



# **The European Commission's Impact Assessment system - how to ensure good quality?**

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*Evaluating Policies for Sustainable Development*  
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# What you will hear about

- Brief history of the better regulation
- Impact assessment as a tool for sustainable policy making
- Control points and mechanisms
- Quality criteria
- Who controls those who control?
- New developments

# Background – some history



## **2001**

The EU Sustainable Development Strategy– new approach to policy making

## **2002**

Better Regulation Action Plan: Integrated approach to Impact Assessment – one key action – economic, social, environmental together

## **2003**

Training, Guidelines, Handbook and Annexes introduced in 2003; first impact assessment reports ('extended')

## **2005**

Revised Impact Assessment Guidelines – SEC(2005)791 - endorsed by College

## **2006**

Launch of the Impact Assessment Board (Quality control and support)  
Revision of the EU Sustainable Development Strategy

## **2009**

Revised IA guidelines  
Revision of the EU Sustainable Development Strategy (forthcoming)

# Impact Assessment

## *What is it? What it is not?*

- Tool to prepare new proposals
- Ex-ante, forward looking
- Evidence for decision makers
- Process ensuring stakeholder's input
- Mirrors three pillars of the sustainable development strategy
- Not a substitute for political judgment

## *Scope of application*

- Covers all major Commission proposals (including non-legislative and implementing measures)
- About 70 impact assessment reports in 2006, 102 in 2007, and 135 in 2008
- 50% concern legislative proposals

