

Researching European Union Agencies

What have we learnt (and where do we go from here)

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Abstract

This review paper, with a clear political science and public administration bias, takes stock of the existing literature on EU agencies and suggests a future research agenda. The paper reviews studies on EU agencies' organization, tasks, proliferation and location in the political-administrative space. Whether the advent of EU agencies tends to underpin a basically intergovernmental, transnational or supranational order has potentially huge consequences for the distribution of power across levels of government, for the degree of policy uniformity and pooling of administrative resources across countries, for the role of genuinely European perspectives in the policy process, and for accountability relations. Although the jury is still partly out on most topics, we see the contours of a more direct multilevel administration in which EU agencies not only constitute nodes within transnational agency networks, but in addition, in governance terms, relate more closely to the European Commission than to any other institution.

Introduction

Whereas agencification is an old phenomenon within national executives in Europe, the ‘agency fever’ at the EU level is more recent. Developed during the last couple of decades, ‘agencification’ of the EU administration may be regarded as a compromise between functional needs for the supply of more regulatory capacity at the European level, on one hand, and member states’ reluctance to transfer executive authority to the European Commission (Commission), on the other (Kelemen 2002). Especially since the early 1990s, a wide range of (semi-) regulatory tasks have been concentrated within a quickly growing number of such agencies (Everson 1995). Moreover, this process of agencification has accompanied a quantum leap in the study of EU agencies (e.g., Busuioc et al. 2012; Kreher 1997; Rittberger and Wonka 2011; Everson et al. 2014). This paper takes stock of this research on the agencification phenomenon in the EU and suggests avenues for future research.

Arguably, from a political science and public administration perspective (and this paper is clearly biased in that direction), one overarching topic in the literature deals with the extent to which the advent of EU agencies contributes to the transformation of the EU’s political-administrative order. To put it bluntly: does this lead to more intergovernmentalism, more transnational technocracy or more supra-nationalism? In order to sort out relevant studies, the next section develops these three potential scenarios into three corresponding images of system transformation. The succeeding two sections review studies covering EU agencies’ organization and tasks, and their proliferation respectively. Then we discuss literature that focuses in particular on how EU agencies are located or situated in the wider political-administrative space. In doing so, we see contours of a development that contains elements of all the three

images, but which is somewhat more compatible with the supranational image. This entails that EU agencies - in terms of governance - find themselves closer to the Commission than to any other institution or actor. Since EU agencies simultaneously quite often make up hubs of networks of national agencies, we ask what kind of policy consequences might follow from such a move from an indirect to a more direct multilevel administration. We consider in this respect policy harmonization and pooling of administrative resources across countries, the role of genuinely European perspectives in the policy process as well as impact on accountability relations. We end this paper by suggesting a future research agenda in this field of research.

Three images of EU agencies

Agencification of the EU administration may be captured by three conceptual images which highlight overlapping, supplementary, co-existing and enduring governance dynamics within and among EU agencies. Moreover, these images are likely to co-exist, but the mix may change over time and across agencies.

An intergovernmental image

In the view of 'intergovernmentalists', EU-level administrative bodies are set up to implement or monitor the implementation of policies agreed upon by national governments. Such bodies (or 'agents') are expected to do this in an impartial manner, thus enhancing the credibility of government commitments (cf. Moravcsik 1998). Regarding EU agencies, powers entrusted to them are seen as delegated more often from national governments than from the Commission (Dehousse 2008: 793). EU agencies are also seen as evolving from pre-existing transnational

networks of national agencies (Levi-Faur 2011; Thatcher 2011; Thatcher and Coen 2008). Thus, governments may insist on keeping EU agencies under their control; most apparently expressed by national representation on agency management boards (Christensen and Nielsen 2010; Kelemen 2002). If governments delegate management board participation to the respective national agencies, delegates are supposed to attend with clear mandates from their ministry. We also expect EU agencies to avoid policy areas that constitute core functions of the nation-state; such as defense, police and border control. Most importantly, the intergovernmentalist expectation is that EU agencies will, for the most part, remain within the remit of national governments. Hence, 'EU policy-makers have not created a centralized, hierarchical Brussels-based bureaucracy' (Kelemen and Tarrant 2011: 942; Bickerton et al. 2014).

