

# **Consumer Policy Research**

**Guidance document by the  
Scientific Advisory Board for Consumer and Food Policies at the  
Federal Ministry of Consumer Protection, Food and Agriculture (BMVEL)**

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## I. Preamble

- (1) The fresh start in German consumer policy at national level declared by the Federal Government in 2003 is lacking in up-to-date research on consumer policy. The targets, central themes and initiated actions documented in the Federal Government's Consumer Protection Action Plan arise from day-to-day business in politics and from related challenges of coping with problems **without** adequate reference to a **theoretically well-founded consumer policy and problem-oriented research** existing in Germany to support decision-making in policy processes.
- (2) **There is an acute need for research** due to a new global economic and social environment as well as due to the sustainability concept that has been universally recognized as a central theme. This need for research is targeted at examining the actors, processes, contents and instruments with a view to shaping sustainable ways of living. There are admittedly isolated research teams that address selected consumer-relevant problems in their areas of expertise in Germany as shown by the study<sup>1</sup> commissioned by the Federation of German Consumer Organisations (vzbv), Berlin, 2003, on the progress in consumer policy research in Germany. The consumer policy-relevant research, launched in the 1970s and in the early 1980s, however, had **not** been continued in subsequent decades against the background of new developments in economic and social policies. The comparison with European or international consumer policy-oriented research, its financial support and political desirability proves a clear scientific need for Germany to catch up in this regard. There are, for example, state consumer research centres in Finland and Norway that conduct sociological research that is relevant for consumer policy.

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<sup>1</sup> Federation of German Consumer Organisations (Verbraucherzentrale Bundesverband e.V.) (2004) (Publisher): Forschung für eine neue Verbraucherpolitik. Ein Forschungsdesign zur Zukunft der verbraucherpolitisch orientierten Forschung in Deutschland. Berlin: Federation of German Consumer Organisations (vzbv)

- (3) The Scientific Advisory Board for Consumer and Food Policies at the Federal Ministry of Consumer Protection, Food and Agriculture herewith presents a **guidance document on consumer policy research**. The paper sets out thematic scientific proposals by experts, as well as proposals concerning institutional structures. Further action is necessary to define research priorities and to instigate and establish innovative consumer policy research at national and international levels.
- (4) The concept for consumer policy research submitted herewith pursues the following **three aims**:
- to bring into being a separate field of science for basic and ongoing research into topics from politico-scientific cooperation and communication processes;
  - to record the objectives and impact of consumer policy activities initiated under the government's new consumer policy (*impact assessment*); and
  - to pro-actively acquire information and findings and make them available for scientific policy advice.

## II. Profile of research on consumer policy

### 1. Main features

- (5) Consumer policy research **focuses on consumers**, i.e. it examines institutions, instruments, policy processes and structures in terms of consumers and reflects their interests.
- (6) Consumers are perceived in their **diversity of roles and functions** as economic operators, as citizens and as participants in an informal living environment. This results in the urgent task of researching and integratively working on the complex interactions between the spheres of action.
- (7) The **term "consumer"** must be re-examined in the process. This term still implies the original micro-economic concept inherent in it of "consuming" in the sense of value-consumption. Given that consumers also create values by purchasing goods and services to render value-creating services (such as food supply and keeping their children healthy), they are to the same degree also **producers**. In addition, consumers increasingly act as **investors**, for example within the framework of their private provisions for old age and the financial management of their households.

