

With a Little Help from My Friends? Organising the External Relations of European Union Agencies

Torbjørn Jevnaker

Abstract

A common feature of public administrations in Western industrialised countries is agencification – that is, the establishment of semi-autonomous public agencies that are structurally separate from the core ministries. The creation of agencies entails re-organising the public administration, thus raising fundamental questions about the autonomy and external control of agencies.

This has motivated studies of the relationship between agencies and the core ministry and/or parliament – the latter often referred to as principals. More attention has recently been directed towards agencies' wider relations, such as with interest groups and other societal groups, as this too could be relevant for agencies' autonomy and external control, including vis-à-vis the principal. Agencies' external relations could be regulated by the principal as a form of procedural control or could be used by agencies to build autonomy even to the extent of constraining principal control. Although autonomy-seeking agency behaviour is frequently associated with non-cooperation, recent research has also turned to the autonomy gains of coordinating with others.

For a long time, there were hardly any European Union (EU) agencies. EU agencies were predominantly set up after 2000. Agencification in the EU raises similar questions of autonomy and control but also has EU-specific implications: administrative restructuring in the EU additionally raises the issue of whether this affects the division of labour between the EU and the national level, which concerns the broader topic of the political order in the EU. With 'decentralised administration' in the EU, traditionally and formally, EU implementation has been left to the member states. However, the rise of EU agencies could entail more centralised coordination of EU implementation, potentially making it more uniform. Transformative effects on the EU could emerge from whether EU agencies strengthen the European Commission and from the extent to which EU agencies draw national actors onto the European scene. The latter would entail a shift from a national monopoly over executing public tasks towards pooling sovereignty via a multi-level, multi-actor networked administration in Europe.

Extant research on the autonomy and external control of EU agencies has focused on their relations with the EU institutions as well as with national agencies. However, little is known

about how EU agencies' might contribute to the Commission in terms of supporting its work. Meanwhile, EU agencies' wider relations have received limited attention, which is striking considering how the broader literature considers agency–interest group relations to be important for the autonomy and external control of agencies. Recent research also indicates how EU agencies' functioning is dependent on their networking with national authorities, experts and stakeholders. Moreover, EU agencies' contribution to the Commission and their relations with interest groups are interrelated, as EU agencies could be better positioned to support the Commission when they engage with interest groups and others. Hence, EU agencies' external relations are relevant for understanding the autonomy and external control of EU agencies, and their contribution to the Commission's work.

Considering the importance of external relations for EU agencies' functioning, including their ability to contribute to the Commission, this thesis asks the overarching research question: *How are EU agencies' external relations organised, and what can account for this?* It examines not only how external relations are organised but also what explains this organisation. The thesis departs from the theoretical assumption that contact among organisations is not entirely random but tends towards patterns that are structured by organisational and institutional factors.

The thesis draws on four articles that aimed to answer the overarching research question. Article 1 focuses on the role of organisational variables in two EU agencies and their counterpart policy departments in the Commission within the context of energy and climate policy. It examines how these EU agencies can provide the Commission with expertise that the latter finds relevant to its work. The other articles focus on the wider external relations of EU agencies (i.e. beyond the 'principal–agent' relationship), specifically those with interest groups and other societal groups as organised via advisory committees. Article 2 examines whether the presence of such structures across the population of EU agencies is legislator-imposed or agency-initiated. Article 3 examines the role of bureaucratic preferences and institutionalisation for the establishment and specific design of advisory committees not formally imposed by the legislator, studying this in depth for a single EU agency. Article 4 examines whether role expectations from formal membership, rational calculus and institutionalisation shape participation in the advisory committees of a single EU agency.

The research findings suggest that the organisation of EU agencies' external relations may be accounted for via multiple factors, including formal organisational structure (Article 1), instrumental behaviour (Articles 2, 3 and 4) and institutionalisation (Articles 3 and 4). EU agencies' external relations are organised via their internal organisational structure and via

advisory committees. The findings also suggest that the internal organisational structure of EU agencies affects their external relations with the Commission. The thesis contributes to the argument that EU agencies support the Commission. EU agencies potentially strengthen the Commission. Moreover, the thesis finds that EU agencies navigate principal control, their own bureaucratic preferences and the normative expectations from their respective organisational fields when establishing and designing advisory committees. Despite agencies' gatekeeper role with regard to who is granted access to their advisory committees, the thesis shows that the composition of EU agencies' advisory committees does not fully account for participation patterns in practice. Studying EU agencies' functioning, particularly the organisation of their wider relations, can shed light on the autonomy and external control of EU agencies, which is one of the several factors relevant for enabling a more political role of the Commission.