A transnational image

A transnational image assumes that EU agencies are *loosely coupled* to both national and EU-level institutions. The idea is compatible with the concept of the 'European Regulatory State' in which EU agencies take on a life of their own - enjoying a considerable amount of autonomy from surrounding institutions at any governance level. 'In this model, the European agencies would serve as hubs of regulatory networks...' (Kelemen 2005: 181). Eberlein and Grande (2005) describe what they call the 'informalization' of regulatory politics, characterized by 'best-practice' and information exchange, activities not subject to any classical democratic control. Similarly, Dehousse (2008: 803) concludes that 'none of the existing agencies can be depicted as a mere instrument in the hands of any one of the "political" institutions' (cf. also Pollak and Riekmann 2008). Since transnational regulatory networks are 'floating in-between' levels of

governance, this second image does not expect the existence of steering and accountability arrangements towards any particular level of governance. Legitimacy builds on technocratic values and the prominence of particular expertise. We expect the exchange of information and 'best practice' rather than 'real' regulatory tasks to dominate agency agendas.

A supranational image

According to the supranational image, EU agencies are depicted as integral components of, and closely tied to, the EU administrative apparatus in general and the Commission administration in particular. Agency autonomy as well as member-state control is sacrificed for the Union's need for integrated administration. EU agencies may thus be seen as 'instruments of centralization' of regulatory functions at the Union level (Majone 2005: 97) and for uniform implementation at the national level. According to Hofmann and Turk (2006: 592), EU '[a]gencies integrate national and supranational actors into a unitary administrative structure'. Similarly, Everson and Joerges (2006: 529) claim that 'European agencies . . . remain firmly ensconced within the institutional umbrella of the Commission'. Thus, concomitantly, even if national delegates may dominate numerically on the management boards of EU agencies, they do not necessarily act on behalf of national political executives. They may in practice be loosely coupled to ministries. Within a supranational image, we would also expect EU agencies to take on regulatory tasks beyond the exchange of information and 'best practice'. Finally, we would expect EU agency activities to encompass a wide range of policy sectors, including politically sensitive fields.

Organization and tasks

EU agencies are seen as operating in the 'grey zone' between 'pure' administration and politics (Vos 2000: 1130). Research has so far shown that EU agencies have become more than non-regulatory facilitators of transnational regulatory networks and arenas for the exchange of information on 'best practice'. Task expansion has taken place, so that most decentralized EU agencies today have regulatory functions such as adopting (or preparing for the Commission) individual decisions, issuing guidelines on the application of EU law at the national level, engaging in national agencies' handling of single cases, and developing new EU legislation (Egeberg and Trondal 2011; Ongaro et al. 2015).

Most EU agencies share some generic organizational features: they are organized at the EU level, however being specialized bodies outside the key Union institutions; they have limited mandates and formal powers; they are led by a director and a management board and the typical agency official is employed in a temporary or quasi-temporary position. The management board's main functions are usually to decide on the agency's budget, the work programme, and the appointment and dismissal of its executive director, subsequent to the Commission's nomination of a candidate. Management boards are typically composed of a large majority of member state representatives and a couple of Commission representatives; occasionally accompanied by European Parliament (EP) and interest group representatives. Most management boards of EU agencies number between 20 and 50 'delegates'. Most of the budgets of EU agencies are financed by the EU budget, sometimes with additional contributions coming from fees and payments from services. Some agencies, however, depend fully or partially on revenue received from industry (fees). Partially self-financed agencies are European Medicines Agency (EMA), European Chemicals Agency (ECHA) and European Aviation Safety

Agency (EASA); whilst fully self-financed agencies are Office for Harmonization of the Internal Market (OHIM), Community Plant Variety Office (CPVO) and Translation Centre for Bodies of the European Union (CdT). Yet, the budgetary and staff procedures give the Commission an important role in assessing the needs of EU agencies, both in terms of Union subsidy and staffing levels.

