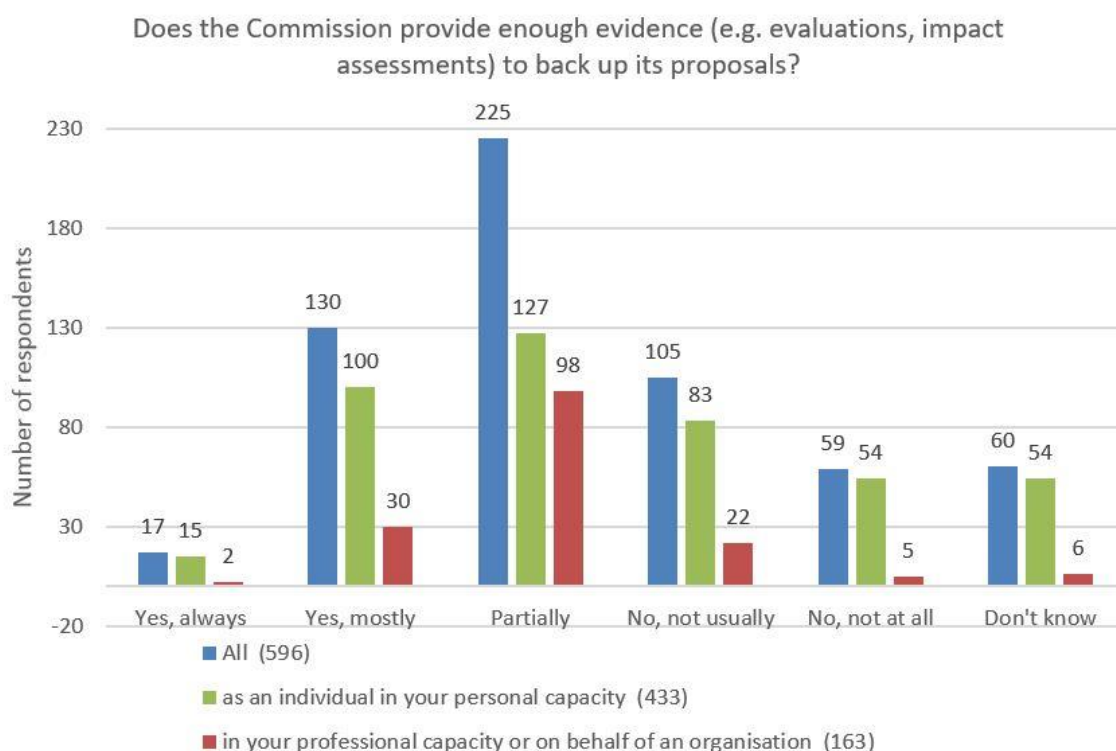
Q2. Are you satisfied with how the Commission involves members of the public, businesses, non-governmental organisations and other interest groups?

Approximately half of the individual respondents (53%) are dissatisfied or very dissatisfied with the way that the Commission involves members of the public, businesses, non-governmental organisations and other interest groups. Out of 163 professionals, 64 (39%) are of the same view. Hence, individuals have a more negative opinion than professionals.



Q3. Does the Commission provide enough evidence (e.g. evaluations, impact assessments) to back up its proposals?

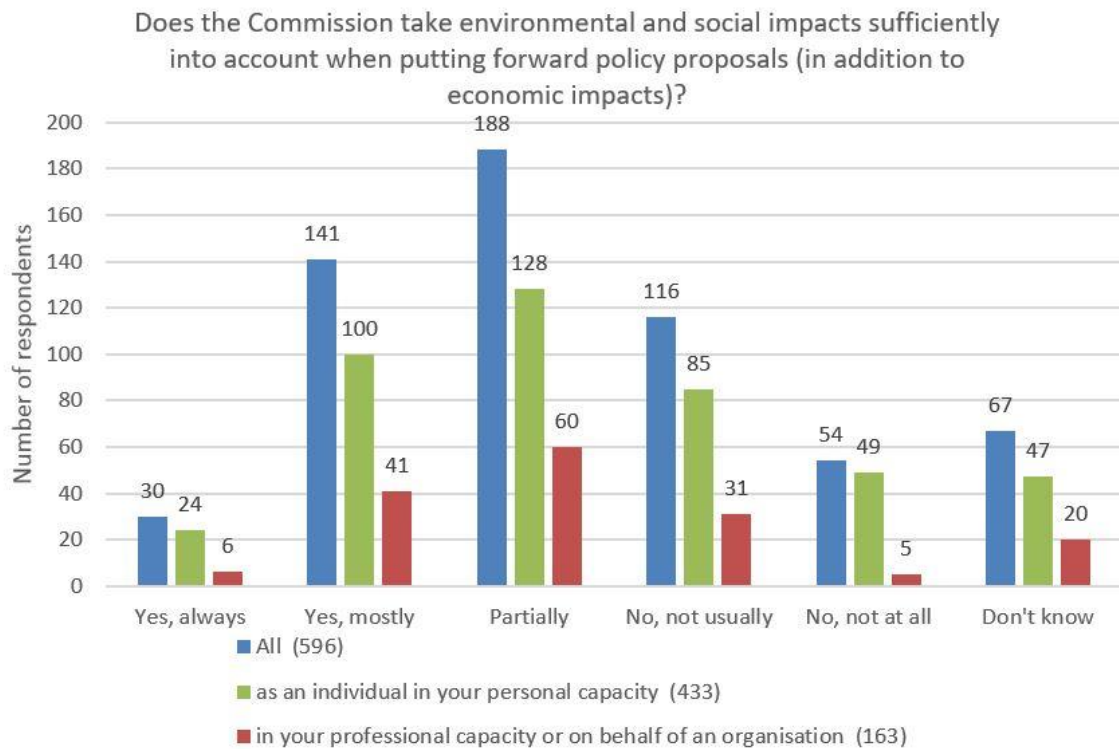
The opinions whether the Commission proposals are backed by enough evidence are divided. 147 respondents (24.7%) indicated that there was enough evidence, while 164 (27.5%) said that there was not. The largest group, 225 respondents (37.8%), found that the proposals were partially well backed by evidence.



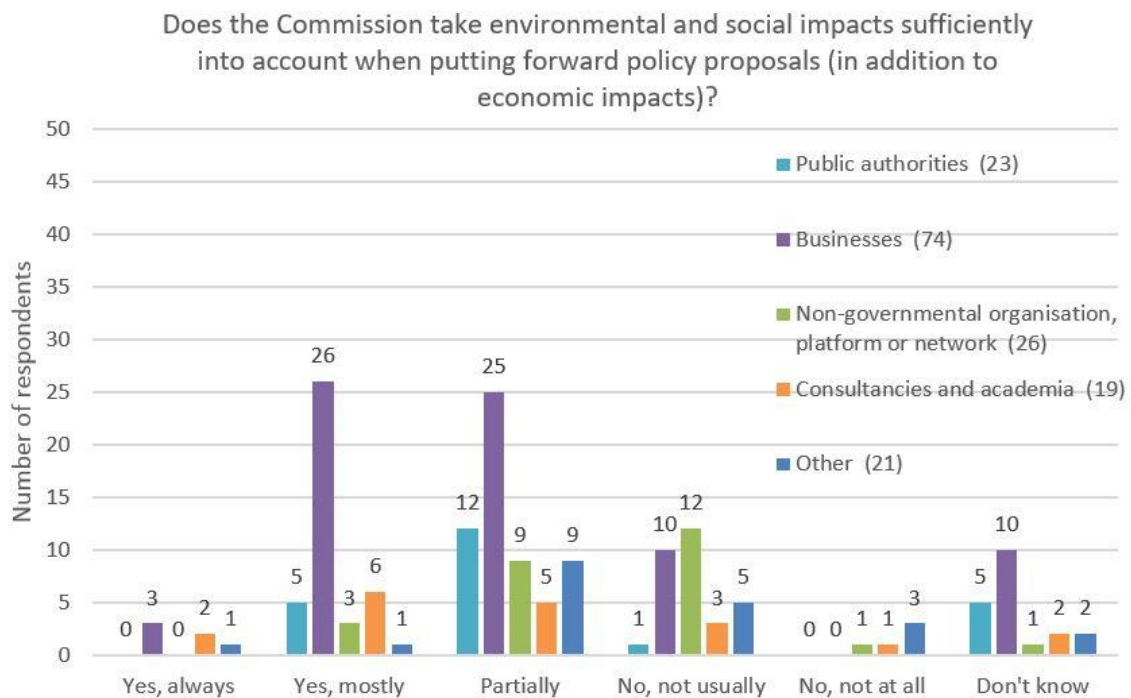
Q4. Does the Commission take environmental and social impacts sufficiently into account when putting forward policy proposals (in addition to economic impacts)?