- (8) Consumers are mainly **members of households**. As such, they rank among the social and economic decision-making units whose consumption and use behaviour generally represents the resultant variable of interactive bargaining processes.
- (9) Research on consumer policy therefore does not deal with individual atomized consumer responses on the market, but examines under which situational conditions households can exercise an active and responsible role for the shaping of the value-added chain in their function as consumers and also as **co-producers**.
- (10) Research on consumer policy deals with consumers as acting subjects, whilst taking into account their economic and temporal-spatial resources as well as their human resources. We can fall back on **two** basic **theoretical approaches** in the process.
- (11) A **positive-analytical** orientation of research in the tradition of positivism analyzes phenomena existing in reality (e.g. decision-making faced with the uncertainties posed by the conflicting demands of ecology, technology and economy in the absence of criteria for assessment) to describe and reflect interests, conflicts and/or certain regularities in consumer-oriented courses of action. The choice of the question as well as the consumer aspect chosen ex-ante implies for positive-analytical research a basic value judgement on the value of the chosen aspect for guiding the cognitive process. The choice of the aspect, however, in no way predetermines the outcome of the research.
- (12) The **practical-normative theory** is also necessary because it provides consumer policy with recommendations for shaping conditions. It is, for instance, based on the comparison of different consumer policy measures, or indeed of entire regimes, in terms of their costs and impact.
- (13) Both scientific approaches are indispensable for relating consumer policy research to **individual** as well as to **collective consumer interests**.
- (14) Consumer policy research examines the **interactions of consumer policy** with other policy fields as well as its impact on macro-economic trends and trends affecting society as a whole.