Proliferation

What might explain the agencification of the EU administration? Several accounts have been emphasized in the literature. Firstly, the agency literature has been, and still is, biased towards *rational-choice approaches* generally and the principal-agent (PA) perspective in particular. In order to make sense of 'agencification' scholars have pointed to agencies' ability to resolve collective action problems (Everson 1995; Vos 2000). The PA model is often the analytical expression of this functional logic, together with the notion of transaction costs (Tallberg 2003: 25). The PA model demonstrates how the formal design of agencies may reduce 'agency losses' and the possibility of 'runaway bureaucracy' (Calvert et al. 1989; Geradin, Munoz and Petit 2005). Vos (1999: 247) argues that EU agencies represent a 'functional decentralisation of tasks' which could relieve the Commission of specific administrative tasks and leave it with greater room to concentrate on giving political direction. Secondly, *contingent events* may help to explain institutional change and the timing of organizational birth. According to Curtin (2007), decisions to create several EU agencies have been motivated by needs to respond to particular circumstances of the moment, and in some cases the occurrence of crisis. The European Food

Safety Authority (EFSA) is one case in point as it was established after the dioxin incident in Belgium and the BSE affair in Britain.

Thirdly, the creation of EU agencies may also reflect trends in administrative policy and *fashionable ideas* in public management, parallel to what has been argued with regard to the proliferation of agencies at the national level (cf. Christensen and Lægreid 2006). When the second wave of EU agencies occurred during the 1990s (cf. Figure 1), the agency idea and New Public Management (NPM) rhetoric were widespread across Europe (Kelemen 2002). The fact that EU agencies popped up within a fairly short period of time in the 1990s and post-2000 – and not during the 1960s or 1970s – reflects fashionable ideas at the time (Groenleer 2009). Fourthly, an *institutional approach* emphasises how EU agencies have evolved from pre-established regulatory networks and committees (Levi-Faur 2011; Thatcher and Coen 2008). Krapohl (2004) shows how several EU agencies, such as EFSA and EMA, evolved from existing EU committees and replaced most of their structures, while Martens (2012) highlights how the organizational structure and standard operating procedures of ECHA were copied from EMA. And finally, agency development can partly be understood as a result of *political* processes and institutional rivalry (Bach et al. 2016).

The accumulated administrative capacities of EU agencies may be assessed by considering their number and size. At least three waves of agency formation at the EU level can be distinguished – the initial one in 1975, a second one from 1990 to 1999, and the third from 2000 to present. In sum, 34 so-called *decentralized or regulatory* EU agencies have been created (see Figure 1). Despite a significant increase in the supply of personnel in the Commission since 2000, the same time period witnessed an increase in the total number of EU agencies, EU agency staff and

budgets (Analytical Fische 23: 4; Chamon 2016: 46). Since 2008 the pace has accelerated even further, especially in 2010 and 2011 with the advent of the new European supervisory authorities in the financial services area. These new agencies have added not only in terms of quantity but also in terms of their nature and their powers, some of which are quite novel and far-reaching. Together EU agencies spend over one billion Euros per year, and employ more than 5,000 staff. Although three agencies within the area of Common Security and Defense Policy have been put under direct Council supervision and not classified as ‘decentralized/regulatory EU agencies’ (cf. Figure 1), ‘our’ 34 agencies also encompass highly sensitive policy fields; like police cooperation (EUROPOL) and border control (FRONTEX).