Respondents agreed almost equally that the Commission did or did not consider environmental and social impacts sufficiently. Out of 596 respondents, 171 (28.7%) thought those impacts received sufficient attention, while 170 (28.5%) did not. The largest group of respondents (188 out of 596, 31.5%) thought that the Commission considers environmental and social impacts partially.

Among professionals, non-governmental organisations tended to think that social and environmental impacts are not sufficiently considered, while businesses tended to be of the opposite view. Public authorities hold the middle.



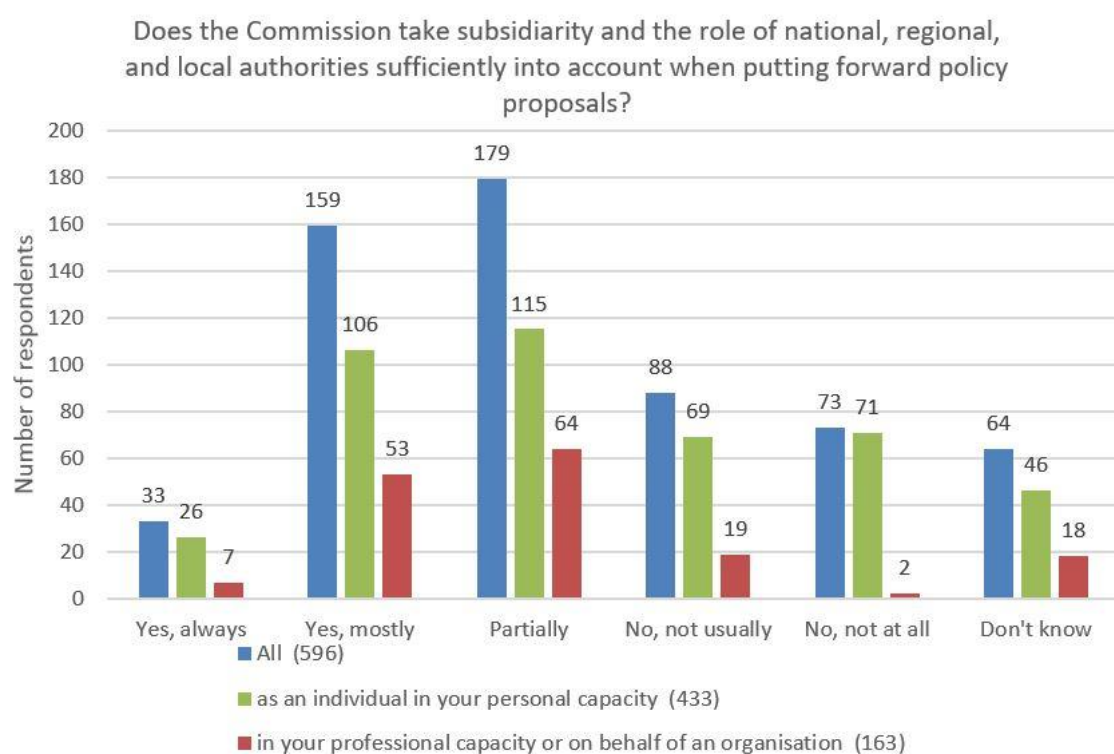
Breakdown of answers given in a professional capacity:



Q5. Does the Commission take subsidiarity and the role of national, regional, and local authorities sufficiently into account when putting forward policy proposals?

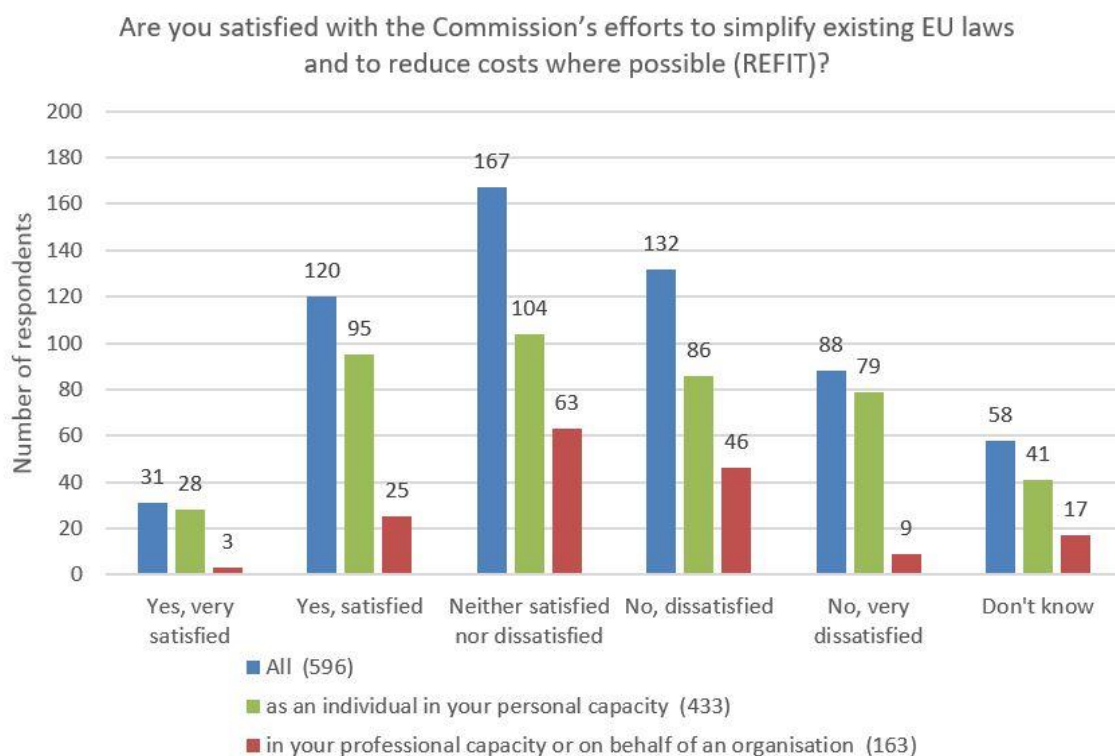
More respondents agreed (192 out of 596, 32.2%) than disagreed (161, 27.0%) that the Commission takes subsidiarity and the role of national, regional, and local authorities

sufficiently into account. A group of approximately the same size as the previous two (179, 30.3%) thought that the Commission only does so partially.



Q6. Are you satisfied with the Commission's efforts to simplify existing EU laws and to reduce costs where possible (REFIT)?

Out of 538 respondents, 151 (28%) were satisfied or very satisfied with the Commission's efforts to simplify existing EU laws and reduce costs where possible, while 220 (40%) were not. The remaining 167 respondents (28%) were partially satisfied with the Commission's efforts.

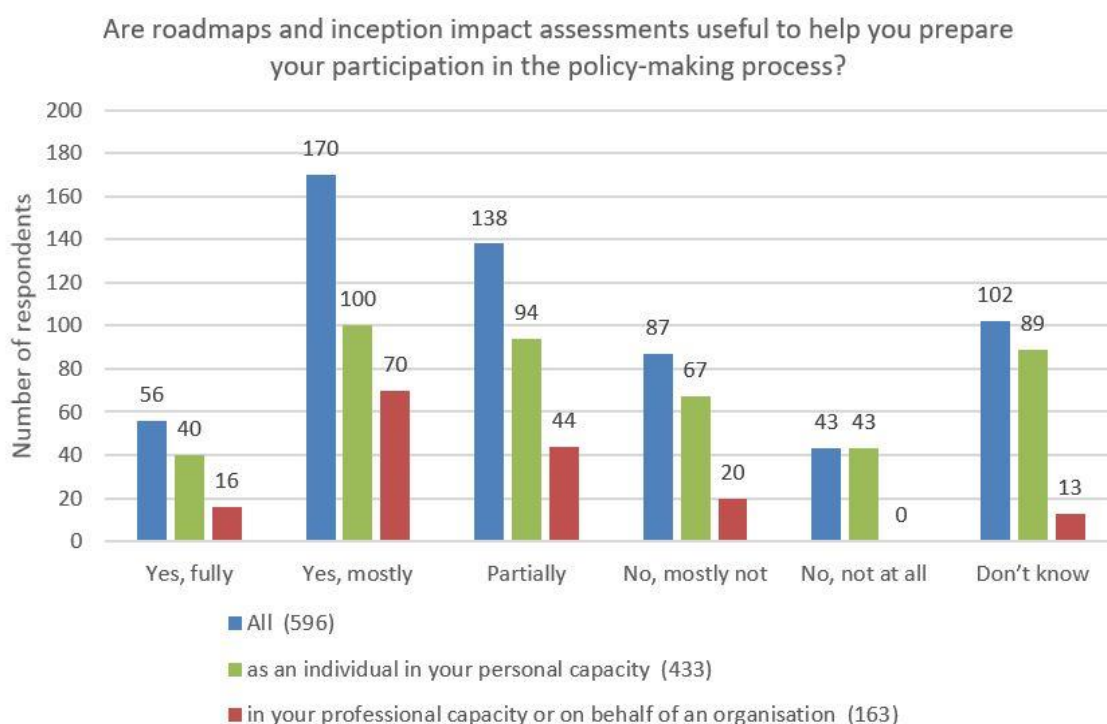


3.2. Public consultations: Consulting the public and interested parties

Q7. Are roadmaps and inception impact assessments useful to help you prepare your participation in the policymaking process?

