The European Administration as a Facilitator of the European Integration Process: Organizational and Ethical Implications from the Proliferation of European Union Agencies

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Abstract

The purpose of this study is to explore the evolution of EU administration by focusing and critically examining the role of EU agencies in advancing the European integration project. The research question deals with identifying the factors that account for the formulation of EU agencies and the reasons behind their sharp increase in numbers since the 2000s. The tasks are to analyse critical EU agencies' parameters such as their typology, the policy area they deal with, origin of their resources and funding, and their output. In addition, transparency and accountability issues accompanying the proliferation of EU agencies are also considered. Emphasis is placed on the evolution of the European administration as expressed by the establishment of various types of agencies since 1975 thereafter. Methodologically, the research utilizes quantitative data based on annual EU budgets as well as official reports and policy papers issued by main EU institutions (European Commission, European Parliament, European Court of Auditors) and agencies, analyzing them from a historical perspective. As a result, it is argued that the proliferation of EU agencies has advanced the process of European integration, namely the EU enlargement and expansion in new policy areas following successive reforms of the Treaties. However, concerns regarding accountability and transparency issues remain in place.

KEYWORDS: EU administration, EU agencies, European integration, accountability, transparency.

Introduction

The formulation of the European Union (EU) administration dates back at the early 1950s following the establishment of the European Community of Coal and Steel (1951), the European Economic Community (1957), the European Atomic Energy Community (1957) and their respective institutional bodies. At that time, European services and Directorates were only a handful and public servants represented a very small number, accounted for very low budgetary expenses, in absolute figures. For instance, in 1958 only 15 Directorates General (DGs) were existed (Hooghe and Raul, 2017, p. 189), and in 1960 there were only 2,614 appointed public officials[1] serving the institutions of the European Communities. At that time, only one institutional body outside the core EU institutions had been established in the form of an agency.[2] Throughout the 1970s the number of the permanent European civil servants across EU institutions were less than 10,000 however, this threshold was surpassed in the 1980s. Since then, there has been a considerable

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[1] Permanent posts.

[2] Euratom Supply Agency (ESA) was established in 1958.

increase in the number of public officials serving the EU, nowadays accounting for approximately 37,000 permanent posts, along with newly created DGs. A considerable number of those EU officials have been appointed in EU agencies, with various contract terms and conditions.

The increase in the number of administrative staff is directly related with the expansion of the EU institutions and the establishment of new forms of administrative bodies. The EU administrative expansion is strongly related with the process of enlargement of the EU and the transferring of competences from the national to the supranational (EU) level since the very establishment of the three Communities and thereafter. In other words, the processes of enlargement and deepening of the EU account for much of the administrative growth of the EU in terms of building new institutions and creating posts for hiring EU civil servants. In fact, contrary to the very first period of the formulation of the European bureaucracy and the period that followed the merger of the Executives and the Councils of the three Communities in 1965, after 2000 there has been a multiplication of new institutional bodies, entailing in particular the creation of a plethora of new EU agencies. For instance, approximately 25% (that is 11 out of 43) of the EU agencies had been established prior to 2000 within a period of 40 years, whereas three out of four EU agencies (32 out of the 43 in total) have been established within the last 20 years (European Court of Auditors, 2019). In addition, the number of staff appointed in EU agencies has also increased remarkably, since officials working in EU agencies have doubled in the years 2006–2020.

The aim of this article is two-fold: a) first, to analyse the rationale behind the establishment of EU agencies and discuss the challenges that arise from accountability and transparency issues, b) second, to critically examine the role of EU agencies in facilitating the process of European integration. The research question deals with the implications created by the proliferation of new administrative bodies, *at arm's length* from the core EU administration, and the overall impact on the process of European integration. The aspiration is to genuinely contribute in the discussion about the potential of EU agencies to fruitfully promote the process of European integration, while effectively tackling accountability and transparency issues. Certain organizational and functional dimensions of the 'agencification trend' at the EU level are examined by covering all types of existing EU agencies. In this respect, the article explores the typology of EU agencies, the policy area they deal with, the origin of their resources and funding, and their final output. The research design is primarily based on the utilization of quantitative data derived from annual EU budgets and official reports and policy papers issued by main EU institutions (European Commission, European Parliament, European Court of Auditors), and agencies, analyzing them from a historical perspective. The capacity of EU agencies to promote European integration is investigated taking into consideration accountability and transparency issues. The main argument of the article suggests that the proliferation of EU agencies has advanced the process of European integration, as the latter is reflected in consecutive EU enlargement waves and the expansion of the EU in new policy areas as well, following successive reforms of the EU Treaties. However, the considerable increase of the number of institutions *at arm's length* from the EU core administration has challenged the capacity of the EU bureaucratic apparatus to be in full accordance with accountability and transparency criteria.

The following section presents an overview of the burgeoning literature on EU agencies. Then, is examined the role of EU agencies considering the European integration project. The empirical part presents aggregate data of EU agencies, regarding their number and staff. The next section critically examines challenges lay ahead for EU agencies. Finally, conclusions are drawn from the analysis.

The 'agencification phenomenon' in the EU, that is the establishment of a growing number of autonomous public bodies *at arm's length* from their EU principals –predominantly the European Commission[3] and the Council– has gained currency in European studies from the 1990s

Literature review

onwards and research has mushroomed (i.e. see Danielsen and Yiesilgagit, 2014; Dehousse, 2008; Egeberg *et al.* 2015; Egeberg and Trondal, 2011; Groenleer *et al.*, 2010; Majone, 1997, 2002; Rittberger and Wonka, 2011; Thatcher, 2011; Trondal and Jeppesen, 2008, Riddervold and Trondal 2017; Ripoll Servant and Busby, 2013; Wonka and Rittberger, 2010). The growth of the number of EU agencies is related with the delegation of "regulatory tasks to non-majoritarian regulatory organizations, such as agencies and other independent regulatory bodies" in industrialized countries (Rittberger and Wonka, 2015, p. 236). In fact, the 'EU agencification' trend comes after the emergence of the broader agencification strand of literature based on new public management (NPM) postulations, according to which authority and competences can be decentralized either territorially (to subnational authorities) or functionally (to semi-autonomous bodies) (Laking, 2005); the second dimension pertains to the EU.