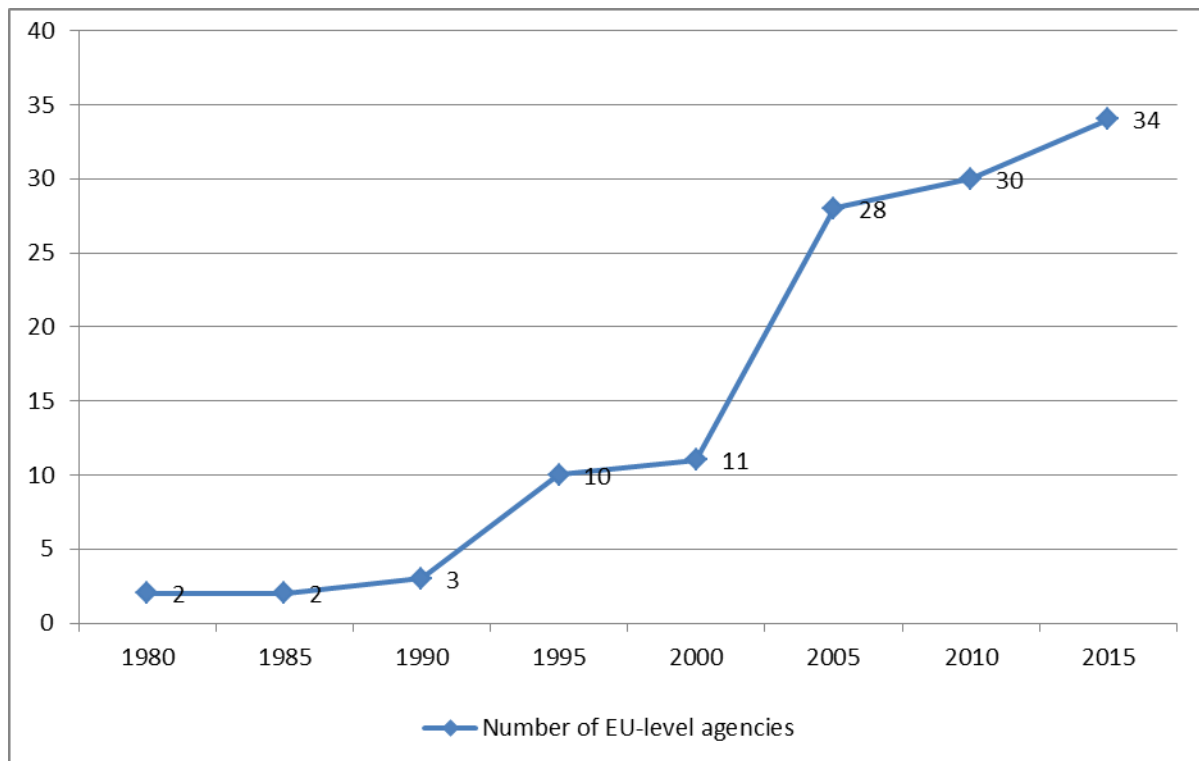


Figure 1 Numbers of decentralized/regulatory EU agencies, by five years intervals. These figures exclude (i) Agencies under Common Security and Defense Policy (3 agencies in 2016), (ii)

Executive Agencies under the Commission (6 agencies in 2016), (iii) Euratom agencies and bodies (2 agencies in 2016), and (iv) European Institute of Innovation and Technology (EIT)

EU agencies in the political-administrative space: power relationships

Intergovernmentalism or trans-nationalization?

Whether the coming about of EU agencies has resulted in retaining national governments' control over regulatory processes, or rather to trans-nationalize or supra-nationalize such processes, is contested in the literature. The fact that management boards of EU agencies are numerically dominated by national delegates has served to strengthen the impression of government control from below (Kelemen 2002; Kelemen and Tarrant 2011). Also, the fact that management boards deal with topics such as work plans, rule development, budgets, organization and recruitment indicates that board meetings provide important arenas for influencing and monitoring agency activities (Johannessen 2015). However, studies have shown that management boards have weaknesses that might undermine their role as crucial decision-making bodies: For example, they may have too many participants (often more than 40 attendees), they meet relatively seldom, and national delegates are, on average, neither very well prepared nor particularly active at meetings (Busuioc and Groenleer 2012). The latter observation has been nuanced in a later study: delegates from old and particularly affected member states, as well as those emanating from well-resourced administrations, seem to be considerably more engaged than others. However, for the most part, discussions do not display typically intergovernmental characteristics; e.g. in the form of emphasizing the concerns of one's own government in particular (Johannessen 2015).