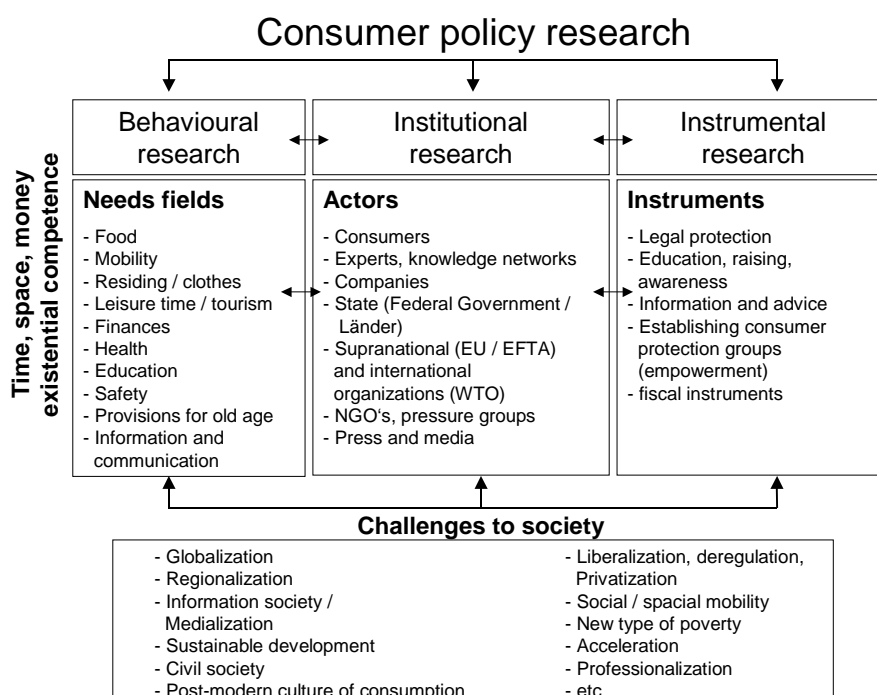
## 2. New research context

- (15) In terms of its orientation, new consumer policy research is geared to developments in economics and sociology as well as in jurisprudence and political science. Innovative concepts of **New Institutional Economics (NIE)**, including **informational economics** as well as **behavioural science**, have made a decisive contribution here. These concepts will be addressed in greater detail later on in this paper.
- (16) The theory and heuristics of the **governance approach** and its five "governance modi" (state, market, companies, associations, groupings) as well as the networks, NGOs, media, etc., also open up prospects for consumer policy research. The governance concept allows integration of societal, jurisprudential, economic and sociological concepts. On the one hand, it facilitates identification of institutional causes generating these problems that are to be solved through (political) interventions from the perspective of consumer policy. On the other hand, it permits us to designate solutions to problems in the sense of potential consumer policy instruments, whilst "sounding out" a broader range of endogenous market solutions that ranges up to state control.
- (17) **Policy field research** focuses on the analysis and shaping of policy fields. One of the imminent research tasks will consist in analyzing in a critical-constructive way the existing national and European consumer policies with respect to form (*polity*), processes (*politics*) and contents (*policy*), and their current and future tasks, and pointing out shortcomings in research.
- (18) **Policy change research** studies the impact of changed policy environments and policy goals established by *sector-specific policies*. Take, for example, the efforts made by policy-makers to open up the health services in specific areas to greater market orientation and more competition. Quite logically, this affects the role of consumers as patients or citizens who make provisions: Deregulation and privatization release consumers from the former "health protection and safety space" in order to act as market partners. A further example is the proclaimed orientation of consumer policy at Federal level to the role model of sustainable consumption, investment and production.
- (19) Consumer policy research is increasingly embedded into the **public policy** context that is introduced by various social groups into public discourse and suggested, modified, established or refuted as a central theme (e.g. with reference to "sustainability" and "good governance").

- (20) Irrespective of this, sociology thematizes challenges to society that relate to the **theory of social change**. The globalization thesis is a frequently mentioned example. It is endowed with cultural, social, economic and ecological facets. Yet, the perspective is frequently reduced to the economic-technical dimension: subordination to the requirements of the global market, to the *global village* of worldwide multinationals and computer networks. The questions as to how consumers perceive this trend, which competence is required to cope with this trend and which guidance consumer policy instruments can provide in terms of our own regional, cultural and social identity are instead of great interest for knowledge gains, for instance.
- (21) The **ethics of entrepreneurship and consumption** are also embedded in a research context. The Scientific Advisory Board considers the fact that **issues of the ethical conduct of all actors** are being thematized in research as essential to conserve natural resources and to safeguard cohesion in society. This research refers to the description of value systems of actors in terms of empirical science or to a prescription. Our interest to achieve knowledge gains could, for example, focus on the role model of sustainable management as well as on the issue of the ethical conduct of suppliers and consumers with due regard to their socio-ecological responsibility.
- (22) Consumer policy research, as it is being further developed, must perform the key task of conducting the pre-eminent research into the **relations between these different approaches** and their informative value for consumer policy research.

### 3. Fields of research

- (23) Fig. 1 below generates innovative and concrete questions addressed by consumer policy research. The "needs fields", "actors" and "instruments" assigned to the individual research fields "**behavioural research**", "**institutional research**" and the formerly traditional "**instrumental research**" constitute examples and should be completed or updated, as appropriate.



**Fig. 1:** Research fields for consumer policy research

- (24) "**Fields of needs**", "**actors**" and "**instruments**" must not be seen solely as individual thematic areas, but also considered in their interactive and networked context. They establish the discussion basis to identify shortcomings in research and derive concrete multi-dimensional research questions or projects, for working on them and solving them in an interdisciplinary and transdisciplinary way (economics, sociology, jurisprudence and political science).
- (25) Key importance attaches here to research into the influence exerted by **challenges to society**, such as "globalization", "regionalization", "deregulation" and "privatization", the debate on citizens' new roles and functions in civil society, increasing income parities, the emergence of the so-called information society, the impact of the media on all spheres of life, etc., on the manner in which needs are satisfied, on the conduct of actors and on the shaping of consumer policy measures.