In general, Verhoest (2018) focusing on Europe, defines agencification as "the creation of semi-autonomous public organizations 'at arm's length' from government" (Verhoest, 2018, p. 327). He also offers a working definition of the term 'agency' proposing that is referred to an "organization that is structurally disaggregated from the government or from units within core ministries" and "operates under business-like conditions" (Verhoest, 2018, p. 328). Moving on to the EU-level, the previous definitions can be partly used to describe EU agencies, at least from a structural point of analysis. Apparently, the profound exception in the case of the EU is that instead of a national government, EU agencies are hold accountable –at least the vast majority of them, but not all– to European institutions rather than to national governments. Then, from a functional point of view, the examination of the *raison d'être* behind the establishment of EU agencies has also been flourished. Likewise, other studies explore under-researched aspects such as the emerging interinstitutional dynamics and EU decision-making processes in which EU agencies have the competencies to impact upon (Kelemen and Majone, 2017; Kreher 1997; Rittberger and Wonka, 2015).

Literature on EU agencies analyses their involvement in the EU governance system from different angles. Thus, they have been viewed as: a) "multi-level network administrations", b) single EU institutions, and c) essential "components of an emerging administrative space" in Europe, whereas these views are interchangeably combined (Trondal, 2007, pp. 966). Similarly, Egeberg and Trondal (2016) portray an elaborate picture of the agencification phenomenon, exploring the concept from a holistic perspective. They examine the evolution of EU agencies based on a conception of three different yet not mutually excluded "images", which can be found mixed "over time and across agencies" (ibid., p. 2). They show that the proliferation of EU agencies can be analysed from an intergovernmentalism, supranationalism, or transnational technocracy point of view. According to the authors, the "intergovernmental image" suggests that the key-agents for the establishment of EU agencies are national governments, which apparently, succeed to retain control upon them, and through them, over EU policy areas. In this image, EU agencies are not embedded in any hierarchical order and enjoy autonomy. Close to this image seems to be the argumentation derived from *isomorphism* according to which the formulation of EU agencies follows a more general trend found –initially– on the national level, and which is then transposed and diffused into the supranational level (Christensen and Nielsen, 2010, p. 178). Contrary to the intergovernmental approach, the "supranational image" shows that EU agencies are organic part of the EU administration, embedded closely into the Commission, thus situated within a centralized supranational bureaucratic apparatus at the expense of organizational autonomy (Egeberg and Trondal, 2016). In the same line of arguments, Egeberg and Trondal (2011, p. 882) find in their study that EU agencies "find

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[3] Hence 'Commission'

themselves much closer to the Commission than to the Council and national ministries". However, it should be noted that there is no clear evidence so far whether EU agencies have been embedded in the supranational architecture of governance or have contributed "to retaining national control over regulatory processes" inasmuch as literature presents mixed evidence (Egeberg and Trondal, 2018, p. 77). Lastly, the "transnational technocracy image" reveals that EU agencies are connected but in a loosened way with national agencies and EU institutions as well, keeping their autonomy, yet without the existence of accountability mechanisms (Egeberg and Trondal, 2016, p. 5).

Majone (1997) highlights another dimension of the participation of EU agencies in the EU governance system by providing insights on the role of transnational agency networks. In his seminal work (Majone, 1997) regarding the participation of EU agencies in transnational networks, he argued that unless agencies actively participate in transnational networks, core characteristics such as their credibility and reputation will not be sufficiently assisted. Majone also claims that since some agencies have granted only information competences and lack rule-making power, they could pursue networking with other institutions, particularly with national agencies at the member state level, so as to increase their capacity to "regulate by information" rather than directly through decision–making processes (Majone, 1997).

Kelemen and Majone (2017) suggest that the creation of EU agencies attests the institutional innovation within the EU. According to the authors EU agencies' mushrooming since the 1990s paved the way for the delegation of executive powers into new *at arm's length* bodies, and is evident of the different and expanded policy areas they can intervene, particularly those that have been granted with regulative power. In addition, interinstitutional politics account for much of the variation found on the institutional structure and scope of power in many of the agencies. In this respect, the degree of compromise between the Commission and the two (nowadays) co-legislative bodies (European Parliament and the Council) are the key-determine factors (Kelemen and Majone, 2017, p. 256). According to the same authors, crises (such as the fiscal and the refugee crisis) are causally related with the creation of specific agencies (i.e. the European Banking Authority) as well as with the expansion of the authority of existing bodies (i.e. Frontex and European Asylum Support Office) due to centralization pressures for effective management. The interinstitutional dimension is also emphasized by Kelemnan (2002) who focuses on the rationale behind the establishment of EU agencies. According to his study, politics have significantly contributed to the institutional design of EU agencies. He suggests that the establishment of EU agencies can be attributed to political compromises between main EU institutional actors, legislative on the one hand such as the Council and the Parliament, and executive on the other such as the Commission (Kelemnan, 2002).

From an empirical point of view, Christensen and Nielsen (2010) conduct research considering 25 EU agencies. Firstly, they find that the allocation of power between the Commission and the member states has not been altered on account of the structure of EU agencies (ibid., p. 177). Then, they argue that most of the EU agencies have been delegated with informational tasks, whereas a smaller group have broader competencies; However, the authors suggest that it is difficult to draw a dividing line and separate those with executive power from those with informational tasks (ibid., pp. 179-180), a point that is also underlined by other scholars (i.e. see Trondal, 2007, p. 966). The same authors argue that the institutional design of EU agencies vary albeit in a reverse way: the higher the degree of their authority the more they are embedded into the EU institutional architecture, due to the existence of formal limits and constrains that have been put in place by EU agencies' principals (basically from the Council for primarily safeguarding governments' powers) (Christensen and Nielsen, 2010, p. 200). They also do not support the proposition for a positive relation between EU agencies' regulatory competences and the degree of autonomy they enjoy since they do not find clear evidence (ibid.).