This (latter) behavioural pattern makes sense if we consider from where the national delegates originate: they tend to come from national agencies rather than from ministerial departments (Suvarierol et al. 2013). Due to such agencies' organizational detachment from ministries, national agency officials tend to be more sheltered, both formally and actually, from political (ministerial) steering compared to their colleagues within ministerial departments. This finding seems to be fairly consistent across time and space (Egeberg 2012). As a function of their participation in EU regulatory networks, national agencies seem to become further autonomized and empowered vis-à-vis their respective parent ministries, also at the policy formulation stage. This happens even in well-resourced administrations such as the Dutch and German ones (Yesilkagit 2011; Danielsen and Yesilkagit 2014; Bach and Ruffing 2013; Bach et al. 2015; Maggetti 2014). Concerning actual autonomization, the underlying mechanism seems to be information asymmetry: network participation endows national agencies with negotiation and technical skills that are not available within their respective parent ministries (Ruffing 2015). On this background, given that national delegates on EU-agency management boards most typically emanate from national agencies rather than ministries, Buess' (2014) observation that only a minority of such delegates bring instructions from the national capital when attending meetings, is quite understandable.

Thus, studies focusing on EU agencies' management boards do not find much support for the intergovernmental image. Although some national delegates may be quite active on such boards (cf. above), they may be only loosely coupled to their political masters back home. Studies focusing more broadly on EU-agency decision-making find member states to have considerable influence, however, this influence tends to diminish as EU agencies become

complex bureaucratic structures relying on scientific knowledge in their work (Font 2015). Yet, since this latter study does not distinguish between agencies and ministries, but operates with the term 'member states', 'member-state influence' may actually originate from national agencies rather than from ministries. Ossege (2016) reports that EU agencies enjoy in practice much autonomy as regards their scientific outputs and when making individual/single decisions (cf. also Ongaro et al. 2015). Egeberg and Trondal (2011) observe that EU-agency managers on average find national agencies to be more influential on their work than national ministries, and there is also a higher level of interaction with national agencies (cf. also Ongaro et al. 2015). However, under conditions of political salience and contestation, national ministries tend to become more engaged and influential. This tendency is not confirmed in the study by Font (2015). However, as pointed out above, her study does not distinguish between ministries and agencies when it comes to wielding influence on EU agencies.

Overall, 'trans-nationalization' captures much of what the literature has told us so far about EU agency governance: those who take most actively part from national administrations most typically emanate from national agencies that are relatively de-coupled from their respective ministries, and thus from the national political chain of command. Moreover, criticisms raised from 'national delegates' within EU agency management boards tend to be 'individual' rather than representing a common board opinion: most typically, the board supports the proposals of the agency leadership (Groenleer 2009). In the same vein, EU-agency officials have been shown to mainly adhering to technocratic values (although complemented by a certain political attentiveness); for example to the view that 'in contemporary policy-making, it is essential that expertise be given more weight than political considerations' (Wonka and Rittberger 2011: 898).

However, we have also seen that EU agencies tend to engage in activities beyond the exchange of information and 'best practice', contrary to what could be 'predicted' from the transnational image.

Supra-nationalization?