Approximately 20% (102 of 556) of all respondents are not familiar with roadmaps and inception impact assessments. Of those who said they were familiar with them, approximately half (226 out of 494, 45.7%) find roadmaps and inception impact assessments entirely or mostly useful for preparing their participation in the policymaking process.

More than half the professionals thought that the roadmaps and inception impact assessments were (very) helpful, while another quarter deemed them partially helpful. Individual respondents were less positive.



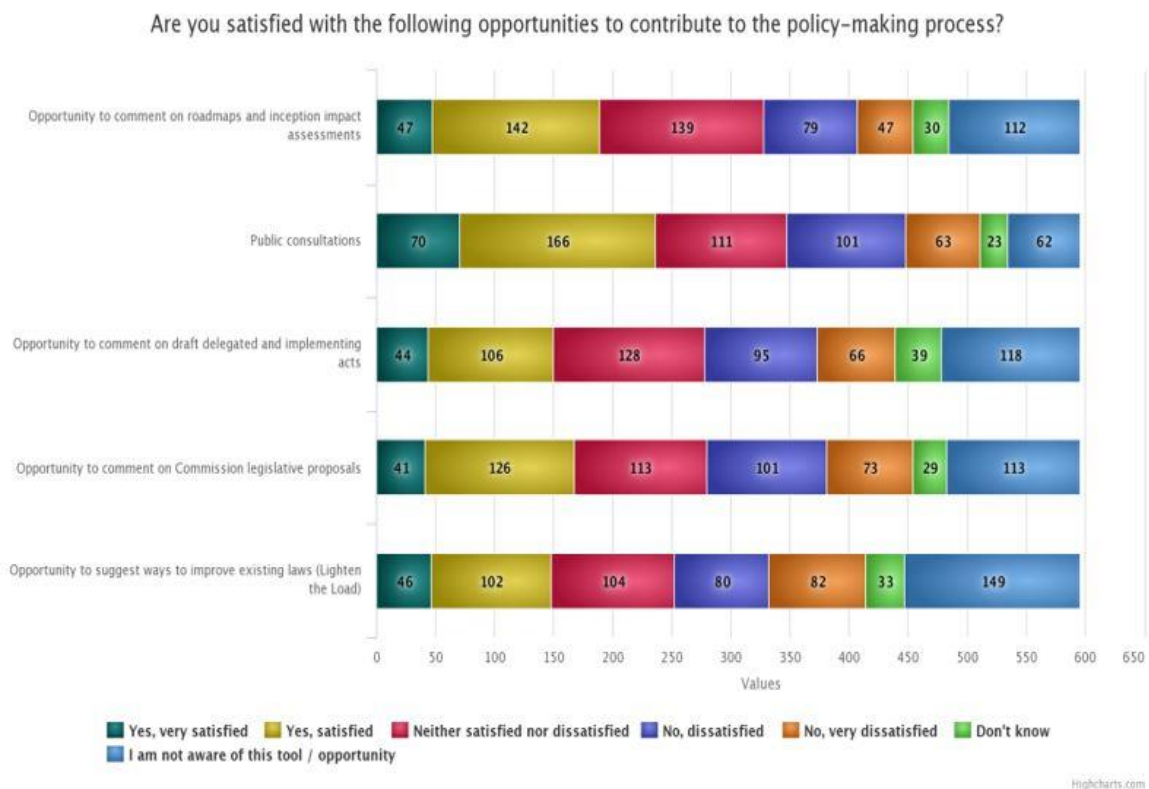
Q8. Are you satisfied with the following opportunities to contribute to the policymaking process?

With the exception of public consultations, a significant number of respondents (from 18.8% to 25% depending on the opportunity) was not aware of the various opportunities to contribute to policymaking.

The proportion of respondents who are satisfied with the opportunities to give feedback to inception impact assessments and roadmaps and take part in public consultations (31.7% and 40.0% respectively) is higher than the proportion of those who are dissatisfied (21.1% and 27.5% respectively). However, slightly more participants were dissatisfied than satisfied with the opportunities to comment on draft implementing and delegating acts (27.0% versus 25.2%) and legislative proposals adopted by the College (29.2% versus 28.0%) as well as the opportunity to flag legislation needing improvement (27.2% versus 24.8%). Across the five questions on participation opportunities, between 17.4% and 23.3% of respondents were neither satisfied nor dissatisfied.

Respondents (mainly individuals) to the open questions made a strong call to the European Commission to reach out more to increase awareness of its efforts under the better regulation agenda. Respondents stressed that the outreach efforts on regulatory developments in the EU have to find their way into the mainstream media, because most people do not follow EU social media accounts. According to respondents, the communication is also not tailored to Member States and the members of the public there. National and regional public authorities should play a more prominent role in informing the public.

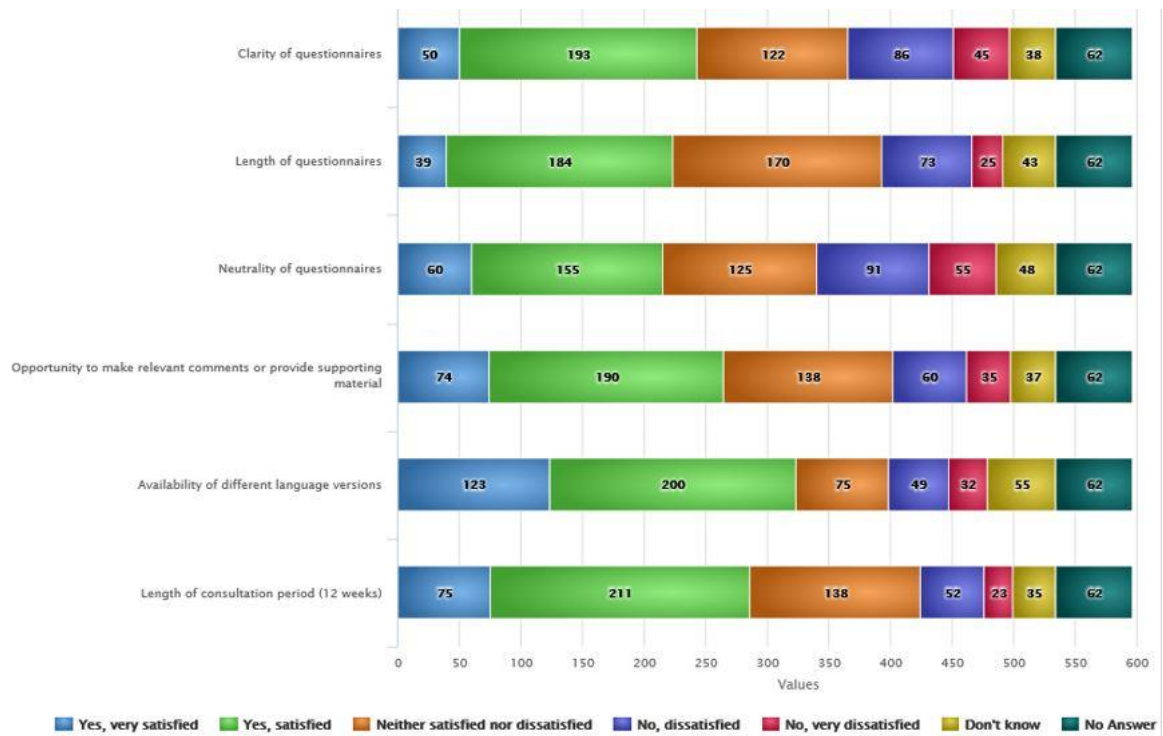
In response to the open questions, several professionals pointed out that local and regional and local public authorities as well as small and medium enterprises (SMEs) should be consulted better.



Q9. Are you satisfied with the following aspects of the Commission's public consultations?

Respondents had rather positive opinions on various characteristics of public consultations. The availability of different language versions, the length of the consultation period, and the opportunity to make relevant comments and provide supporting material were the aspects with which respondents were most satisfied (54.2%, 47.8% and 44.3% (very) satisfied respectively).

