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European Union (EU) Agencies

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38.1 The agency landscape

At the EU there are 23 community agencies, three agencies operating in the field of the Common Security and Defence Policy, three agencies operating in the field of police and judicial cooperation on criminal matters, six executive agencies entrusted by the Commission with the execution of a specific programme, two agencies created to support the aims of the European Atomic Energy Community Treaty (EURATOM), and the European Institute of Innovation and Technology. All of these agencies, though very different along a number of organizational dimensions,1 are from a legal–institutional point of view ‘EU Agencies’ (or ‘EU Decentralized Bodies’).

In order to explore the main features of EU agencies, research encompassing a COBRA-based survey has been conducted. The study population comprised the 29 EU agencies in operation at the time data collection was launched (2009) as well as the six executive agencies. 21 agencies completed the questionnaire,2 a response rate of about sixty per cent. Survey data show a relative variety along certain organizational dimensions in EU agencies but, broadly speaking, it appears that variation is more limited at the EU level than at the national. Some agencies are small in terms of staff size (around fifty staff members), while others are larger, composed of hundreds – though none have over seven-hundred staff members. At the national level the scope of variation is usually much higher, with small agencies next to agencies with staff members numbering in the thousands (similar observations can be made on the basis of budget size). The tasks performed are varied, although broadly the range of administrative duties appears more focused than that of national agencies, with information gathering being either the primary or secondary task for most agencies. This is followed by the task of providing advice, while scrutiny/control/inspection is a task for some agencies, as is certification/authorization. The delivery of services is either the primary or secondary task for almost half of the respondents. Agencies do not have field offices: all agencies have all the staff (with the exception of small liaison offices at the European Commission) at the headquarters, which are scattered throughout the EU (with the exception of executive agencies, all based in Brussels).
38.2 History and drivers of agencification

The agency phenomenon at the EU level is relatively recent, encompassing the last decade of the 20th century and the first decade of the 21st century; during this period, the number of agencies has grown from two (established during the 1970s) to well over thirty, and others are currently in the pipeline. It appears that the agency as an organizational model has become one of the preferred tools, from those available in the shopping basket, for administrative development at the EU level. It is important to note that EU agencies are newly established organizations for performing new tasks (they usually do not originate from disaggregation from the structure of a parent administration, such as the Commission), or for an upgrade of existing tasks that have to be performed in different ways and at a higher degree of technical complexity, for which a pure-network solution is no longer considered adequate.

It was outside the scope of the research that has been conducted to examine the drivers of agencification at the EU level – our research (see next sections – also Barbieri et al. 2010a, 2011) has in fact been aimed at the study of the organizational profiles of existing agencies. A widely held explanation for the growth in number of EU agencies combines the following elements: the need for new functions to be performed at the EU level (possibly due to an increase in transnational exchange, or as a consequence of the consolidation of the single market, or for other reasons). A complementary ingredient is the alleged preference of national governments for limiting the functions attributed to the European Commission, hence the allocation of the new task to a newly established entity becomes the preferred option (EU agencies are established with council regulation, more recently under the co-decision procedure). Complementarily, the same European Commission prefers to avoid taking up administrative duties that might ultimately lead to a significant increase in its administrative burden. Doing so enables the Commission to focus on its core tasks, related to the policy-initiation prerogative or to the supervision of policy implementation. These circumstances combine to ultimately reinforce the preference of all the main actors towards the solution of establishing a new body – that is, an EU agency – for performing the new task. However, the picture may be changing, especially because of the enhanced role of the European parliament in the EU policy processes, as well as possibly because of signs of possible reorientation of preferences at the national level (Groenleer 2009).

Whatever the determinants of the establishment of agencies at the EU level, they are nowadays an important part of the picture of supranational administration. In the remainder of this chapter, we will outline the profiles of autonomy and control of agencies, and we will briefly discuss their influence on European public policy in a number of domains, as part of the assessment of the impact of EU agencies, current and prospective. The chapter concludes with some considerations about the transformation of European multi-level administration (Egeberg 2006 and 2010) and the emergent European-executive order (Trondal 2009).