Over the last couple of decades EU regulatory networks have been subject to creeping supra-nationalization: Several studies, as reviewed in the following, document that the Commission has entered networks already in place, or has encouraged network-building in areas without a network, or networks of national agencies have got an EU agency as their hub (Majone 1995; Dehousse 1997; Eberlein and Grande 2005; Eberlein and Newman 2008; Thatcher and Coen 2008; Levi-Faur 2011). Questionnaire studies of EU-agency officials, managers and board members report quite consistently that the Commission is seen as the most important institution in an agency's environment; both in terms of power and daily interaction (Trondal and Jeppesen 2008; Egeberg and Trondal 2011; Ongaro et al. 2015; Font 2015). The role of Commission DGs as 'parent departments' of their respective EU agencies is clearly reflected in Commission and agency annual reports (Egeberg et al. 2015). Vos (2014: 31-32) asks if the Commission's right to intervene if an agency's management board is about to take action contrary to EU policy objectives indicates a kind of 'embryonic' 'ministerial' responsibility of agencies' acts in relation to commissioners. In order to fulfil its monitoring and parent department role, the Commission has strengthened its organizational capacity in this respect (Groenleer 2009). Moreover, Ossege (2016) finds that when it comes to 'rule formulation' (as compared to scientific outputs and individual decisions), EU agencies seem to work more or less

as integral parts of their respective Commission DGs. Font (2015), in her survey among national delegates on management boards, observes that the influence of the Commission tends to diminish though when the level of political contestation increases. This association did not occur, however, in a survey of agency managers (Egeberg and Trondal 2011). Other studies document that the Commission is a particularly well-prepared and active actor in management board meetings (Groenleer 2009; Johannessen 2015). The seemingly key role of the Commission in EU-agency governance does not at all preclude EU-agency influence on the Commission as well: In highly technical fields, such as authorization of medicinal products, the Commission is seen as mainly 'rubber-stamping' the draft decisions submitted to it by the European Medicines Agency (Busuioc 2014; Vestlund 2015a). And, although EU-agency managers perceive EU agencies to be clearly less influential than the Commission in developing new EU policies and legislation, they see them as more powerful than national agencies and ministries in this respect (Egeberg and Trondal 2011).

The multilevel EU polity was at the outset based on 'indirect administration' between the supranational and the national level. EU policies, e.g. legislation, were to be adopted at the EU level and subsequently to be implemented nationally by member states themselves, and not by bodies owned by the EU. Member states enjoyed (in principle) a kind of 'administrative sovereignty' since implementation should take place through the ordinary government/ministry-agency relationship, also involving the national parliament, if deemed appropriate. One might add that also policy formulation was thought to follow such an indirect track: governments were in a position to aggregate *national* preferences across sectors and levels and in the next step to articulate *national* interests in the Union Council, the body

designed for that purpose. Recent studies, as shown, see the rise of more 'direct administration' between the supra-national and the national level. When it comes to policy formulation, even parts of *central* governments, such as regulatory agencies, have for a long time sent officials to Commission expert committees (Gornitzka and Sverdrup 2008) without much instruction from their respective ministries (Trondal 2000). Concerning implementation, one important implication of (partly) supra-nationalized regulatory networks is that national agencies become 'double-hatted'; meaning that in addition to serving their respective parent ministries, they also find themselves being parts of a multilevel EU administration in charge of practicing and applying EU policies and legislation (and, to some extent, preparing it as well). Under the second hat, national agencies usually deal with the Commission and EU agencies directly, thus not via their parent ministry as is typical for indirect administration (Egeberg 2006; Hofmann and Türk 2006; Trondal 2011; Bach and Ruffing 2013). Essential to our argument, more direct administration is indicative of a supra-nationalization of the EU multilevel administration. Also consistent with the supranational image is the inclination of EU agencies to engage in regulatory tasks beyond information exchange, and to deal with highly controversial policy areas as well.

Policy consequences

Studies thus suggest an ongoing supra-nationalization of executive power in the EU; first in the form of EU agencies that may actually complement the decision-making capacity of the Commission, and secondly, in the form of adjacent agency networks that operate relatively independent from national ministries. Such enhanced capacity at the EU level probably musters