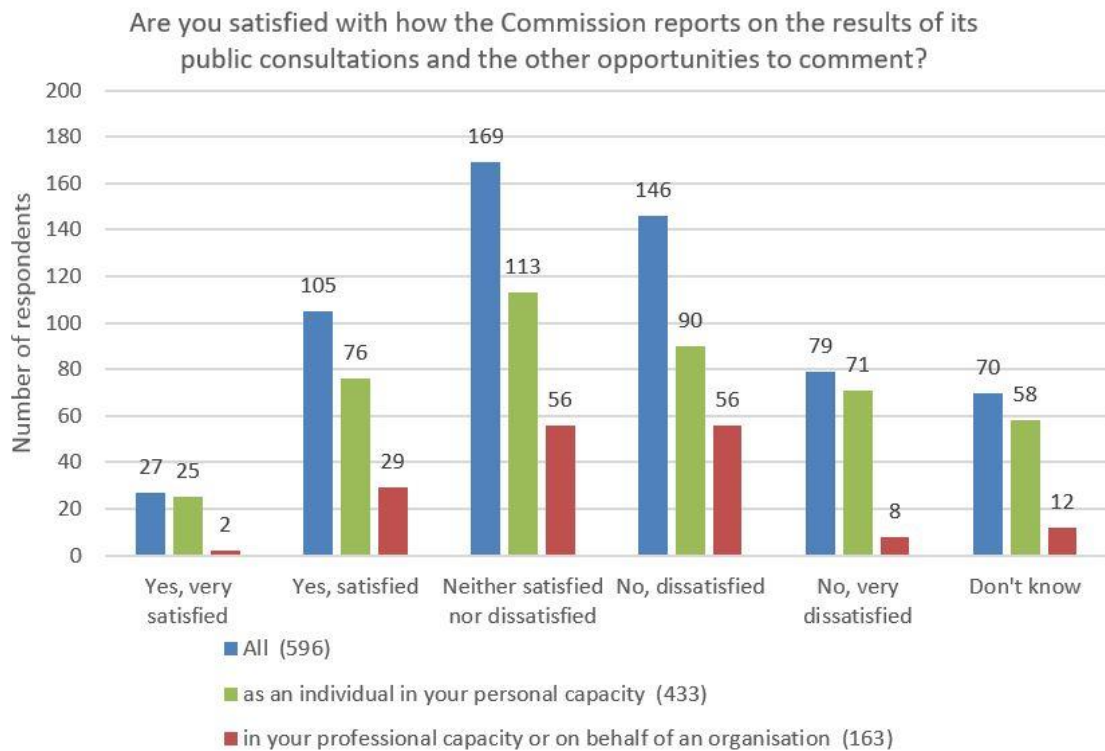
Between 40.8% and 36.1% of the respondents were (very) satisfied with the length, clarity and neutrality of the questionnaires. While the percentage of respondents who were (very) dissatisfied with these six aspects of public consultations was smaller, it is still sizeable (9.7% to 17.35%). Several individuals and organisations/professionals responded in the open text questions that questionnaires should be shorter, clearer, more neutral, less biased and less geared towards the desired option.



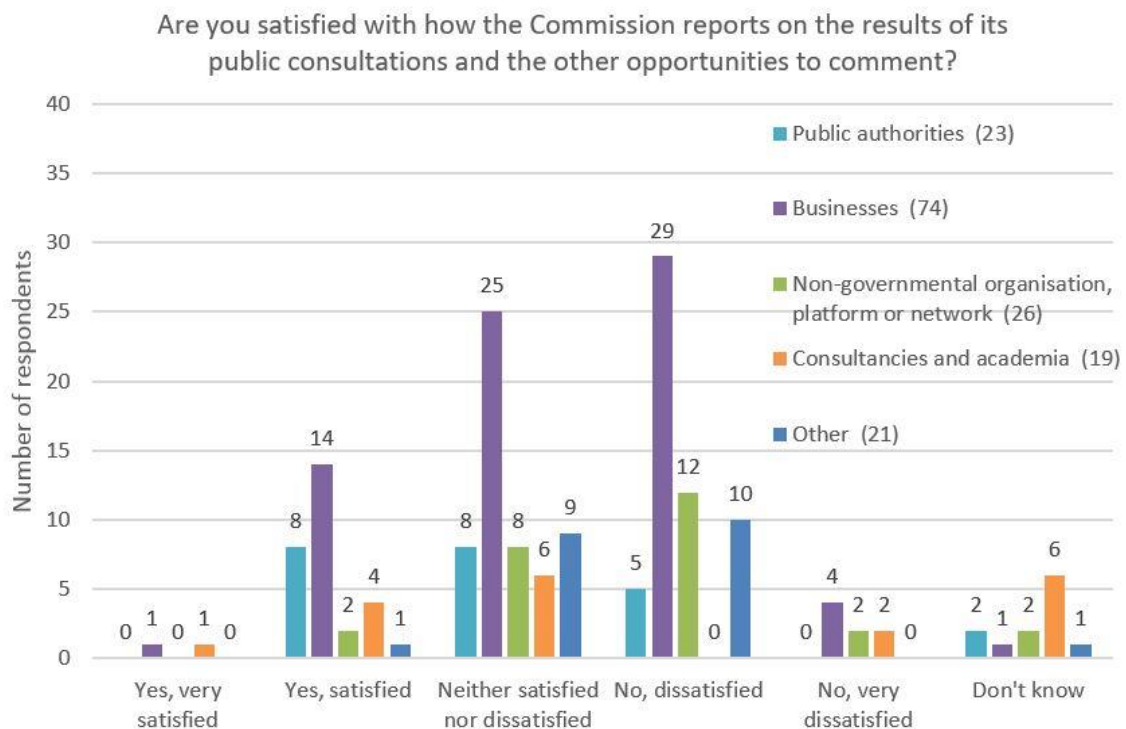
Q10. Are you satisfied with how the Commission reports on the results of its public consultations and the other opportunities to comment?

Out of 596 respondents, 225 (37.8%) were (very) dissatisfied with the way the Commission reports on the results of its public consultations and feedback mechanisms. Another large share was neither satisfied nor dissatisfied (169 respondents, 28.4%). Public authorities who responded tended to be more satisfied than businesses and non-governmental organisations.

Answering the open questions, respondents (both individuals acting in a private capacity and organisations/professionals) asked that reports on the results of consultation activities be systematically published (in timely fashion).



Breakdown of answers given in a professional capacity:



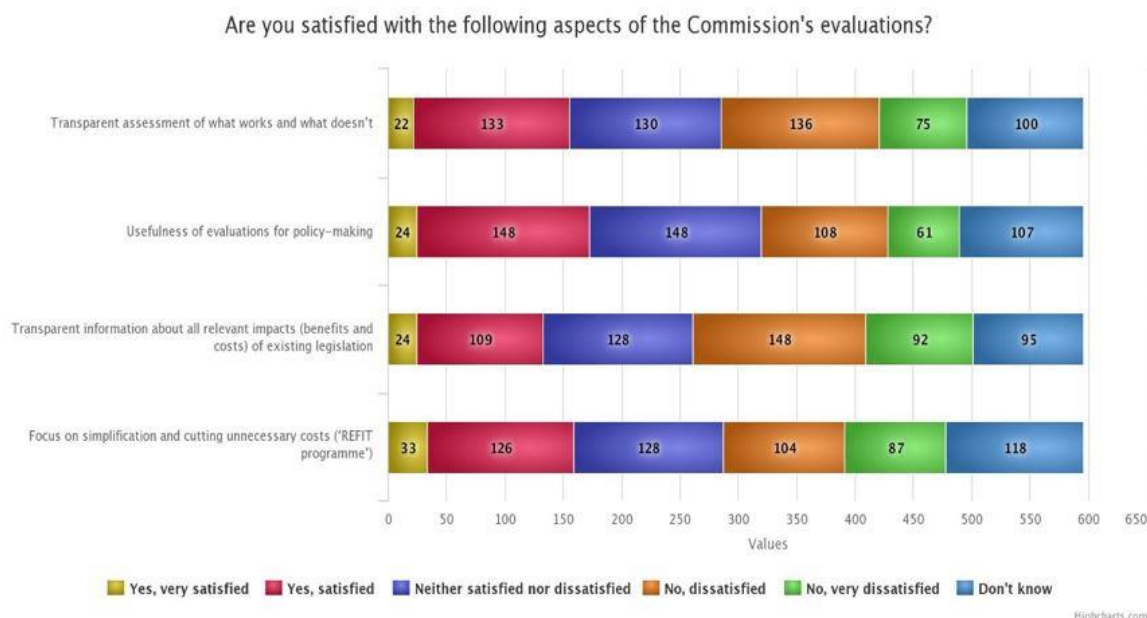
3.3. Evaluations and REFIT: Evaluating existing EU laws

Q11. Are you satisfied with the following aspects of the Commission's evaluations?

