

National Authorities' Formal Role in EU Agencies

Abstract

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With their more than 6000 staff members and their combined budget of more than two billion Euro, the 37 decentralised EU agencies are a large component of the EU's administrative landscape. At the same time, these agencies are part of the EU's multi-level administrative system: Representatives of national authorities are omnipresent at all levels of EU agencies' work. They provide information, contribute to their output, and are a large part of EU agencies' decision-making bodies. Thus, it is still a matter of debate whether these agencies are contributing to the supranationalisation of the European Administrative Space (Egeberg et al., 2015), are vehicles of intergovernmental control (Kelemen & Tarrant, 2011) or rather drive functional transnationalisation of administrative coordination (Blauberger & Rittberger, 2015). National representatives in EU agencies are thus either consumers of Commission and EU agency opinions, defenders of their member states' interest or coordinators with their peers from other member states. At the same time, the institutional design of each EU agency is slightly different from each other. So how does the actual *de jure* role of national representatives differ across the 37 EU agencies?

This paper answers this question by mapping the role of national authorities in all 37 decentralised EU agencies. For this, it presents an index of national representatives in EU agencies' governance and operational work as well as the formal role of other stakeholders. It is derived from the 'founding regulations', the legal documents setting up each EU agency. The governance section first maps the vote share of national representatives in each agency's board. It also shows the differences in national representatives' capacity to select agency management positions, whether the board can delegate tasks to and create sub-forums and whether national administrations face restrictions in their choice of board members. The operational work section reveals whether there are specific authorities that have to be involved in EU agencies' work and whether the founding regulations specific certain responsibilities for national authorities in contributing to EU agencies' work or the implementation of it. Finally, the index systematically shows the role and involvement of other stakeholders such as consumer or industry representatives in EU agencies.

This paper serves two analytical goals. First, while there are already agency indices regarding their relationship towards other EU bodies (Wonka & Rittberger, 2010), this paper provides a systematic overview of national representatives in all EU agencies. This mapping allows a clustering of EU agencies along the position national representatives have in agencies' boards and in their operational tasks. Second, on the basis of this mapping, delegation practices of the EU's legislative institutions towards EU agencies can be compared over time vis-à-vis the role legislators assign to national representatives. Seemingly, the influence of national representatives grew over with the numerical expansion of EU agencies. While national representatives are only one of three voting blocs (next to employer and employee representatives from all member states) in the two EU agencies created in the 1970s, they are the only voting board members in the financial supervision agencies created in the aftermath of the financial crisis. However, the mapping shows that at the same time also the requirements of

national authorities to contribute to and implement EU agencies' tasks grew. The paper analyses whether there is a relationship between the degree of national representatives' involvement in EU agencies' operations and their involvement in its governance. Through this clustering of EU agencies and the analysis of delegation practices, the paper provides the foundation for further analyses how the *de jure* role of national representatives shapes their *de facto* influence in EU agencies and thus the supranational, intergovernmental or transnational nature of these bodies.

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