### 3.1 Behavioural research

- (26) Within the scope of consumer policy research, **behavioural research** focuses on the conduct of actors in the various **needs fields**. Whereas socio-economic and psychological approaches to the analysis of consumption behaviour formerly prevailed, **behavioural research** is regarded **today** as an interdisciplinary research field that employs the theories, models and methodology (quantitative and qualitative methods of empirical social research) from a host of disciplines of behavioural research - behavioural biology, behavioural physiology, psychology, sociology, social psychology, experimental economy, anthropology, cognitive science, ecotrophology, etc. – and some disciplines of natural science, such as food science and food technology. Irrespective of the field of application of marketing science or of commercial marketing, behavioural research has given **major impetus** to the **study** of ecological behaviour and nutritional habits, of the sustainability behaviour, of pathological buying habits as well as of the savings and investment behaviour with regard to financial services.
- (27) A distinction is made between the two research paradigms of **empirical scientific** and **interpretative consumer research** in terms of the general philosophy of science and methodology. In spite of the merits and wide-ranging dissemination of the concepts of empirical science, there are still considerable gaps concerning the above-mentioned main features of consumer policy research (e.g. with regard to the interdependent decision-making processes in households and the links between the different roles). Interpretative consumer research pursues the goal of understandingly re-enacting behaviour from the subjective context of consumers, being the centre of analytical attention here, as the "experts of their own reality".
- (28) The needs fields, set out in the above Figure as examples, must be filled out and investigated in terms of contents as comprehensive fields of action and according to the specific characteristics of the problem of needs fields. Which priority is to be accorded to which needs field could be decided according to their economic and socio-ecological relevance or resulting social costs and **welfare losses caused by consumption decisions** due to misconduct.
- (29) A great need for research has emerged for the analysis of consumer activities and decision-making processes in the sphere of action of economic, social, ecological, sustainable conditions and orientations in the sense of **multidimensional value research**.

- (30) Guided by the **co-producer concept**, research is needed into the room for manoeuvre available to consumers to also behave pro-actively as market players (e.g. through consumer articulation) and not only reactively.
- (31) Research must cover the conditions, opportunities and limits of socio-ecological consumer awareness-creation and its implementation with a view to greater **assumption of responsibility by society** (e.g. vis-à-vis the environment, animal welfare, Third World poverty).

### 3.2 Institutional research

- (32) **Institutional research** is concerned with examining the consumer-related actions taken by the **actors** (consumers, companies, state, supranational, international organizations, NGOs, experts, media, etc.).
- (33) Based on the co-producer concept, institutional research pursues the notion as to whether, and if so to what extent, **consumers** or households are already active partners as "**organizational**" **actors** in the value-adding process, or can become such partners, and what active contribution is being made by companies, the state and NGOs.
- (34) **New institutional economics (NIE), including informational economics**, can assist in the analysis of options for action, uncertainties over action and boundaries on action. Its theoretical concepts and models are also important for consumer policy research, as criticism of the formerly exclusive orientation of consumer research towards behavioural science, as it were. It is explicitly assumed that institutions (organizations, normative systems, law-making, legal constructions) exert effects on processes and systems that shape action.
- (35) **Information economics** especially assumes that actors only have incomplete and asymmetrically distributed information at their disposal, and that economic transaction mechanisms are not available free of charge. Consumers incur **transaction costs**, for example, through information gathering, negotiation of contracts or (subsequent) conflict resolution, which are to be the subject of investigation.
- (36) Given that individual behaviour is governed both in constitutional terms (vis-à-vis the inviolability of individual rights of disposal) and operationally (for example via ethical values) by an institutional framework, the research question concerning the **orientation and implementation of ethical principles** (responsibility of humans for their natural and social environments, responsibility for the future, responsibility

for preserving individual freedom). The application of concepts of institutional economics could enable a theoretical approximation to explaining "ethical" and "unethical" or "opportunistic" entrepreneurial and consumer behaviour, using needs fields and fields of action as an example.