The opinions on the various elements of the evaluations carried out by the Commission were mixed. Again, professionals tended to be a bit more positive than individuals.

Additionally, a sizeable group of 95 and 118 respondents (15.9% - 19.8%) did not feel they were capable of judging the quality of the evaluations.

Most of the replies from respondents are more or less equally divided between satisfied, neither satisfied nor dissatisfied and dissatisfied. Only a small number said they were very satisfied (3.7% - 5.5%), while 10.2% to 15.4% were very dissatisfied.



In response to the open questions, several respondents said that the evaluation results needed to be utilised better when performing impact assessments. Some industry representatives asked for stricter adherence to the 'evaluate first' principle.

Respondents suggested that legislation should be given time to be implemented and take effect before initiating evaluations. Evaluations often require assumptions to be made to quantify costs and benefits, which have not yet materialised.

Additionally, respondents called for more transparency in the transposition of directives into national law and in the manner in which they are implemented. The evaluations should be more sensitive to divergences in the implementation of legislation in Member States.

Some respondents argued that evaluations should be done by the European Parliament and the Member States, i.e. that the Commission should not have this responsibility. Others suggested relying less on external contractors to do evaluations.

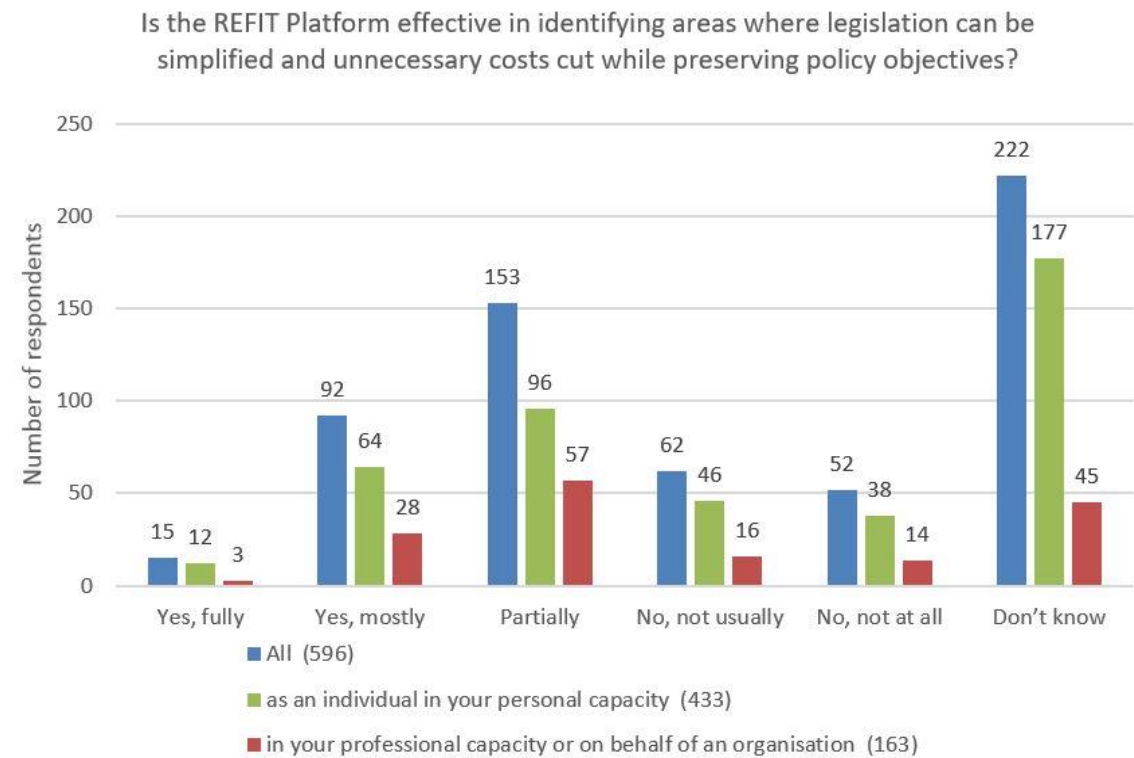
Q12. Is the REFIT Platform effective in identifying areas where legislation can be simplified and unnecessary costs cut while preserving policy objectives?

Many of the respondents were not sufficiently aware of the REFIT Platform. Out of 163 professionals, 45 (28%) did not feel they were able to assess the REFIT Platform's effectiveness. The same was true for 177 (40%) of the 433 individuals who replied. Of the 19 respondents from consultancies and academia, 10 (53%) could not provide a response to this question nor could 9 (approximately 40%) of the 23 public authorities.

Of the 274 who did answer the question, 260 (70%) agreed that the Platform is at least partially effective in identifying areas where legislation can be simplified and unnecessary costs cut.

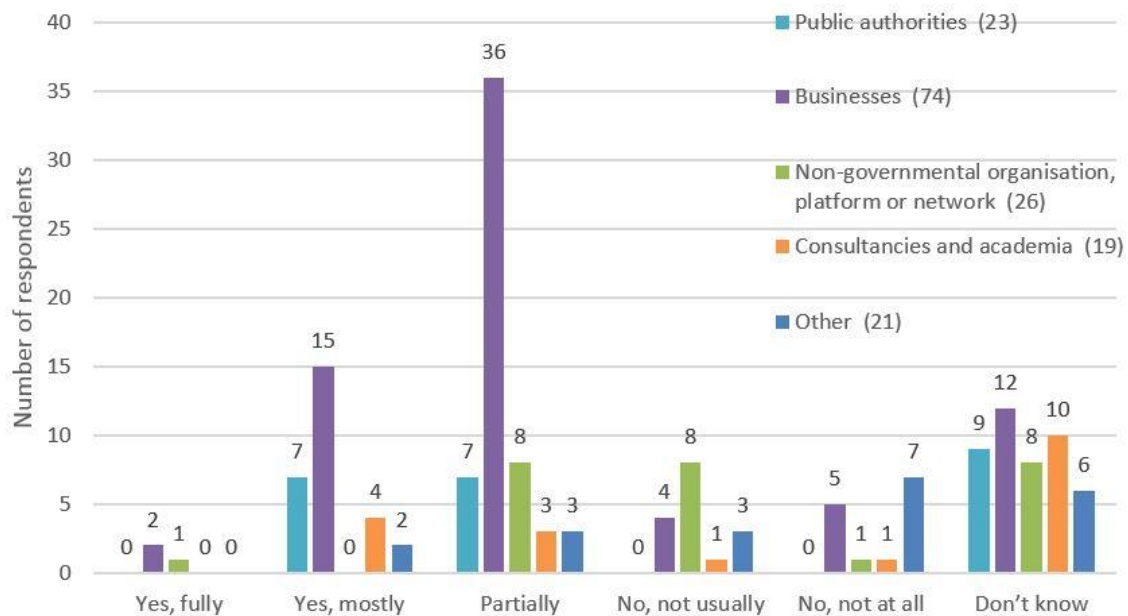
Responding to the relevant open question, respondents indicated that they would like easier access to REFIT reports and opinions and more transparency on how recommendations are implemented.

Regional or local authorities provided strong support for the continuation of the REFIT Platform.



Breakdown of answers given in a professional capacity:

Is the REFIT platform effective in identifying areas where legislation can be simplified and unnecessary costs cut while preserving policy objectives?

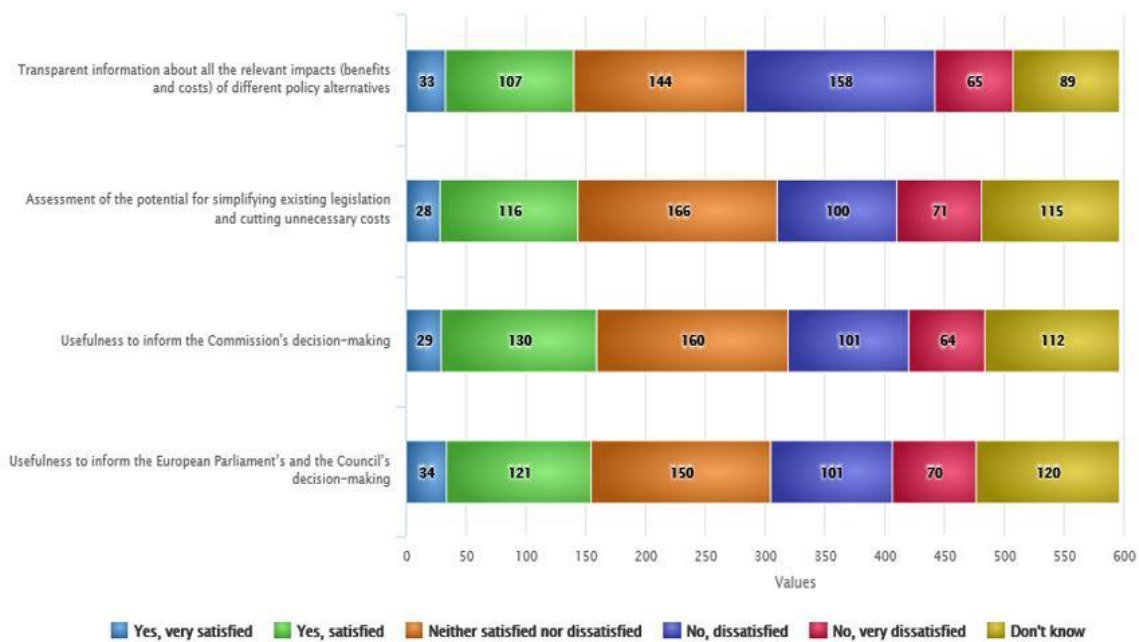


3.4. Impact assessments: Assessing new Commission proposals

Q13. Are you satisfied with the following aspects of the Commission's impact assessments?