Rittberger and Wonka (2015) summarize the research over EU agencies underlining the existence of three different research strands. First, they state that EU agencies' institutional choice and design, though based on functional needs ("demand-size"), is not a "natural" solution aiming at facilitating the implementation of EU policies, but a matter of governance arrangements ("supply-size") between political actors (intergovernmental such as member states vis-a-vis supranational like Commission or policy networks). On the basis of power of the involved actors and politics, EU agencies or networks are chosen as the suitable organizational solution for implementing (or regulating) EU policies, considering the delegation of power of national authorities on the one hand, and the degree of accountability and autonomy on the other (Rittberger and Wonka, 2015, p. 254). Secondly, the authors stress the fact that EU agencies can have an effect on the implementation of EU policies domestically, and this depends on their mandate as well as on the available resources at the national level: the lesser the resources, the higher the implementation effect of EU agencies domestically. Finally, they hold that since political actors involved in the genesis of EU agencies have opted to demarcate the authority of the latter, a variety of control and accountability mechanisms have been created for effectively supervising their tasks; however, they conclude that this is a matter of the "on-going research" (ibid.).

Finally, particular attention is drawn over accountability and transparency issues (i.e. Braun and Busuioc, 2020; Buess, 2015; Busuioc, 2010; Busuioc *et al.* 2011; Busuioc and Groenleer, 2013). Emphasis is placed on the fact that autonomy and accountability are different sides of the same story and keeping a balance between them is a challenging task, considering the opposing interests of major EU institutional actors (principally the Commission vis-à-vis the Council, and the European Parliament to some extent, particularly after the Lisbon Treaty and the institutional empowerment of the latter).

In a nutshell, the study on EU agencies has flourished over the years, particularly since the mid. 1990s. Having presented aspects of their administrative and institutional environment, the next part proceeds with analysing the overall role of EU agencies in the European integration project.

The European integration scheme and the role of EU agencies

European integration is linearly linked with the scope and depth of different policy areas the EU deals with. In 1960 the major activities of the European Economic Community (EEC) were developed in fields that included external relations, economic and financial affairs, the internal market, competition issues, social affairs, agriculture, transport, issues regarding the Association of overseas countries and territories, and administrative affairs. Apart from the institutions and the rather limited –compared to present– scope of policy fields characterized the predecessor of the EU (the Communities), EU's human resources seem also to have followed the organizational needs of their time. For instance, in 1960 there were only 2,614 appointed public officials working for the EEC. However, as the process of European integration was unfolding, the administrative structures of the EU, particularly within the Commission (Directorates-General; 'DGs'), gradually multiplied and from 15 DGs in the late 1950s nowadays there are more than 40 DGs. In addition, EU public servants nowadays reach approximately 60,000[4] allocated in a variety of EU institutional structures (approximately half of them within the Commission whereas the others are employed by other main and advisory EU institutions, agencies and other bodies). Subsequently, the European integration project as it has been taken shape through: a) the signing of successive Treaties (Single European Act; 'Maastricht', 'Amsterdam', 'Nice', 'Lisbon'), b) the gradual transferring of competencies from the national to the supranational –European– level, and c) the enlargement waves in the EU which substantially increased the size and the complexity of the EU, ensued the gradual expansion of the European public bureaucracy, as a whole, in terms of human resources and structures.

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[4] Considering permanent staff, temporary and contract agents.

Prima facie, improving institutional capacity has been a constant conundrum. At the EU level, the increasing regulatory burden, deriving from the internal market programme according to the provisions of the Single European Act (SEA), put significant pressure on the EU's administrative capacity since technical knowledge and professional expertise would be key-factors to tackle public policy issues. The absence of such key-factors at that time was the starting point of criticism for those who argued that the capacity of the Commission to effectively tackle advanced and complex problems was barely sufficient, let alone the fact that the Commission could not provide guarantees for neutralizing political interference from other actors, such as the member state governments and the European Parliament (Rittberger and Wonka, 2015, p. 236). The criticism gave rise to pressures for the establishment of other bodies, namely agencies, as a primary tool for the economical, effective and efficient way for dealing with increasingly technical issues that demanded high expertise and absence of political interventions. In addition, since the Commission lacked (and still lacks) substantial legislative competencies for the harmonization of EU regulatory law, EU agencies served as a "politically acceptable and functionally appropriate institutional devise" (Rittberger and Wonka, 2015, p. 236) so as to facilitate regulatory policy co-ordination at the EU member state level.

From another perspective, mounting pressures for increasing the administrative capacity of the EU so as to deal with competences attributed by successive EU Treaties heavily impacted on the emergence of EU agencies in the EU institutional landscape (Christensen and Nielsen, 2010). However, is should be stressed that apart from functional approaches, politics also played their role since interinstitutional arrangements between EU agencies' principals (namely the Commission and the Council) also resulted in their appearance and organizational shaping in the EU institutional landscape (Dehousse, 2008; Egeberg *et al.*, 2015, p. 342; Kelemen, 2002). Furthermore, as already mentioned, the 'supranationalization' of member state competencies, as well as successive EU enlargement waves significantly expanded the EU's authority functionally, regulatory, and territorially, thus challenging existing EU's bureaucracy (largely the Commission) for effective response. The advent of EU agencies in the EU architecture of governance aimed at facilitating the process of EU integration by alleviating the Commission from time-consuming tasks, such as providing information, or from highly demanding tasks such as issuing elaborate reports on issues requiring technical knowledge and expertise.

Overall, EU agencies have been attributed with significant multifaced roles within the EU bureaucratic apparatus. Considering the variety of their tasks, most of the EU-level agencies provide information, coordinative tasks, or policy advice whereas a few agencies have the authority to participate in decision-making processes and provide regulatory frameworks (European Commission, 2008). In other words, EU agencies significantly contribute to the every-day implementation of EU's administrative tasks, allowing for the Commission to focus more on its executive tasks and policy design rather than considering how to deal with policy implementation. In this respect, it has been naturally argued that EU agencies have facilitated the expansion of EU's administrative capacity (Christensen and Nielsen, 2010, p. 178).

The agencies of the EU have been embedded in the institutional scene in consecutive 'waves', following the process of European integration. Leaving aside the ESA, as the very first agency of the former Communities, the first two EU agencies were established in 1975 (Eurofound, Cedefop) with mostly information responsibilities. A second 'wave' of EU-agency creation took place within the years 1990-1994 when eight new EU agencies were added next to the pre-existing structures. The third –massive– 'wave' of new EU agencies' creation was initiated in 2002 and lasted until 2011, adding 29 more EU agencies of various types, from regulatory to coordinating tasks or providing information. The fourth and last wave –significantly weaker compared to the

previous two– started in 2014 adding so far three new EU agencies. The supranational interinstitutional arrangements at the EU level entailed the expansion of the EU executive order. As figure 1 depicts, along with the expansion of the core EU administration (the bureaucracy of the main EU institutions) evident by the multiplication of administrative tasks (mainly of the Commission) and the gradual increase in the numbers of structures (i.e. DGs) and EU staff, EU agencies also contributed in the expansion of the EU bureaucracy for a period of 45 years. But then, questions arise regarding the proliferation EU agencies in terms of their number, type, policy area they deal with, available resources and output. The following section presents original quantitative data taking into consideration not only the case of EU agencies but other institutional bodies as well, in order to provide a better picture of the EU administrative contour.

