

## **Contribution to the consultation on Stakeholders consultation guidelines and Impact assessment guidelines.**

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Name of the Organization: Cooperatives Europe asbl

Commission's register of interest representatives – ID number: 16999985032-07

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Cooperatives Europe is the voice of cooperative enterprises in Europe. On behalf of its 83 member organisations from 33 European countries across all business sectors it promotes the cooperative business model in Europe. Its members represent 123 million individual member co-operators owning 160.000 cooperative enterprises and providing jobs to 5.4 million European citizens.

## Preliminary remarks

Cooperatives Europe welcomes the consultations on 'Stakeholders consultation guidelines and Impact assessment guidelines'. Even if these documents are for internal use, stakeholders are the key actor within the consultation process and their input can improve the quality and efficiency of the whole process.

The questionnaire on consultation process covers the consultation guidelines document that is used as a background to the consultation. Nonetheless, while these questions are useful, we found that they do not cover the all issues that are important within a consultation process.

Adopting a pragmatic approach, instead of replying to the questionnaire, we have decided to focus on some specific points, which we have formulated based on our experience of participation in several consultations. We have discussed these points with our members, both European sectoral organisations and national ones. This will enable us to tackle issues directly affecting cooperatives as stakeholders in consultations.

Regarding impact assessment we focus on one key element of utmost importance for cooperatives.

## Consultation guidelines

### Announcement/Communication of the consultation

Broadly speaking, announcement and communication consultations are satisfactory. The Stakeholders which are strongly involved in European matters, as it is the case for Cooperatives Europe, are well connected to the initiatives from the Commission. As for the other topics, the alert system for the registered organisations is a key tool.

### Identification of the right target group.

We consider the identification of the target group as crucial for the consultation to reach the right stakeholders and therefore be fully useful. On the other hand, we consider equally important that the stakeholders who are part of the target group are aware of it.

For example, in the past, cooperatives were not explicitly included in the target group of consultations such as on accounting standards or company law, but of course they were supposed to answer to the consultation as these topics directly affect them.

We therefore recommend to always mentioning if cooperatives, as well as other forms of enterprises are concerned by the topic of the consultation.

### Classification/description of stakeholders

Cooperatives Europe and its member organisations sometimes face difficulties to find the right category to describe themselves, among the ones that are generally proposed in

consultation questionnaires. Consumer's cooperatives, for example, are neither consumers nor industrial or trade association.

As for Cooperatives Europe we can often only choose between the category "industry" or "NGOs". As neither of these categories fully describes us, we think that the category 'business organisation' should be added to all consultations.

### Timing of consultation and its duration

Timing is a key point for all consultation processes, from at least two perspectives.

Firstly, it is about *how long* the consultation period is. 12 weeks period is a minimum time, derogation should be an exception clearly justified. The timing given should also take into consideration the type of consultation: the time required to answer to a consultation depends on its format (multiple-choice VS open question consultation) and on the number of questions.

Secondly, it is of extreme importance *when* the consultation is published. Consultations which are launched between 10<sup>th</sup> July and 20<sup>th</sup> August, or one week before Christmas break, necessarily give stakeholders less time to carry out their own internal consultation process, which necessarily negatively affects the quality of the consultation.

Very often Commission asks us and other stakeholders to contribute to share the consultation with member organisations and networks in order to get reply from different stakeholders in different member states. Cooperatives Europe is happy to give its contribution, but promoting consultations that do not have reasonable timings can negatively affect the image of both Cooperatives Europe and the Commission: our members might think that the consultation process is not taken seriously into consideration and therefore does not deserve an effort.

### Language

We understand that languages and the related translation and interpretation services represent a cost and that there are no formal requirement concerning the number of languages version. We share the principle described in the guidelines according to which '*The language coverage of the consultation will vary depending whether those consulted are highly specialised, the general public etc...*'.

However, these last years, we have noticed a considerable increase in consultations carried out only in English, most of which were not highly technical but rather addressed to a large audience. Consequently we have registered a decrease in participation from some of our national member, or a decrease of the quality of the answers, mainly due to the fact that questions had not been fully understood.

One cannot expect to involve more stakeholders or citizens if they cannot use their native language or a language with which they are familiar. In addition to this, timing is also crucial: if a consultation is key for an organisation but it needs translating, more time will be necessary to prepare the answers.

### Consultation methods and tools.

We find that multiple-choice questionnaires might not allow a complete answer from stakeholders and oblige them to simplifications that can be misleading or misunderstood. Therefore we recommend for each chapter of the questionnaire to provide an open box where respondents can add their comments.

It goes without saying that elements included in these open boxes need taking into account, which is currently not the case. In the past we have introduced remarks on specific issues, which were not even mentioned in the consultation report.

We have noticed sensible improvements on the side of technical aspects. The fact that online questionnaire can be downloaded enables us to share them more easily with our members and work with them for a shared position

### Analysing the result and representativeness of the respondents

Commission should take into consideration the representativeness of the respondent. While we consider that all contributions to public consultations are valuable and should therefore deserve equal attention by the EU Commission, we are convinced that when analysing the answers, the representativeness of the respondent must be taken into account. Instead, we have often noticed that a mere quantitative analysis is sometimes made, which does not guarantee correct and just interpretation of results.

To assess representativeness different criteria needs taking into account. On the one hand, it depends of represented enterprises, jobs, members...; on the other hand the number of represented member states.

We therefore recommend that the EU Commission verify the representativeness of the respondent organisation. A means could be asking to provide details about it in the questionnaire.

We are of the opinion that showing that representativeness of respondent organisations is duly taken into account, would probably diminish the number of duplicate answers. On the contrary, if only quantitative data are taken into accounts, such as the number of answers received, organisations would obviously encourage their member organisation to submit the same position.

### Reporting

Even if not exhaustive, Cooperatives Europe considers that a report of consultation should be public for each consultation. It should be available within the same delay given for the consultation.

## **Impact assessment**

Regarding the impact assessment procedure, what is of particular interest to us is the question regarding what are the impacts of different policy options and who will be affected.

In particular, we would like that any impact assessment takes into consideration the plurality of business forms, a principle which is recognised by the Funding Treaties of the EU<sup>1</sup>. In fact it is often the case that the impact assessment measures the consequences on shareholder companies, not considering that the impact of the same measure can be extremely different on other forms of businesses, such as cooperatives.

*End*

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<sup>1</sup> Article 54 of the EC Treaty under the Right of establishment chapter: “Companies or firms” means companies or firms constituted under civil or commercial law, including cooperative societies, and other legal persons governed by public or private law, save for those which are non-profit-making.