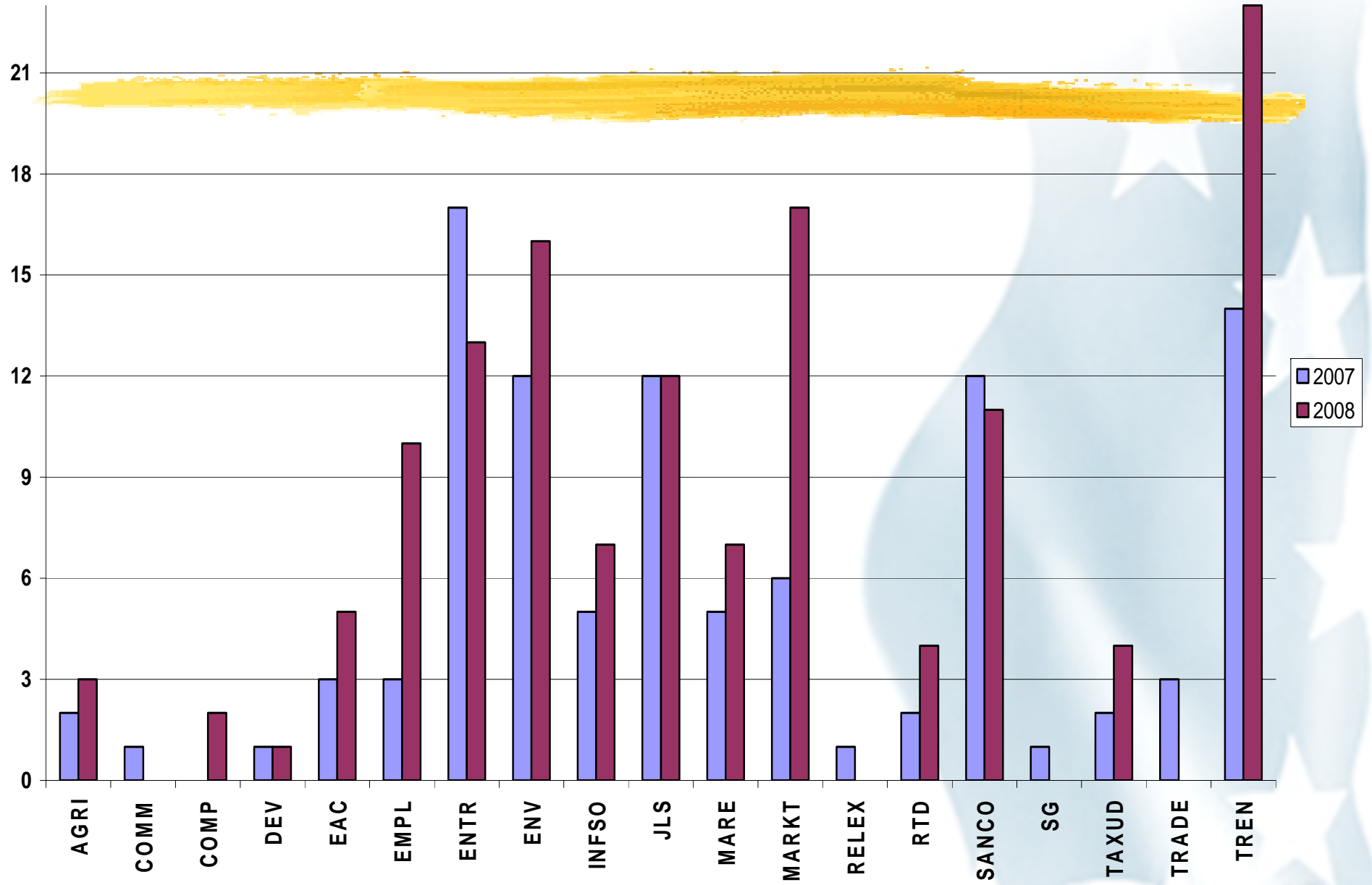
## *Scope of the analysis*

- 3 main aspects (economic, environmental, social)
- Need for business as usual scenario (no new action)
- Need for viable policy alternatives
- 'Principle of Proportionate Analysis': depth and scope linked to potential for impacts
- More significant = More effort to quantify/monetise

## *Transparency*

- Stakeholders' contributions commented in a report AND in the Impact Assessment Report
- Impact Assessment Board Opinions and Impact Assessment – published once proposal adopted

Number of impact assessment reports by DG



# What are 'control points'?



- Objectives – need to be coherent with SDS and Lisbon strategies
- Baseline scenario – often time horizon longer than election-driven
- Assessment of impacts – environmental, social, and economic
- Comparing options – trade-offs and synergies
- Monitoring and evaluation arrangements

## What are 'control mechanisms'?

- External stakeholders – from early phase
- Inter-service discussions
- Impact Assessment Board
- College
- Legislator (European Parliament and Council)

# What is the Impact Assessment Board?

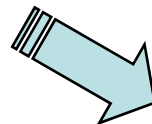
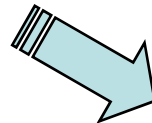
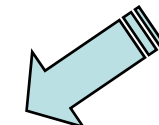
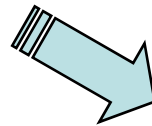
- Independent body, launched by President Barroso on 14 November 2006 to ensure good quality of the Commission impact assessments
  - quality control (before proposals are adopted)
  - quality support to services
  - prompting services for an IA when needed
- Provides greater transparency: IAB opinions published after adoption of the proposal by the Commission  
[http://ec.europa.eu/governance/impact/practice\\_en.htm](http://ec.europa.eu/governance/impact/practice_en.htm)
- Composition mirrors three pillars of SDS

# How does the IAB work?

**The author DG sends draft IA report to the IAB (at least one month before discussion with the IAB)**

**DG answers to the comments either in writing or orally during an IAB meeting**

**The IA report is revised, the opinion is published (internally for DGs), it accompanies proposal in CIS and to the College**