Figure 1

The expansion of the hybrid model of the EU administration
Source: own elaboration.
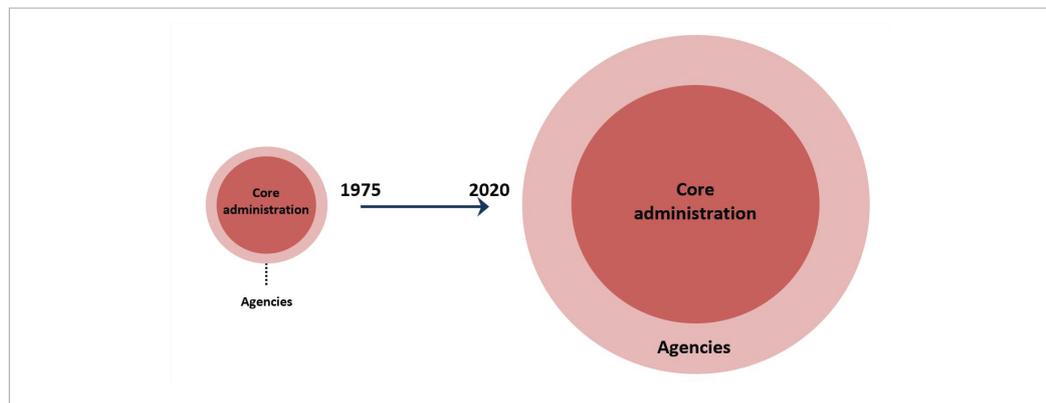
Data

Since the establishment of the very first EU agency (ESA in 1958), a plethora of new EU institutional bodies have been created, within and close to (at arm's length) official EU institutions. The vast segment of these new institutions has been taken the formal status of 'agency', however, there also other types referred to as 'other bodies'. To better highlight EU agencies and other bodies, this section provides aggregate data for all organisations *at arm's length* from the main EU institutions, thus considering all EU agencies and other bodies. The data have been collected from reports and documentation issued by the Commission, the European Court of Auditors, and the European Parliament, as well as by utilizing EU budgetary figures.

Regarding the typology of EU agencies, the European Court of Auditors categorizes EU agencies in three distinct groups: a) decentralised, b) executive, and c) other bodies, whereas the Commission follows a different taxonomy according to which there are five distinct agency groups: a) decentralised, b) executive, c) agencies under the Common Security and Defence Policy (CSDP), d) Euratom agencies and bodies, and e) other organisations (joint undertakings). In addition, beyond legal provisions, various definitions for decentralised agencies have been used referring to as "regulatory agencies"[5], "traditional agencies" or "satellite agencies" (European Parliament, 2006, p. 8). Respectively, there is no such a thing as a commonly accepted taxonomy for what exactly constitutes the category "other bodies" as provided by (main) EU institutions.[6] For instance, agencies that are characterized as 'other bodies' by the European Court of Auditors are labelled as 'decentralized' by the Commission.[7] However, it should be noted that the Commission recognizes the fact the EU agencies can be classified in different ways (European Commission, 2008, p. 7).

[5] Often "the dichotomy between regulatory and non-regulatory agencies is ambiguous" (Trondal, 2007, p. 966).

[6] In 2005 Commission launched an initiative for an inter-institutional agreement (IIA) over the clarification and standardization of functions and working methods of EU agencies established under the first pillar; although the European Parliament supported the initiative, it was Council's resistance that did not allow for fruitful cooperation on the issue.

[7] Such a case is the Single Resolution Board (SRB).

Organizationally, EU agencies share features such as the existence of "a management board, executive director and additional scientific committees" (Scholten and van Rijsbergen, 2014, p. 1227). Focusing on the policy area EU agencies exercise their mandate, many EU policy fields have gradually become part of their policy outputs. Indicatively, policy areas in which EU agencies cope with are: justice, freedom, security; common fishery policy; lifelong learning; internal market; enlargement; health and consumer protection; transport and energy; environment, equality between women and men; maritime and transport safety; transport and energy; social policy and employment; working conditions, labour market trends, quality of life, and social inclusion; space policy (European Commission, 2009). Thus, the involvement of EU agencies in a great deal of policy areas in conjunction with their (multiple) tasks –participation in decision-making processes, regulation, dissemination of information, coordination, provision of technical knowledge and high expertise– signifies the critical role of EU agencies in supporting and promoting the project of European integration per se.

The financial component of EU agencies and other bodies reveals a variety of resources. According to the European Court of Auditors (2019) there are four broad sources of revenues: a) revenues assigned by the Commission for delegated tasks (approximately €1.2 billion) (some decentralized agencies fall within this category), b) contributions from the EU budget (approximately €1.8 billion) (for most of the decentralised agencies and all executive agencies), c) fees, charges and contributions from national supervisory authorities (approximately €1.0 billion) (a few decentralised agencies fall within this category), and d) contributions from credit institutions to the Single Resolution Fund and the Single Resolution Board (SRB) (approximately €6.9 billion) (European Court of Auditors, 2019, p. 11). Following the above classification, the vast majority of EU agencies are subsidized by the EU budget, some agencies are subsidized by the Commission, some agencies have resources based on fees, charges and contributions from national supervisory authorities, whereas only a handful of EU agencies and other bodies are fully financially independent (i.e. SRB).[8] Finally, with regard to the final output, Commission distinguishes agencies and other bodies that can adopt "individual decisions which are legally binding on third parties" (i.e. ECHA); agencies that assist the Commission and member states (when necessary) by providing technical or scientific expertise and/or inspection reports (i.e. EMSA); agencies which are in charge of operational activities (i.e. FRONTEX); agencies that are responsible for gathering, analysing and disseminating information (i.e. CEDEFOP, ECDC); and finally, agencies that provide services to other EU agencies and institutions (i.e. CdT) (European Commission, 2008, p. 7; see also Scholten and van Rijsbergen, 2014, p. 1225). Following the taxonomy of the European Court of Auditors which classify EU agencies within three groups (decentralised, executive, other bodies), Table 1 summarizes the above features of EU agencies.

