



## TARN Dialogue

### Conclusions from the breakout sessions 29 June 2016

#### Group 1: Interinstitutional relations, constitutionality and accountability

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The discussion in panel 1 focused on two questions about the added value of EU agencies and what alternatives there are, as well as the main challenges and problems.

- Added value of agencies and alternatives:
  - A trend was pointed out that in the past 10 years, at the member state level, the number of agencies has been reduced by 25-30% by merging or closing down agencies.
  - This downward trend at the national level has been accompanied by an increase in the number of and tasks delegated to EU agencies.
  
- What is the added value of agencies?
  - They contribute to co-governing complex domains together with the member states and other EU actors. They have a problem-solving attitude in contrast to a starkly political one.
  - They provide important additional administrative capacity and technical expertise beyond what is available in the European Commission alone.
  - They are supranational hubs of information, data, guidelines, trainings which facilitate the interoperability of European infrastructure in sectors such as transport, energy, finance
  - They enable specialization at the national level, as the European agency can take a lead in task allocation and specialization across the national counterparts

The difference between decision-making agencies and information exchange agencies is pointed out and there were different rationales for the creation of these two types of agencies, thus there are different alternatives.

For decision-making agencies, one alternative would be networked national regulatory bodies, but this is often the origin of decision-making agencies.

For information agencies, one alternative would be expert committees, again a configuration that often preceded the formal creation of an agency.

- In terms of main challenges and problems, the group identified the following issues:
  - Member states want to preserve flexibility, some national discretion and sovereignty. There is a tendency to keep important sensitive information especially in the defense section, police and border control, but also in the single market domain
  - In practice, the boundaries between what is the responsibility of European agencies v. their national counterparts v. other European bodies is unclear,

which leads to difficulties in co-governing the complex domains they are responsible for

- Administrative capacity and resources are limited, while the tasks and responsibilities of agencies are growing. They do not have access to a Legal Service comparable to that of the Commission (or that of the Commission) which makes it difficult to strike the right balance of policy objectives, especially in tough cases such as data protection, when regulators need to consider the trade-off between transparency (i.e. publish the minutes of all meetings) v. secrecy