A large percentage of the respondents (14.9% to 20.1%) did not know whether they were or were not satisfied with the Commission's impact assessments. Of those who did feel they could answer the question, the largest group (24.2% to 27.9%) said they were neither satisfied nor dissatisfied. With 223 respondents (very) dissatisfied (37.4%), there was most dissatisfaction with the transparency on policy alternatives and their impacts. Around 170 participants (28.5%) were (very) dissatisfied with each of the other three characteristics. While only a few respondents were very satisfied (4.7% to 5.7%) with the impact assessments' various characteristics, 18.0% to 21.8% were satisfied. Respondents saw the impact assessments' usefulness for decision-making slightly more positively than the quality of the assessments.

Professionals were on average neither satisfied nor dissatisfied with the impact assessments, except for transparent information on all relevant impacts (75 out of 168, 44.6%). In addition, businesses were not satisfied with the assessment of the potential for simplifying legislation (29 out of 74, 39.2%).



Professionals responding to the open questions very often flagged that too many pieces of legislation came without an impact assessment. Respondents said that it is not always transparent why some proposals are subject to impact assessments while others are not.

Some respondents indicated that the Interinstitutional Agreement on Better Law-Making is not fully observed. They expressed disappointment that the European Parliament and Council seem to make little use of impact assessments and do not assess their amendments.

Respondents felt that best practices on transparency were not consistently followed, so that, for example, the analysis presented, including the choice of options, was not transparent and comprehensible. The criticism was diverse, covering the whole range: there was the feeling that political considerations outweighed all other input, consultation questions were found to be biased or too limited, not all information was published, etc. Professionals added that the use and presentation of numerical models often was detrimental to transparency.

Individuals and professionals replying to the open questions are of the opinion that the scope of the impacts assessed is too limited, focusing too much on economic issues, big industry and other large stakeholders, in particular. The wish to look rather at society as a whole (e.g. on environmental impacts, effects on SMEs/micro-businesses, impacts on individuals/consumers, health, fundamental/basic rights, inequality/poverty/social dialogue, minorities) was often voiced.

Professionals very often criticise the varying analytical and methodological quality across impact assessments and the low quality of the underlying data.

Regarding subsidiarity, some respondents find the current assessment overly legalistic and formalistic. They claim that the added value of action at EU level needs to be analysed based on evidence. Professionals said that harmonisation and cross-border activity should not be overused as arguments for justification. In this context, the remark was made that more than 20 different approaches do not necessarily imply a need for harmonisation; rather it could be evidence that the Member States have successfully tackled the problem.

Respondents asked that they be involved in various ways and that local and regional levels of government be taken into account: they said that a territorial and urban impact assessment should be done, EU-level action should be better justified, and there should be a closer examination of what measures Member States have taken.

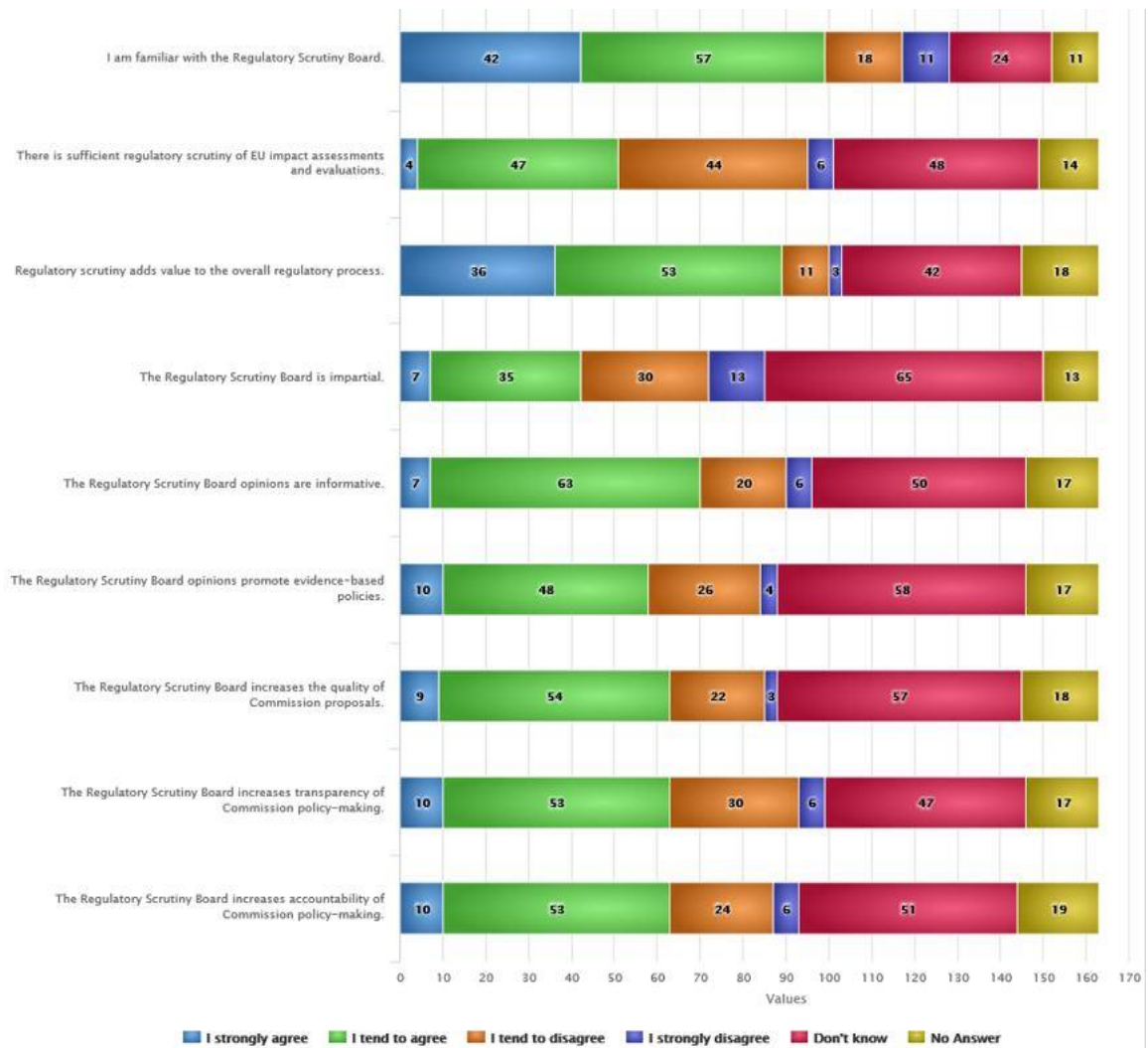
3.5. Regulatory scrutiny: Scrutinising the quality of impact assessments and evaluations

Q14. Please indicate the level of your agreement with each of the following statements regarding regulatory scrutiny

Among individuals, 320 (74%) out of 433 said that they were not familiar with the Regulatory Scrutiny Board (the Board) or barely so, whereas 64 (39%) out of 163 professionals stated the same. Hence, awareness of the Board is very low.

Of those who did know about regulatory scrutiny, an overwhelming majority thought that the Board added value to the regulatory process (89 out of 103, 86.4%). Additionally, more respondents had a positive opinion of the Board's characteristics than a negative opinion. On the two questions whether there was sufficient regulatory scrutiny and whether the Board was impartial, respondents were evenly split. Moreover, professionals are more likely to have positive opinions about the Board than individuals are in their private capacity.

