

Mareike Kleine Samuel Huntington November 25th, 2024

How lunch breaks reduce transparency and help EU leaders reach agreement

Lunch breaks during meetings have become an increasingly important setting for confidential discussions between EU leaders, write Mareike Kleine and Samuel Huntington. But while these discussions make it easier to reach agreements, they raise critical questions about the trade-off between transparency and confidentiality in EU and global governance.

In October 2024, EU ministers met informally with British Foreign Secretary David Lammy to discuss the UK's potential reengagement with the EU on foreign affairs and defence policy. Described as an opportunity to sound out British and European positions regarding future cooperation, this meeting marked the first ministerial exchange of its kind since Brexit. While the formal agenda was publicly available, the most sensitive discussions occurred during a private lunch, with no official record kept.

This lunch exemplifies a broader phenomenon within EU policymaking. In a recent study, we argue that while the EU has made significant progress in enhancing transparency and opening decision-making to public scrutiny, these reforms have also unintentionally driven governments to increasingly rely on informal, opaque settings for sensitive exchanges.

Transparency often leads to performative behaviour, where negotiators focus on signalling to domestic audiences rather than reaching substantive compromises. Consequently, as transparency in formal meetings increases, governments create "pockets of confidentiality" to negotiate efficiently. However, these practices raise critical questions about the trade-off between transparency and confidentiality in EU and global governance.

Discussions during meal breaks

Our research draws on a dataset spanning 30 years of Council meetings, from 1990 to 2019, which tracks informal meal breaks during these sessions, mainly over lunch. These breaks provide ministers with opportunities for confidential discussion, as they temporarily suspend the formal rules of procedure.

This allows governments to limit participation (typically only government ministers and one Commission and one Council official are in attendance), minimise remote translation and forgo official documentation. And while it is customary to serve lunch during Council meetings, the Secretariat only makes note of those breaks that address substantive Council business. We identified over 800 such instances across more than 2,300 meetings over the past three decades, with a marked increase following key transparency enhancements.

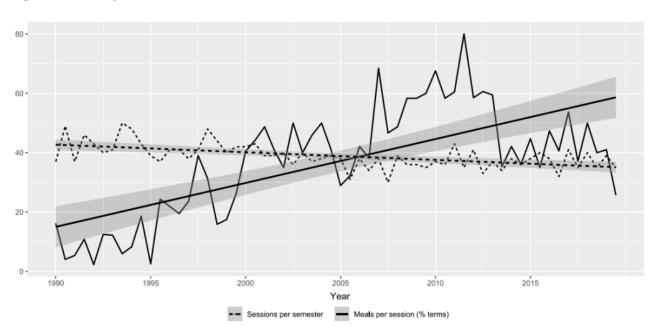


Figure 1: Meals per session over time

Note: For more information, see the authors' accompanying paper in The Review of International Organizations.

Our novel dataset allowed us to explore patterns in the evasion of transparency and examine more closely the reasons why governments avoid the public eye. We found that as the EU became more transparent – through live-streamed legislative debates, greater public access to documents and the accession of new members – governments shifted more sensitive negotiations to informal meal breaks.

This trend was particularly pronounced when domestic political pressures, such as rising Euroscepticism and impending national elections, heightened the risk of politicisation and contestation of EU issues at home. Under such conditions, pockets of confidentiality offered a space for ministers to engage in candid discussions, which likely facilitated compromises on sensitive topics while minimising domestic fallout.

Bypassing scrutiny

Although our data did not enable us to link these informal discussions to specific dossiers on the agenda, anecdotal evidence suggests that governments frequently use informal lunches to discuss legislative items. For example, former European Commissioner Margot Wallström once admitted in a Swedish newspaper that "most compromises and discussions are now taken at different dinners and lunches" and then quipped wryly: "we are all gaining weight".

Moreover, it is clear that their discussions typically involve sensitive issues, which further highlights the incentive to bypass the scrutiny of domestic publics. Sensitive topics, such as post-Brexit cooperation on security or the EU's stance on the Israel-Hamas conflict, are often too politically charged at the domestic level to allow open discussions among ministers. Instead, these matters are handled in confidential settings that leave no official record to be released. This level of confidentiality enables ministers to sound out positions, explore compromises and negotiate quid pro quos without fearing public backlash.

Governments also rely on informal venues to manage reactions from financial markets or third countries. During the Eurozone crisis, for instance, finance ministers likely avoided public debates to prevent triggering market instability. We anticipate similar discretion in forthcoming discussions on trade policy with China or exchanges about the potential geopolitical consequences of Donald Trump's victory in the 2024 US presidential election.

Transparency and confidentiality

In short, transparency, while vital for accountability, can limit the flexibility negotiators need. Confidential discussions over meals offer governments the opportunity to engage in more candid discussions without the constraints of full transparency. Yet these practices raise concerns about democratic accountability. How do we ensure that decisions made in informal settings are subject to scrutiny? Are we risking confidential deals that bypass public oversight?

While transparency is essential for accountability and the legitimacy of a political entity, it is no cure-all. Governments with a strong incentive to deliberate in private will invariably find ways to do so. A more balanced approach would emphasise transparency of outcome rather than at every stage of the process. Ensuring that the results of negotiations, including the rationale behind decisions, are made public could preserve accountability without sacrificing the confidentiality needed in sensitive negotiations.

For more information, see the authors' accompanying paper in The Review of International Organizations

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