**The IAB sends detailed comments to the DG (Impact Assessment Quality Checklist)**

- The IAB issues the opinion**
- Critical opinion may lead to resubmission**

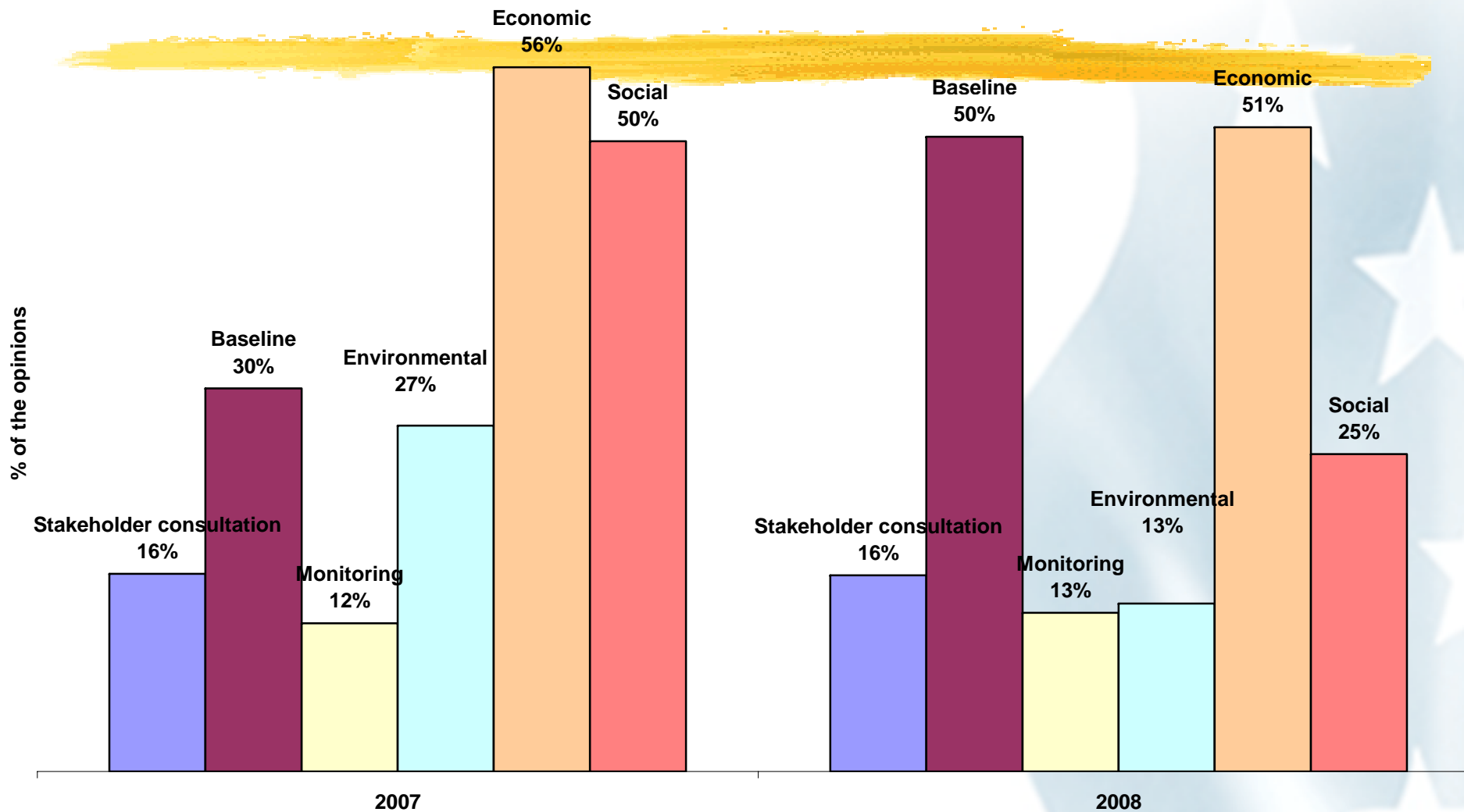
**Opinion is published externally (on Europa) once the policy initiative is adopted by the Commission**

# Quality criteria

- Based on existing IA Guidelines
- Coverage, proportionality and balance of analysis
  - Balanced approach (economic, social, environment)
  - Subsidiarity and proportionality
  - Identification of uncertainties and use of data etc.
- Key analytical steps
  - Problem definition
  - Objectives
  - Policy options
  - Impact analysis
  - Comparison of options
- Process and presentation
  - Roadmap, Inter-service steering group and presentation in IA report
  - Consultation
  - Use of external expertise

If criteria are not met IAB asks for resubmission

### Areas for improvement noted by the IAB



Impact Assessment Board asked for 10 resubmissions in 2007 (10%) and 43 in 2008 (32%)