### 3.3 Instrumental research

- (37) The field of **instrumental research** starts with the instruments of traditional consumer policy. The government and consumer protection groups have measures at their disposal as consumer policy instruments. This includes, in particular, competition policy, consumer information and advice, consumer education, legal consumer protection as well as organization of consumers in groups and institutional bodies. A rewarding research task would consist in the comparative analysis of the respective mixture of instruments of national consumer policies in terms of their costs and benefits as well as their acceptance in society.
- (38) In line with the role model of the well-informed and educated consumer, the **instrument of informational and advisory policies** was originally reactively conceived as counter-information and as a **corrective** to communication structures operated by suppliers. Stresses and strains exist between the normative role model of the well-informed and educated consumer and his/her actual behaviour that are not thus reflected by consumer policy instruments.
- (39) Having been instructed to motivate consumers to achieve a sustainable lifestyle and culture of consumption, up-to-date instrumental research must meet the requirement of **pro-actively** shaping the measures of **consumer policy instruments** wherever this is feasible. Thus, **consumers could be enabled** to show a readiness to absorb and use information, to be open for talks to influence suppliers and their communication policies.
- (40) For this purpose, interdisciplinary research projects must analyze the **information requirements** of consumer groups that differ due to lifestyles and value patterns as well as due to the individual and group-specific concrete information requirements in terms of content, shape and information technology.
- (41) There is a considerable need for research also with regard to the **production of consumer information** in structures based on a division of labour with the goal of general accessibility (e.g. via networks, *communities*, standardization, information and knowledge management). Information science and informatics can make relevant contributions to this by taking up the consumer aspect.

- (42) **Corporate Social Responsibility (CSR)** constitutes a new field of research as the subject-matter of consumer information policy. It pursues the concept of sustainable consumption which necessitates the understanding and consideration of responsible corporate behaviour in consumers' purchasing decisions.
- (43) A further promising instrument that has hitherto not been adequately studied is the **dialogue with companies** or associations of enterprises. This is an instrument of **pro-active** communication which ties in with the debate in civil society or integrates consumer policy topics into civil society. Different forms of dialogue, conditions and effects must be studied. The behavioural and communications sciences (discourse and communication models, network theories) must be included to handle these questions, for example.
- (44) In addition, insights of **media pedagogies**, **research on media impact** and **evaluation research** should be used to gauge the effectiveness and efficiency of information, advisory and educational concepts. The question of elucidating the efficacy of a consumer policy instrument helps to evaluate the determination of a measure with a view to an intended behavioural change.
- (45) Traditionally, **consumer protection law** unites all measures relating to laws and legal ordinances that protect consumers from harm. Hence, consumer protection in Germany was traditionally and initially geared to the role model of the consumer in need of protection. This notion is inconsistent with the key concept of the active consumer open for talks. However, the importance has shifted in the course of European integration. European consumer law increasingly pins its hopes on the consumer acting on his/her own responsibility. Hence, consumers as involved citizens are becoming increasingly important in the European Union.
- (46) It should be noted that legal rules of conduct for companies, especially in the field of the law governing unfair competition, had been largely secured by the companies. In principle, they aim at appropriate consumer information. The increasing complexity and information asymmetry with regard to many goods and services, especially concerning financial services as well, require a **higher level of information protection** and affect an ever larger group of people in need of protection.
- (47) Even when consulting national and European legislation, there is uncertainty over the requirements of taking the concerns of consumers in need of protection into account, whilst studying the role and function of consumers as legal entities in the exercise of rights. In Germany, research into consumer law has to date largely been shaped by the diversification and specialization of individual research fields (e.g.

legislation concerning credits, investments, insurance, travel and contracts as well as legislation governing general terms and conditions, fair competition and class-action lawsuits). Therefore, **cross-sectoral basic research must be instituted for consumer jurisprudence.**