It emerges from the answers to the open questions that respondents clearly do not see the Board as a body exercising purely internal quality control. Given the absence of a similar body elsewhere in the legislation process, for example at the level of co-legislators, the Board is expected to have a much larger role in the policymaking process. Several respondents proposed giving it more independence by establishing a secretariat for the Board independent from the Commission or by recruiting all members externally. Additionally, respondents suggested strengthening the mandate to allow the Board to assess inception impact assessments and roadmaps as well as more evaluations.

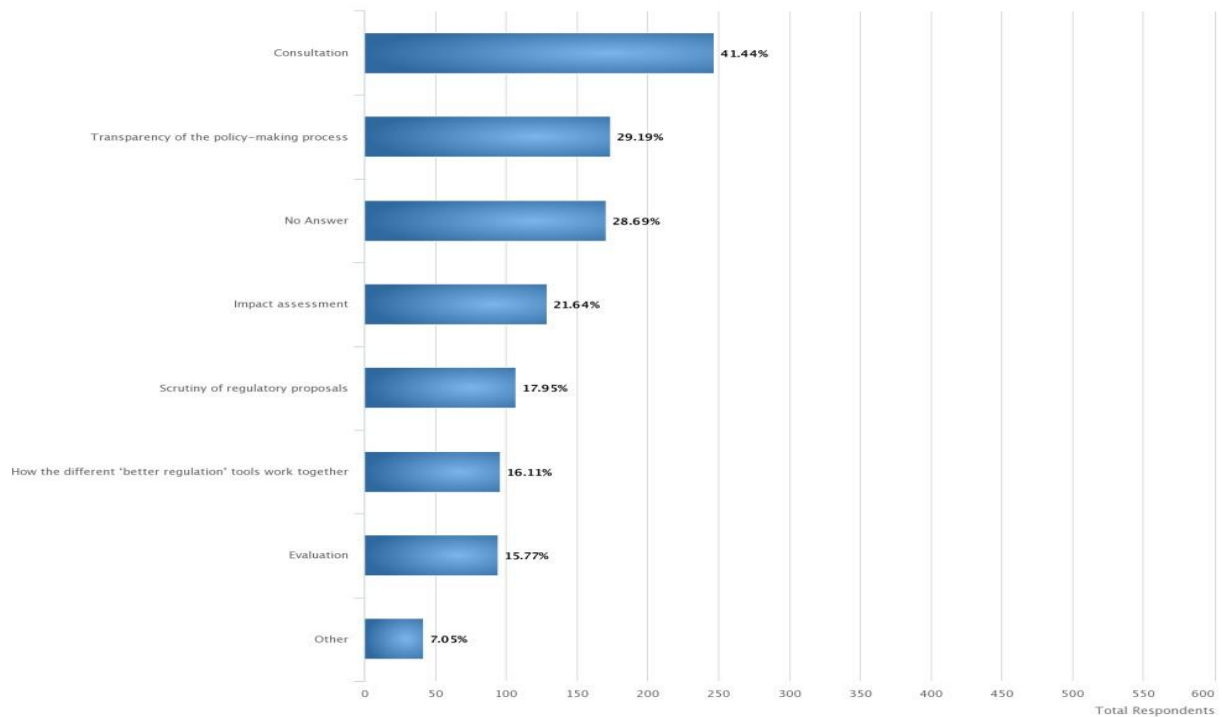


3.6. Final questions on past and future progress

Q15. Please select up to three areas where the Commission has made (relatively more) progress since 2014.

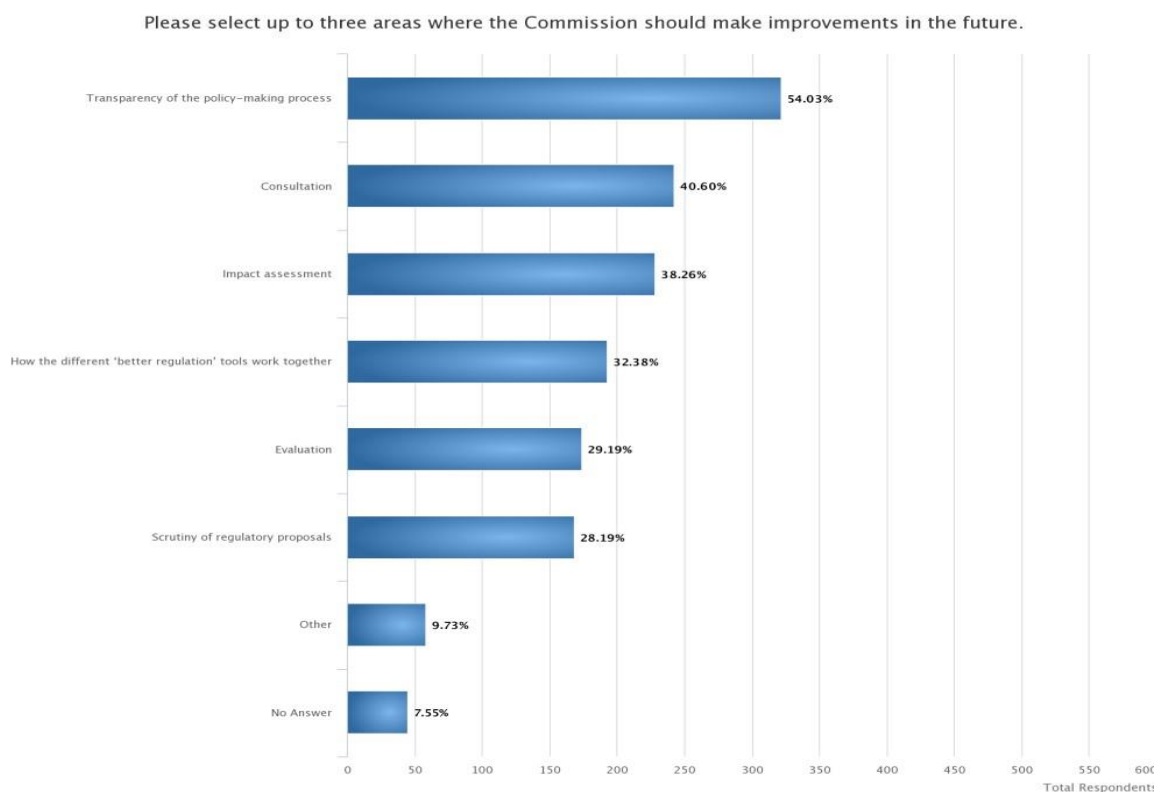
The three areas of better regulation where respondents saw the most progress since 2015 are mainly public consultation, transparency of the policymaking process and impact assessments. Businesses observed, in particular, progress in the scrutiny of legislative proposals.

Please select up to three areas where the Commission has made (relatively more) progress since 2014, if any.



Q16. Please select up to three areas where the Commission should make improvements in the future.

The opinions of private and professional respondents diverge on future improvements. While individuals saw further improvement necessary in areas where most progress has been made — i.e. consultation, transparency and impact assessments — professionals would like to see also more progress on evaluations.



3.7. Conclusions of the public consultation questionnaire

Professionals tended to be more positive about the Commission's better regulation efforts than individuals responding in a private capacity.

Individual respondents often indicated that they found the decision-making process with its better regulation elements confusing, did not find it transparent or were simply unaware of its elements, especially REFIT and impact assessments.

The new web portal [Have Your Say](#) was welcomed by several respondents, but consultation and transparency remain the top items that respondents would like to see further improved. Additionally, many individuals felt overlooked by the analyses. Like civil society organisations, they argued that the economic focus is too strong and neglects issues such as (public) health, inequality and the climate.

Professionals felt better informed about the better regulation agenda and the opportunities to participate than individual respondents did. They made proposals to strengthen several elements of better regulation and to increase the opportunities for them to participate, and urged the Commission, the European Parliament and the European Council to assess the impacts of every proposal and amendment.

3.8. Position papers

Overall, stakeholders welcomed the progress that the Commission has made on better regulation since 2015. They especially appreciated the increased possibilities for participation. In their position papers, they call for continued efforts and make many suggestions to further improve and elaborate the better regulation system. To be able to advocate better their interests, stakeholders proposed further improving participation,

increasing transparency and de-politicising the better regulation system. Additionally, NGOs and social partners called for an overhaul to put the public interest rather than the economy into the focus. National and regional governments as well as businesses supported the economic orientation and renewed their call to pay close attention to the regulatory burden placed on each of them. At the same time, two members of the business community worried about deregulation. Finally, members of the research community offered their specific expertise.

For more detail, see the web page where all position papers have been published³.

Public authorities

In alphabetical order, the national governments of Denmark, Finland and the United Kingdom as well as the organisation representing the interests of Danish local governments (LGDK) submitted relevant position papers. In a separate document, the national government of Malta provided extended answers to the open questions in the public consultation online.