Traits	Typology		
	Decentralised	*Executive*	*Other bodies*
Number	34	6	3
Policy area	Various policy fields	Specific policy areas	Nuclear industry, innovation, banking union
Funding	EU Budget/fees, charges and contributions from national supervisory authorities	EU Budget	EU budget, fully self-financed (SRB)
Output	Regulative tasks; coordination; dissemination of information	Specific delegated tasks; dissemination of information	Coordination, innovation

Table 1

Typology and main traits of the EU agencies (N=43).

*Source: European Court of Auditors (2019); own elaboration*

[8] Only two joint undertakings (SESAR; Fusion for Energy) are included in the EU budget whereas no available financial data were found for other organisations of this type (joint undertakings).

Graphs 1-3 follow the taxonomy of the Publications Office[9] of the Commission and present a total number of fifty-five (55) –at the time of writing– agencies and other institutional bodies which are categorized in five groups: decentralised agencies, executive agencies, agencies under the Common Foreign and Security Policy – CFSP, Euratom agencies and other bodies, other organisations.[10] According to this classification, all forty-three (43) decentralised and executive agencies and other bodies considered by the European Court of Auditors are taken into account; additionally, twelve more are also examined (three agencies under CFSP and nine other organisations –joint undertakings). The reason for selecting this dataset is to capture the full picture of the agencification trend within the EU, instead of focusing on EU agencies and other bodies that fall only within the mandate of the European Court of Auditors –in other words financed solely by the EU budget– whereas excluding other organisations that are financed directly by member states (such as agencies under the CFSP) or from other sources. According to Graph 1, more than half of the EU agencies and other bodies are decentralised agencies (35 in total; 65%), signifying the importance of this type of EU agencies in the European integration process. Interestingly, other organisations (joint undertakings) constitute the second largest group of other bodies, whereas executive agencies are in the third place. Finally, agencies functioning under the CFSP and Euratom agencies and other bodies fill in the picture of the broad EU 'agencification landscape'.

Graph 1

Number and proportion of EU agencies and other bodies per type (N=55).

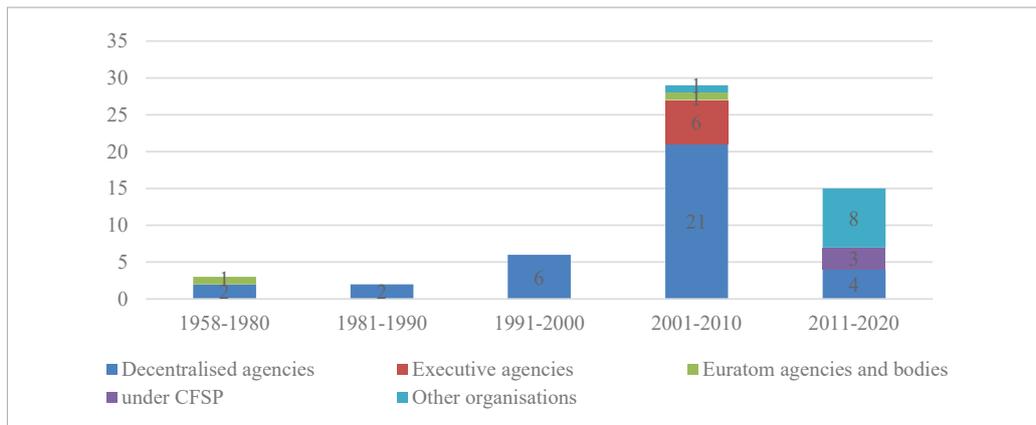*Source: Publications Office of the European Union (2011); own elaboration.*
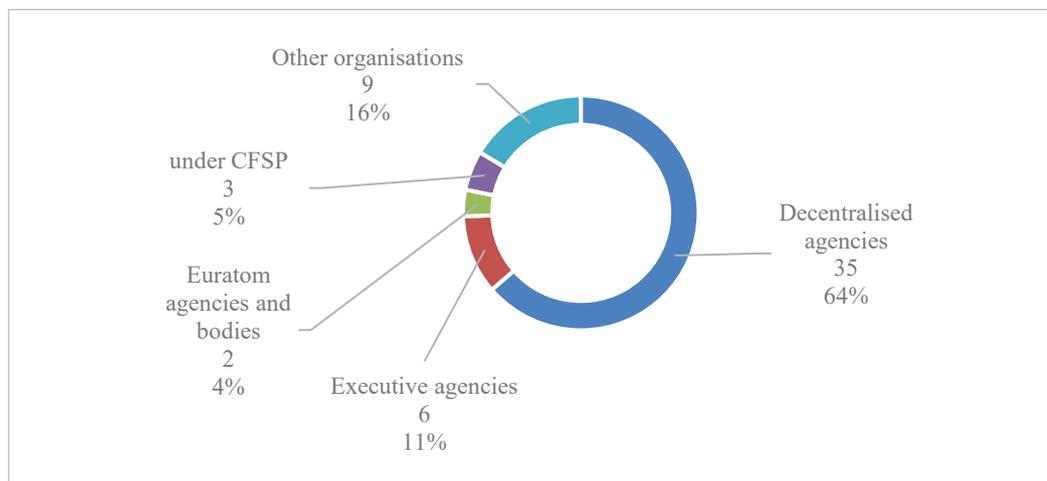
Graph 2 shows the proliferation of EU agencies and other bodies from the early period of the Euratom Supply Agency (ESA, established in 1958) up to 2020. As it is shown, the 'agencification booming' took place with the third massive wave of establishing EU agencies, initiated at the early 2000s. More than half (29 in absolute numbers; 53% in relative numbers –see Graph 3) of the total number of EU agencies and other organisations have been established within the first decade of the 2000s, signifying the catalytic role of the EU eastern enlargement with ten new member states (2004) and the impact of two successive Treaties (Nice in 2001; Lisbon in 2007) on the efforts for advancing the functional capacity of the EU administration. All in all, 80% of all EU agencies and other bodies were established after 2001 (Graph 3).