- (48) New challenges for legal consumer protection research are targeted at diagnosing and reducing fields of application that are characterized by over-regulation. **Over-regulation** should be identified and its causes must be disclosed. Here, we have a close link to the role model problem. A conceivable way out could be to increasingly apply instruments of voluntary binding commitments and agreements by companies (e.g. voluntary complaint agencies and conciliation bodies) as well as sector-specific codes of conduct. Then, however, the conditions of the options must be clarified and the separate benefit value of voluntary agreements must be demarcated from compulsory types of regulation.
- (49) Research into consumer law can also be challenged by **under-regulation**. The over-indebtedness of an increasing number of households has hardly been thematized so far. Furthermore, over-indebted households are particularly hard hit by the dismantling of welfare state benefits. The impact of the new type of poverty on consumer behaviour, the exercise of consumer rights (including the insolvency situation) and the connection with self-reliant consumer behaviour are priority issues of analysis here.
- (50) Research into consumer law should develop **measuring and evaluation instruments** to systematically examine the acceptance of consumer policy law-making as well as enforcement of and compliance with the law among all market partners. The claim of legal responsibility for the consequences, that was formulated twenty years ago, must be honoured for consumer law.
- (51) A particular emphasis is placed on the study of the active recourse to and enforcement of **law as an instrument of political control and organization**. Alongside the individual, consumers who are organized in groups are increasingly coming to the fore. Keywords in the political debate are class action suits or collective action, not only to obtain damages, but also and especially to eliminate market disturbances. Research into consumer legislation, thus understood, is able to study how legal conflicts can be pro-actively prevented.
- (52) Instrumental research should analyze **fiscal and subsidy systems** causing value contradictions apart from consumer law research.

- (53) The increasingly voiced demand for an active role of consumers as market participants and the inclusion of consumer representatives in discourses on economic design processes require a stepped-up **organization of consumers in groups**. Their framework conditions and opportunities should constitute new aspects of research on consumer policy.
- (54) Sustainable consumption is a role model of consumer policy with normative elements for a politically desired development of consumption. From this ensues a need for research to establish new tasks to be met by **consumer education**.

### III. Structuring of a new consumer policy-oriented research landscape

- (55) A **new type of consumer policy research** must be conceived to meet the current economic, cultural and political challenges of our time and society. This consumer policy research must proceed from the **consumer perspective** and take their diverse roles and their situational circumstances of life into account. This modus operandi is imperative and entails an indispensable change of paradigms of the newly oriented consumer policy research. This must not be dictated from above, but must be equipped with a sound scientific basis to develop within the scientific community.
- (56) **Ways of handling this** are provided by basic research and practically-oriented research as well as by supporting scientific research and impact research.
- (57) **Basic research geared towards consumer policy** aims at the development of theories and models as well as at their scientific substantiation and verifiability. It is interdisciplinary and applies the methods of all candidate disciplines to create synergies. The Scientific Advisory Board deems it important to use interdisciplinary concepts of behavioural science as well as insights from the new institutional economics (NIE), including information economics, from the governance approach as well as policy field research for the new type of consumer policy research to generate an integrative concept.
- (58) A **sociological behavioural theory** is lacking that encompasses household economic and especially socio-ecological research. The work on the positive-analytical theory of consumer policy and on the theory of legal consumer protection should be continued.
- (59) **Practically-oriented research** addresses issues that can be filtered out as relevant as a subset, so to speak, from the research on needs fields, actors and instrumental research. It also pursues an interdisciplinary approach. This can be order-financed