# Controlling those who control

## Individual Impact Assessments

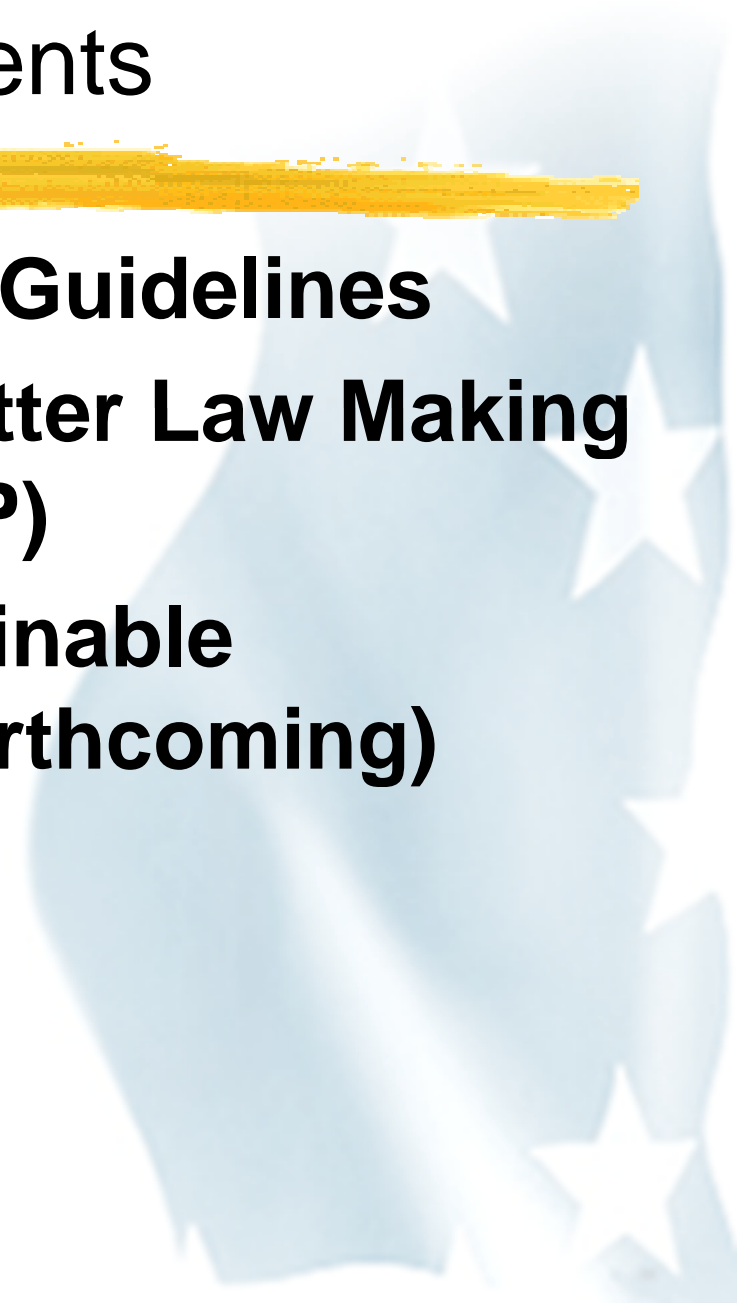
- Stakeholders
- Council
- European Parliament

## Horizontal assessments

- Evaluation of the Impact Assessment by TEP in 2007
- Audit by European Court of Auditors – results in 2009

# New developments



- **2009 Impact Assessment Guidelines**
  - **Common Approach to Better Law Making (Commission, Council, EP)**
  - **Communication on Sustainable Development Strategy (forthcoming)**
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## Final remarks about Commission's IA system

- It ensures *the* integrated approach
- Few MS systems are so comprehensive: they focus on one aspect only (budget, red tape, etc)
- It is very transparent
- It is under constant pressure (some impacts becoming more equal than others...)

# More information

- Secretariat General Better Regulation website  
[http://ec.europa.eu/governance/better\\_regulation/index\\_en.htm](http://ec.europa.eu/governance/better_regulation/index_en.htm)
- IA reports and IAB opinions
- [http://ec.europa.eu/governance/impact/practice\\_en.htm](http://ec.europa.eu/governance/impact/practice_en.htm)
- IA guidelines  
[http://ec.europa.eu/governance/impact/docs\\_en.htm](http://ec.europa.eu/governance/impact/docs_en.htm)
- Any other questions:
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