Furthermore, as it is shown (Graph 2) decentralised agencies are the forefront of the EU agencification trend (twenty-one new agencies); at the same time, their total number is sharply increased (from ten to thirty-one). In addition, all six executive agencies are created within the
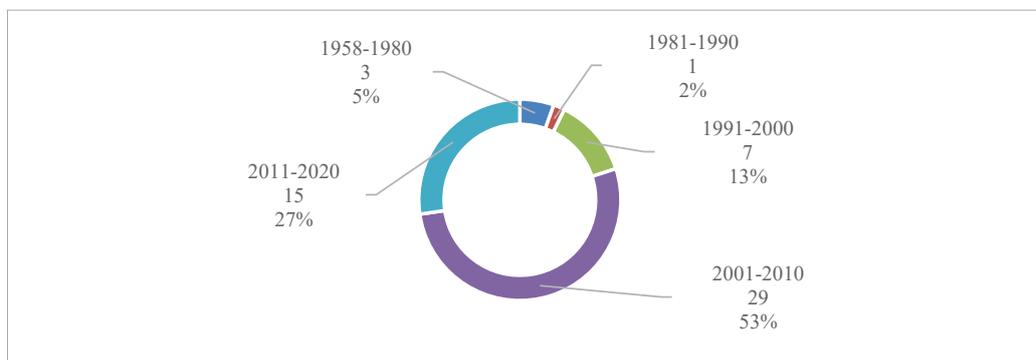
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[9] Publications Office of the European Union (2011).

[10] In contrast to the division adopted by the European Court of Auditors (three groups).

Graph 2

Establishment of new EU agencies according to their type (1958-2020; N=55).

Source: Publications Office of the European Union (2011); own elaboration.

Graph 3

Establishment of new EU agencies per decade, 1958-2020 (N=55).

Source: Publications Office of the European Union (2011); own elaboration.

same period.[11] The 'agencification impetus' slows down after 2010 since a total sum of seven agencies are established along with eight other organisations (joint undertakins).

Finally, an interesting organizational aspect of EU agencies is the number and the conditions of employment of their staff as well as the level of representation of EU member states. According to Hodson and Peters (2017, p. 11), approximately 15,000 public officials worked in 2013 for 'de novo' bodies.[12] This number was higher than the combined number of officials working for the European Parliament, European Court of Justice and the Council (ibid.).[13] Regarding the 2006-2020 period and the respective conditions of employment of EU staff, Graph 4 reveals an interesting trend: the number of permanent staff has dramatically shrunk over the years, whereas, at the same time, temporary employment contracts (both temporary and contract agents) have sharply increased. The shift becomes more impressing when delving with some individual agencies. For example, in Cedefop –one of the oldest EU agencies[14]– in 2005 40% of its staff was permanently employed, whereas in 2020 only 11% of its staff was working as permanent staff.[15] The trend is identical for Eurofound[16] where in 2005 all employees (91) were working under permanent contracts whereas in 2020 only 12% of the staff (11 out of 80) were employed for an indefinite period of time. The con-

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[11] Although executive agencies are established for a specific period of time. According to Christensen and Nielsen (2010, p. 177) executive agencies "may be seen as temporary expansions of Commission capacity rather than as autonomous agencies" due to the fact that they have a predefined time of operation and seize to exist after their mandate expires (for example, the European Agency for the Reorganization of the Balkans seized to operate in 2008).

[12] According to the authors, 'de novo' bodies are EU institutional structures established "to carry out a much narrower range of tasks".

[13] According to the European Court of Auditors (2020, p. 13) in 2019 approximately 15% of the total staff employed by EU institutions and agencies. Considering that Court examines only those agencies and bodies under its mandate, the percentage is estimated to be slightly higher.

[14] Established in 1975.

Graph 4

Evolution of EU agencies' staff by conditions of employment (2006-2020).

Source: EU budget data (respective years); own elaboration.
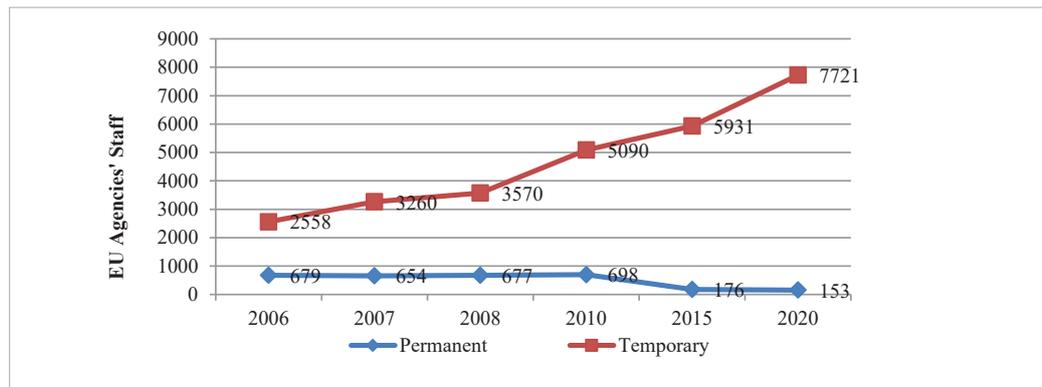
ditions of employment are evident of the flexibility of EU agencies to adjust their workforce according to their functional needs, thus rendering them with organizational autonomy and capacity to effectively decide on –otherwise– rigid expenses. However, this flexibility signifies the potential loss of technical knowledge and expertise for an EU agency with the termination of the employment, since it is highly unlikely that temporary staff would share and diffuse its knowledge with other colleagues within the EU agency. Regarding the type of agencies, the data show that approximately 90% of all the administrative staff work in decentralised agencies, thus justifying the greater proportion of this particular organizational type (see Graph 1). Lastly, another interesting aspect is the representation of nationals of EU member states in EU agencies' staff. In general, available data show that most of the EU agencies experience geographical imbalances related with the composition of their staff, yet certain reasons seem to provide justification for this (European Commission, 2018).[17] The so-called "seat" effect (distance from the main EU institutions), the composition of EPSO lists (small numbers of certain member state nationals), and the ability to attract staff from particular member states stand for reasons that create under or over-representation of nationals from certain member states (ibid.). The Commission's report reveals that Frontex deals with both over- and under-representation issues; Sweden in over-represented in the ECDC; finally, Greece, Portugal, Estonia, Lithuania, Latvia, Ireland and Slovakia are over-represented in the EMA vis-à-vis the Netherlands, Germany, and Luxemburg.