more leverage behind a genuinely *European* perspective at various stages of the policy process. For example, whether to cope with, and, in case, how to cope with incompatibility and lack of interoperability among national transport and energy infrastructures, or how to solve the migration crisis, may be looked at quite differently dependent on the territorial level of the decision-maker (cf. e.g. Jevnaker 2015). Studies indicate that partly supra-nationalized agency networks also contribute to *harmonizing* guidelines and implementation practices across countries (Eberlein and Grande 2005; Egeberg and Trondal 2009; Groenleer et al. 2010; Maggetti and Gilardi 2011; Gulbrandsen 2011, Maggetti 2013; Versluis and Tarr 2013). That said, the main finding from research on implementation in the EU has so far been that implementation still varies considerably across countries at the transposition stage as well as at the application stage (Treib 2014). Path dependency from a predominantly ‘nationalized’ implementation structure in the past as well as remaining ‘indirect’ elements (cf. the ‘double-hattedness’ of national agencies), may account for this variation. In the original setting, Commission pressure for more uniform application was strongly constrained by nationally encapsulated implementation processes. If agency networks, on the other hand, display more transnational characteristics, we would expect more uniformity in law application. However, the degree of uniformity will probably increase further if the network contains a stronger supra-national component.

Another option that emerges from having ‘agencified networks’ (Levi-Faur 2011) is *pooling of administrative resources*. For example, the hub position of the European Medicines Agency enables it to allocate the preparatory work on drug authorization among the national medicines agencies, dependent on their expertise, administrative capacity, availability etc. (Vestlund

2015b). Such a division of labour may benefit all network participants, and in particular poorly resourced national administrations.

The positioning of EU agencies between member states and EU institutions complicates accountability relations. The 'double-hattedness' of national agencies adds to the complexity. It has therefore been argued that a simple principal-agent model of accountability will be inadequate under such conditions. Instead, the argument goes, one has to take a more pragmatic approach, acknowledging that EU agencies might actually be held to account by *several* forums representing checks and balances, such as the Commission, European Parliament (EP), Council, Court of Justice and national governments (Curtin 2007; Busuioc 2013). However, the close ties we have observed emerging between the Commission and EU agencies point in a more ordered direction, thus reducing the 'accountability overload' (cf. Busuioc 2013) stemming from a multitude of forums. Interestingly, the EP seems to make the Commission responsible for agency activities, indicated by the fact that MEPs' questions on EU agencies are directed to the Commission (Egeberg et al. 2015). The underlying premise is probably that it is primarily the Commission, the 'core executive', that should be *directly* accountable to the parliament. Also the EU Court of Justice holds the Commission accountable for agency decisions (Ossege 2016).

Conclusion and future research agenda

This paper reviews the literature on EU agencies, with an obvious political science and public administration bias. We have learnt that the so-called decentralized, regulatory agencies, a relatively new phenomenon in the EU, have experienced task expansion over time: they have

clearly taken on several (quasi-) regulatory tasks, including tasks within politically sensitive fields, such as police cooperation and border control. Numbering 34 at present, their proliferation has not happened to the detriment of a parallel staff expansion inside the EU's core executive - the Commission. However, whether the administrative resources of EU agencies also contribute to a supra-nationalization and centralization of executive power in the EU also depends on how these agencies are situated in the political-administrative space. The paper has presented three 'images' to elucidate this puzzle: an intergovernmental, a transnational, and a supranational one. Not surprisingly, given the complexity of the multilevel politico-administrative order of the EU, all three images are reflected to some extent in studies of agency life. However, based on the available data, we argue that EU agencies tend to lean more towards the Commission than to any other potential masters. Contours of semi-detached EU agencies acting under the realm of their respective Commission 'parent departments' parallel well-known templates on how ministry-agency relationships are usually organized within member states.

Thus, we witness a move from a multilevel polity basically based on indirect administration towards a polity characterized by somewhat more direct administration. National agencies have been partly adopted by a strengthened EU executive centre (Commission and EU agencies) so as to constitute components of a multilevel *Union* administration, partly circumventing national ministries (thus making national agencies 'double-hatted'). The more such a system transformation takes place, the more we can expect genuinely European perspectives to make a difference in the policy process, and the more we can expect uniform application of EU law

across countries, as well as pooling of administrative resources. Moreover, with regard to EU agencies, accountability relations may become less complex and more transparent than before.