These public authorities univocally welcome the improvements brought by the better regulation agenda. They propose various ways to further strengthen the elements of the better regulation system and to continue the REFIT programme. They also support an economic orientation, referring to competitiveness, economic growth, employment and innovation as important issues to be considered. Additionally, public authorities ask for continued efforts on quantification and burden reduction.

For the Danish, Finnish, Maltese and British public authorities, especially the Danish local governments, implementation was a key issue. In this context, they considered more granularity in the analyses as essential. The Danish local governments gave as an example “that an impact assessment shows that 40% of workers will get better terms for a given action at EU level. It would be desirable to investigate *which* workers this applies to and from *which* Member States.”

Additionally, these public authorities also asked the Commission to pay attention to the density and complexity of its legislation, which is especially caused by implementing acts and delegated acts. According to them, these acts often weigh heavily on local governments and small and medium-sized businesses who have to understand and apply those rules.

In terms of proposed changes, those proposed to improve stakeholder consultations and participation in the REFIT Platform played the most prominent role in these public authorities’ position papers. They urged the Commission: to make sure that all stakeholder groups are included; to drive up the number and diversity of contributions; to have more open-ended questionnaires; to follow up on stakeholders’ contributions systematically and consistently; and to improve the inclusion of (detailed) stakeholder contributions in analyses. Another suggestion made by several public authorities is to increase the Regulatory Scrutiny Board’s independence. Many detailed suggestions regarding the Commission’s better regulation system can be found in the position papers themselves.

Civil society (NGOs)

³ https://ec.europa.eu/info/consultations/public-consultation-stocktaking-commissions-better-regulation-approach_en

In alphabetical order, BirdLife Europe, CONCORD (European NGO confederation for relief and development), the European Environmental Bureau, NABU and WWF submitted position papers, with those of BirdLife and NABU being almost identical.

The following statement of the WWF reflects these NGOs' concerns succinctly: "Currently the Better Regulation guidelines mainly aim to support economic growth by ensuring that its proposals meet policy goals at minimum cost, while maintaining social and environmental sustainability considered as a secondary objective." Therefore, the position papers call for a reform or even an overhaul of the Commission's current better regulation system.

These NGOs urge the Commission to put public interest rather than the private interest of the business community at the centre of the better regulation agenda. A related criticism is that the environmental impacts do not receive the same attention as economic impacts. These NGOs see an overemphasis on quantification, especially in monetary terms, as a root cause. According to them, the current quantifying practices also systematically disadvantage future generations and non-linearly behaving environmental systems. CONCORD commented positively on the sustainability impact assessments and human rights impact assessments carried out by DG TRADE for trade negotiation proposals.

These NGOs look to the better regulation system to track the European Union's performance in meeting (internationally) agreed objectives and goals, such as the Sustainable Development Goals and climate targets. For example, they find that setting indicators and monitoring the achievement of policy goals against those indicators increases the EU's accountability. The environmental NGOs proposed that sustainability principles become mainstream by including them in the better regulation toolbox and having the Regulatory Scrutiny Board oversee their application. CONCORD added the concept of policy coherence for development to this request.

Additionally, these NGOs emphasise the importance of achieving policy objectives effectively and efficiently, rather than focusing on cost cutting and simplification, which is what the current REFIT programme does in their view. In this regard, NGOs ask that better attention be paid to policy coherence, implementation in the Member States and enforcement.

Finally, these NGOs would like to see stakeholder consultations improved. It is important to them to be consulted also on strategic policy considerations rather than only on a narrow set of pre-determined policy choices. Moreover, they stress the importance of making sure that all stakeholders, including small ones, are reached. NGOs also ask the Commission to make questionnaires more understandable, to balance the stakeholders' input fairly in the analyses and to provide feedback to those who participated.

Business community

In alphabetical order, the following organisations from the business community submitted relevant position papers: Accountancy Europe, Advertising Information Group, Bundesverband der deutschen Industrie, BusinessEurope, Deutsche Industrie- und Handelskammertag, EuroChambers, Insurance Europe, Näringslivets Regelnämnd, Specialised Nutrition Europe, Verband der chemischen Industrie, Zentralverband des deutschen Handwerks. There is much consensus on what would need to be improved. Many of the papers feature long lists of detailed suggestions for improvement. It should be noted that 4 of the 11 position papers from the business community came from Germany.

For the business community, the consultations are of great importance. The one-page position paper by Accountancy Europe represents the variety of suggestions made. Besides improving the questionnaire, as also proposed by the public authorities (see above), Accountancy Europe pointed out that the current format of the questionnaire and the lengths of response periods often make it difficult for them to consult their constituents. The members of the business community would also like to see their contributions to consultations fairly weighted and more visible in the analyses.

Additionally, many of the position papers stressed that every legislative proposal, including implementing acts and delegated acts, should come with an analysis of the underlying evidence. They also called for the co-legislators to increase their efforts to assess the impact of their amendments during the negotiations. Furthermore, several papers drew attention to the correct application of the subsidiarity and proportionality principles.

A frequently mentioned issue was policy fragmentation, because impact assessments do not sufficiently consider impacts on other policy areas. Furthermore, the business community perceived impact assessments often to have a bias. They flagged that initial preferences for certain policy options should not lead to selective data selection and that the collected data needs to be of high quality.

The position papers stressed the importance of the ‘evaluate first’ principle, because it makes the European authorities more accountable. At the same time, they pointed out that evaluations are not informative if they are done too early. A few organisations noted that the quality of evaluations was still trailing behind the quality of impact assessments.

Another frequently mentioned topic was the transposition by Member States, including gold-plating. Several papers asked for more transparency and suggested developing a common definition of over-implementation. The business community would also like to see efforts to further increase transparency. In particular, they would like to see the Commission publish draft impact assessments, so that stakeholders can already have a look at the underlying data and analysis. Additionally, almost every position paper mentioned that Trilogues lacked transparency.

Several respondents from the business community were of the opinion that the Regulatory Scrutiny Board should enjoy greater independence. They also regretted the fact that the Board’s opinions were too often not sufficiently followed up on. Finally, businesses welcomed the REFIT Platform and cautioned the Commission not to politicise it, i.e. make policy through it. They would like the Platform’s scope to be broadened to cross-cutting issues and they called for better follow-up of the Platform’s opinions.

The position paper from Special Nutrition Europe (SNE) provided a different angle than the others. SNE was worried that deregulation, particularly in food labelling, would jeopardise the recognition of their specialised productions.

For further reference, the published position papers provide many detailed suggestions regarding the Commission’s better regulation system.

Trade unions

Two trade unions submitted position papers. The European Trade Union was highly critical of the Commission’s better regulation agenda. Quoting from their paper: “the ‘Better Regulation’ package puts the supposed needs of business above all others; turns minimum standards into maximum standards; puts a value on impact assessments that they do not

have; brings a longer, costlier and more bureaucratic procedure that will risk delaying social progress; makes it more difficult for elected EU institutions to change European Commission proposals and could undermine the principle that EU law applies equally to all. In short, it adds red tape, slows down progressive change and de-democratises Europe.”

The Beamtenbund und Tarifunion (DBB; German association of government officials) drew attention to the importance of social protection, including health, equal chances and workers’ rights. They perceived better regulation as overly focusing on reducing the burden for businesses.

Research community (think tanks, academia and consultants)

The European Risk Forum, Quadrant Conseil and RegWatch Europe submitted position papers that all take up a different angle to better regulation. Nonetheless, they all call on the Commission to further consolidate its better regulation efforts.

The main message of RegWatch Europe’s paper is to not aggregate analyses at EU level. In their opinion, it is more informative to read what the impact on individuals and businesses would be. As a consultant carrying out evaluations, Quadrant Conseil implores the Commission to move beyond procedure and rules to create a genuine evaluation culture among its officials. Paraphrasing Quadrant Conseil’s words, an evaluation should not be a report, but an internal process. To this end, the consultant proposes, for example, establishing a body of evaluators and increasing the mutual link between impact assessments and evaluations. It also calls for a flexible application of the rules and procedures in order to make evaluations truly useful, given the wide variety of policy areas. The European Risk Forum takes an approach opposite to the one calling for flexibility advocated by Quadrant Conseil. The Forum urges additional codification, standardisation, formal oversight and requirements to ensure that the scientific evidence and analyses are of the highest quality. For example, it is concerned about bias, the distinctions between fact and opinion and between measured evidence and theoretical extrapolation, and applying state-of-the-art quantification methods. Additionally, improving risk management legislation and sophisticated risk analysis is close to their heart. Their long list of detailed suggestions includes ideas to improve the tools on sectoral competitiveness (tool #20) and research and innovation (tool #21) in the better regulation toolbox.