Discussion: European integration by "agencification"?

The expansion of the EU in new policy areas is a consequence of the EU transformation initiated by successive Treaties, thus facilitating the process of European integration. The latter is directly connected with the 'supranationalization' of responsibilities, a phenomenon which can be best described by the transferring of member state competences into the European level (EU) in various policy fields, such as in finance (monetary policy, fiscal coordination), competition, environment, international trade, home and justice affairs. In some of these areas the EU is solely responsible for exercising authority; in other the EU shares responsibility with member states or has simply coordinating role. The expansion brought about the need for increasing the capacity of the EU administrative apparatus. The organisational type that was selected to tackle pressures allowing for an effective EU administrative response, was that of EU agencies, defined as "bodies set up by the Communities having legal personality".[18]

In the same line of argumentation, it has been suggested that EU agencies emerged as a consequence "of the quantitative expansion of EU jurisdiction" (Kreher, 1997, p. 241). EU agencies serve

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[15] Own calculations based on data extracted from the EU budget of the respective years.

[16] Established in 1975.

[17] All EU agencies are legally bound to abstain from any discrimination policy on the basis of nationality, and recruit staff from the broadest EU geographical area, where applicants' qualifications are highly alike.

as an instrument of promoting coordination, supervised monitoring, and facilitating regulatory compliance within the EU (Kreher, 1997, p. 241). Similarly, it has been argued that agencies have allowed the EU to expand its administrative capacity to better cope with its tasks (Christensen and Nielsen, 2010). Furthermore, European Parliament (2016) has stated that "is considerably less costly to carry out the tasks assigned to the agencies at the EU level than by the member states".

From another perspective, a critical factor that impacts on European integration and is related with the establishment of EU agencies and other bodies, is interinstitutional politics. As it has been held, on the one hand the Council has a preference on intergovernmental structures whereas the European Parliament seeks for the creation of structures underlining transparency issues (Kelemman, 2002, p. 95). In that respect, the Commission has tried to balance between opposing institutional interests (Council vis-à-vis European Parliament) by transferring competencies to supranational specialized structures *at arm's length* from its jurisdiction (instead of keeping them within its jurisdiction) in fear of Council's rejection (ibid.) From an EU policy perspective, the Council has showed more interest in relation to second and third pillar agencies (Dehousse, 2008, p. 803) so as to better secure its interests. In other words, taking for granted that interinstitutional politics matter, the 'clash' between institutions affect the establishment of EU agencies as well as the scope of their mandate. In addition, it may change the 'institutional format' of the agency, entailing the establishment of a particular (preferred) type of agency instead of others, altering the overall monitoring status, i.e. by allowing for more (less) subjection to common financial regulations (i.e. by the European Court of Auditors); hence it may lead on political compromises at the expense of accountability and transparency.

In essence, agencies' autonomy and control are affected by organizational, task-related factors and politico-administrative culture as well (Verhoest, 2018). At the EU level, agencies' autonomy is highly affected by the 'parental' supervisor. Buess (2015) examining the accountability and legitimacy of EU agencies by assessing the member-states' representation on their management boards suggests that "there is still no consensus on the 'right' criteria for assessing EUAs' legitimacy" (Buess, 2015, p. 97). However, from a more practical point of view, European Court of Auditors has expressed criticism for cases regarding accountability and transparency issues with regard to financial management practices followed by some EU agencies. For instance, it finds "recurrent shortcomings" examining agencies' financial management, regarding overdependency on contractors, external consultancy, and interims (European Court of Auditors, 2019, p. 22).[19] In addition, it has stated that temporary agency staff and consultants are not always used in compliance with the legal provision (ibid., p. 25) since using external staff may not be cost efficient in comparison "to the use of own statutory staff" (ibid., p. 26). Most importantly, the European Court of Auditors reveals accountability and transparency problems by emphasizing the fact that "the same budgetary and discharge procedure" does not pertain to all agencies (ibid., p. 31)[20] and that "accountability and transparency should be applied to all EU-related bodies".

By the same token, cases have been reported where EU agencies fail to adopt or follow commonly used transparency practices. For instance, an inquiry conducted by the European Ombudsman on how the European Centre for Disease Prevention and Control (ECDC) gathered and communicated information during the Covid-19 crisis ended in suggestions for improving its transparency practices. At first, it should be noted that the role of the ECDC is highly critical in gathering and disseminating information as well as on conducting surveys on public health issues. In fact, the agency was created

[18] Article 185(1) of the 2002 financial regulation (OJ L 248). See also European Parliament (2006, p. 7).

[19] With reference to twelve agencies.

[20] The European Court of Auditors makes explicit references to certain EU agencies, focusing on self-financed agencies (EUIPO, SRB, CPVO), where for some the discharge procedure is subject to own budget committees (instead of applying the same rules).

in 2004 in light of the outbreak of the Severe Acute Respiratory Syndrome (SARS) in 2002 in order to identify and critically assess potential threats to public health. ECDC's strategic role is also recognized in terms of supporting national epidemiological centres by disseminating information. However, the European Ombudsman' inquiry (2021) suggested that the agency should "consider the general public 'as a primary audience' " as well –next to current stakeholders– and that it should revise its communication strategy so as to make available, by principle, all survey results to public. Though European Ombudsman recognized ECDS' institutional and functional limits (i.e. in terms of mandate and power; financial and human resources; or publication objections raised by member states), it recommended that improvements can take place, particularly in terms of information dissemination to the wider public, and most importantly, encouraged the use of more EU official languages rather than publishing information in only one (English).