If it occurs, how can we possibly explain EU agencies' relative de-coupling from national governments and relative re-coupling to the Commission in terms of governance? We suggest that an *organizational approach* (Egeberg 2012; Egeberg et al.2016) might contribute to such an understanding, although we do not at all claim that organizational factors alone make up a sufficient explanation: First, agencification at the national level ('vertical specialization' in organizational terms) entails that management board members, who most typically come from national agencies, may be rather loosely coupled to national political executives in practice. Secondly, due to the fact that the institutional architecture of the EU encompasses a separate political executive, namely the Commission ('functional specialization'), there may be relevant capacity available at the EU level to monitor and follow up EU agencies (Groenleer 2009). Thirdly, EU-agency officials, like Commission officials and commissioners, all have an *EU* organization as their primary organizational affiliation. And, finally, the legitimized (national) organizational template for situating agencies in the political-administrative space implies that semi-independent agencies should be subordinate to the political executive at that same level of government, and not to the political executive at the level beneath.

In addition to contributing to the current debate on the 'New Intergovernmentalism' in general, our findings address more specifically the controversy over which EU body should be seen as the core executive. *Inter alia* the financial crisis triggered several intergovernmental initiatives which led many observers to draw the conclusion that the Council, and in particular the European Council, had become the key executive, or de facto government, of the EU, to the

detriment of the Commission (Bickerton et al. 2014). Also a broader agenda and more frequent meetings in the European Council have led to the same conclusion (Carammia et al. 2016). Our findings are more consistent with the observations reported by Bauer and Becker (2014) and Nugent and Rhinard (2016) on the persistent key role of the Commission. Our conception of a political executive, or government-like body, is that such a body possesses considerable capacity for policy development as well as for policy implementation, usually in the form of a multitude of policy departments and (regulatory) agencies. In addition, such a body is characterized by being composed of executive politicians at the top who have this particular body as their primary institutional affiliation (as commissioners have), and not of executive politicians who primarily belong to institutions at the level below (as national ministers do).

Looking forward, we would like to suggest the following research agenda:

- Although we may see certain contours of supra-nationalization of EU agencies, the jury is still partly out as regards their actual *location* in the political-administrative landscape. This location has significant implications for the distribution of power between levels of government. Thus, more studies should be devoted to the location issue and, not least, to the consequences thereof for policy content; e.g. the degree of harmonization across countries and the imprint of genuinely European perspectives. Also, the potential for pooling of administrative resources across national administrations deserves more attention, as do accountability relations in a still relatively unsettled polity (Olsen 2007; 2015).

- Since administrative networks in which EU agencies make up the hubs build on semi-detached national agencies, this raises the question about how much room of manoeuvre is actually left for *administrative reorganizing* at the national level. Historically, agencification as well as de-agencification has served as important tools of administrative policy-making. So-called 'whole-of-government' or 'joined-up-government' approaches that may include de-agencification at the national level seem to be at a collision course with more direct administration in the EU polity presupposing relatively independent national agencies. This 'coordination dilemma' should be highlighted in future studies (Egeberg and Trondal 2016).
- Studies show a clear negative association between having a bureaucracy based on merit recruitment on the one hand and the level of corruption on the other (Dahlström et al. 2012). EU agencies deserve scholarly attention in this respect since we do not know much about their recruitment practices (Schout and Pereyra 2011). To the extent that these bodies practice merit-based recruitment, we may ask whether 'good governance' may become spread through EU regulatory networks.
- Finally, it might be interesting to investigate whether the need for coordination and dialogue between the EU and *other* regulatory regimes will result in a strengthening of EU agencies to the detriment of their national counterparts. For example, it has been argued that a transatlantic trade and investment partnership (TTIP) will presuppose permanent dialogues between regulators in order to promote compatible regulations across the Atlantic (Alemanno 2015). One might assume that in such permanent dialogues it will be difficult in practice to include all 28 EU member state agencies within

a particular policy area. Rather, an obvious institutional solution would be to leave it to the appropriate EU agency to run the talks on behalf of the others (and the EU).

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