- research or start-up funded research (including funds from the German Society for the Advancement of Scientific Research, DFG) and foundation financing.
- (60) **Supporting scientific research and impact research** pursue the objective of recording the effects of consumer policy activities and implementation processes. The results are based on an analysis of weak points and strengths that is designed to reinforce or to revise initiated processes. The effectiveness and efficiency of the information policy of consumer policy, for instance, must be kept under constant review and be based on indicators to be developed. Supporting scientific research is mostly commissioned by a sponsor and is institutionally organized to some extent (e.g. in specific Federal institutes). Support for scientific research and impact research should not be tied to orders, but must receive start-up funds or funding by the DFG and foundations.
- (61) A **research structure** must first be established to handle the multidisciplinary research issues that are relevant to consumer policies. Tendering policies should strive for an optimal interplay between the cooperative and competitive elements in the various fields of consumer policy research. Key structural forms are **cooperations and networks**. This applies to contract research as well as to basic research. Take, for example, the 2003 report on sponsorship ranking submitted by the DFG according to which "cooperation in networks" is regarded as the central structural element of modern science. The ideal is not the individual scientist working in isolation, but the research team integrated into many national, international, disciplinary and interdisciplinary relations.
- (62) **Networking of science** plays an important role in the promotion of research. The representatives of the new research into consumer policy must form themselves into groups as experts and be structurally visible for the new type of consumer policy research to be able to integrate itself into existing cooperation programmes funded by national and international sponsors. The following activities should be performed for this purpose:
- (63) The scientific basis must be expanded by setting up new professorial chairs. In view of the scarcity of public funds, **foundation professorships** for consumer policy should be established and funds should be shifted from extramural establishments to universities. We must "draw upon" a **new generation of academics** for the sustainable institutionalization of the research promotion that is relevant for consumer policies. The universities and research institutes external to universities are charged with this, in particular. The University of Technology in Munich

recently took a first step in this direction that is unparalleled nationwide. There, the Bavarian State Ministry for the Environment, Health and Consumer Protection endorsed a graduate college on the topic "Sustainable consumption in the 21<sup>st</sup> century". It provided impetus to the Master's Degree Course in *Consumer Science* that started at the beginning of the winter semester 2004/2005. Alongside this training scheme and that of the University of Hohenheim (scientific and research field "Consumption theory and consumer policy"), the university scientific and research field of consumer policy should be additionally broadened for students and graduates. The political intervention and powers of assertion of the BMVEL as the Ministry in charge of consumer policy in this context would be desirable in educational and research policies.

- (64) The establishment of **competency centres** is required to pool the decentralized research structures in one place. The task consists in conducting a systematic and largely valid appraisal of the consumer-related research available so far. This research should be analyzed according to the criteria of innovative consumer policy research set out above (cf. Fig. 1, No. 23) to "distil" the most urgent problems of consumer policy and to coordinate them in terms of contents and form.
- (65) Competency centres assume the function of a seismograph, follow current events requiring immediate research, **initiate discourses on research desiderata** between actors such as suppliers and consumers, academic institutions and their polices. They are designed to provide **advice** to **research centres** such as research networks and research teams, for instance.
- (66) A **research data centre** must be set up that institutionally and legally secures a knowledge-based informational infrastructure for consumer policy research between the existing sociological databases [(e.g. ZA - Zentralarchiv für Empirische Sozialforschung at the University of Cologne (Central Archive for Empirical Social Research), ZUMA - Zentrum für Umfragen, Methoden und Analysen, Mannheim (Centre for Opinion Polls, Methods and Analyses), ZEW – Zentrum für Europäische Wirtschaftsforschung, Mannheim (Centre for European Economic Research)], data of official statistics and the data records to be newly included (e.g. of *Scientific Public Use Files*). The data must be maintained and processed for the users in the light of empirical evidence.
- (67) Competency centres and research data centres provide the starting base for the consumer policy-oriented scientific community to play an active thematic part in **future research programmes run by Ministries** as well as in **national and**



**international research-promoting establishments and foundations.** Examples of positive models are the "Consumer Citizenship Network"<sup>2</sup>, the only international consumer policy research network known so far, that was founded in October 2003 with financial support from the European Commission, as well as the multisectoral projects on socio-ecological research supported by the Federal Ministry for Education and Research (BMBF) at national level. They create the financial and institutional framework for activities on a broad scientific foundation and for acting in terms of scientific policy.

- (68) The same applies to the required commitment to act along the lines of programmatic research, and thus contribute to ensuring innovation capacity and transnational networks before drafting future **EU framework programmes for research.**

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<sup>2</sup> <http://www.hihm.no/concit>