The successive waves of creating new EU agencies may allow for some future projections. For example, Scholten and van Rijsbergen (2014) claim that "further agencification is likely to persist" pointing out that this will happen "at the risk of increasing the democratic legitimacy deficit and accountability gaps, because these issues are not regulated explicitly by the Treaty or any other legally binding act" (pp. 1254-1255). In the same vein, the authors argue that "the proliferation of agencies results in a democratic legitimacy deficit, which has a special detrimental effect in the EU" (Scholten and van Rijsbergen, 2014, p. 1255). Apparently, the divergence found in accountability and transparency practices between EU different agencies and different types of agencies as well, is highly problematic by nature. In fact, such practices rather delegitimize the EU to tackle perplexing public problems and can also fuel Euroscepticism. Surely, the proliferation of EU agencies without setting common institutional boundaries[21] that follow the same accountability and transparency mechanisms for all EU agencies, is problematic "from the democratic legitimacy perspective" (Scholten and van Rijsbergen, 2014, p. 1255). Yet, the European integration process has been benefited by the very existence of EU agencies. Their proliferation has served as a catalyst for allowing EU administration to respond more effectively in its tasks by freeing European Commission from merely implementing tasks and focusing on its founding role, that is on more strategic policy initiatives that originally serve the process of European integration.

In a nutshell, the fundamental conundrum pertaining to EU agencies lays on the dilemma that characterizes all autonomous governance institutions. On the one hand, the 'functional' argument posits that agencies must be flexible as organizational structures and autonomous from political interventions to deliver effectively, efficiently and economically policy results. On the other hand, the normative argument implies that agencies must be held account to political institutions for their (in)action and policies (Rittberger and Wonka, 2011, p. 784; Busuioc *et al.*, 2011), thus setting boundaries in their autonomy. Balancing between these (seemingly) opposing choices stands for a 'gordian knot' rather than a simple matter of choice. No matter how difficult is for this knot to be cut, their very existence and functioning has contributed in the European integration project. In other words, the establishment of EU agencies is a necessary condition for the EU integration process, but surely not sufficient *per se*.

Conclusions

This article has presented substantial aspects of the EU agencification phenomenon, by considering all EU-related agencies and other bodies and examining the raison d'être of their creation in conjunction with other organizational and functional dimensions. It has been argued that the proliferation of EU agencies and other bodies has allowed for the facilitation of the European integration process by freeing the Commission to act more strategically in policy making instead of

[21] Except for executive agencies which are subjected to the same legal framework (see Council Regulation (EC) No 58/2003). Evidently, this is not the case for decentralised agencies which are characterized by a variety of different legal provisions.

being involved in tasks of scientific nature demanding technical knowledge. The EU enlargement and expansion in new policy areas following successive reforms of the EU Treaties are related with the sharp increase of the number of EU agencies, particularly after the 2000s, whereas interinstitutional politics have served as a mediating factor for shaping the institutional status of EU agencies. In sum, the multiplication of EU agencies serves the process of European integration by providing high expertise and delivering effective policy results; however, concerns regarding accountability issues remain. Further research on how the EU should address accountability and transparency gaps pertaining to EU agencies, taking into account societal perceptions regarding the level of citizens' trust on independent –*at arm's length*– EU bodies, are expected to fruitfully contribute not only in theory but also in practice of the EU agencification literature.

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Abbr.	Name	Type
ACER	European Union Agency for the Cooperation of Energy Regulators	Decentralised
BEREC office	Agency for Support for BEREC	Decentralised
CdT	Translation Centre for the Bodies of the European Union	Decentralised
Cedefop	European Centre for the Development of Vocational Training	Decentralised
CEPOL	European Union Agency for Law Enforcement Training	Decentralised
Chafea	Consumers, Health, Agriculture and Food Executive Agency	Executive
CPVO	Community Plant Variety Office	Decentralised
EACEA	Education, Audiovisual and Culture Executive Agency	Executive
EASA	European Union Aviation Safety Agency	Decentralised
EASME	Executive Agency for Small and Medium-sized Enterprises	Executive
EASO	European Asylum Support Office	Decentralised
EBA	European Banking Authority	Decentralised
ECDC	European Centre for Disease Prevention and Control	Decentralised
ECHA	European Chemicals Agency	Decentralised
EEA	European Environment Agency	Decentralised
EFCA	European Fisheries Control Agency	Decentralised
EFSA	European Food Safety Authority	Decentralised
EIGE	European Institute for Gender Equality	Decentralised
EIOPA	European Insurance and Occupational Pensions Authority	Decentralised
EIT	European Institute of Innovation and Technology	Other bodies
ELA	European Labour Authority	Decentralised
EMA	European Medicines Agency	Decentralised
EMCDDA	European Monitoring Centre for Drugs and Drug Addiction	Decentralised
EMSA	European Maritime Safety Agency	Decentralised
ENISA	European Union Agency for Cybersecurity	Decentralised
EPPO	European Public Prosecutor's Office	Decentralised
ERA	European Union Agency for Railways	Decentralised
ERCEA	European Research Council Executive Agency	Executive
ESA	Euratom Supply Agency	Euratom
ESMA	European Securities and Markets Authority	Decentralised
ETF	European Training Foundation	Decentralised
EUIPO	European Union Intellectual Property Office	Decentralised
eu-LISA	European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice	Decentralised
EU-OSHA	European Agency for Safety and Health at Work	Decentralised
Eurofound	European Foundation for the Improvement of Living and Working Conditions	Decentralised
Eurojust	European Union Agency for Criminal Justice Cooperation	Decentralised

Annex

List of EU agencies and other bodies (N=55).

Source: Publications Office of the European Union (2011); https://europa.eu/european-union/about-eu/agencies_en *(accessed: 2 February 2020).*

Abbr.	Name	Type
Europol	European Union Agency for Law Enforcement Cooperation	Decentralised
FRA	European Union Agency for Fundamental Rights	Decentralised
Frontex	European Border and Coast Guard Agency	Decentralised
GSA	European GNSS Agency	Decentralised
INEA	Innovation and Networks Executive Agency	Executive
REA	Research Executive Agency	Executive
SRB	Single Resolution Board	Decentralised
-	Bio-based Industries Joint Undertaking	Other bodies
-	European High-Performance Computing Joint Undertaking	Other bodies
-	Fuel Cells and Hydrogen 2 Joint Undertaking	Other bodies
-	IMI 2 Joint Undertaking	Other bodies
-	Clean Sky 2 Joint Undertaking	Other bodies
-	ECSEL Joint Undertaking	Other bodies
-	Shift2Rail Joint Undertaking	Other bodies
-	SESAR Joint Undertaking	Other bodies
F4E	Fusion for Energy Joint Undertaking	Euratom
SatCen	European Union Satellite Centre	under CFSP
EDA	European Defence Agency	under CFSP
EUISS	European Union Institute for Security Studies	under CFSP

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