



TARN Dialogue

Conclusions from the breakout sessions 29 June 2016

Group 4: Functionality, budgets, risks and efficiency

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In the day-to-day management and operation of EU agencies, public officials are confronted with challenges and problems that ring true for a broader population of *public* organizations as well. Under conditions of cutbacks and reforms that characterize the public sector in general, EU agencies operate in a setting in which they are expected to *do more with less*. Recent years have seen an expansion of agencies' functional tasks, but the staff and resources with which they are required to fulfill these tasks have not grown proportionally or have even decreased. Although founding mandates are often clear, the real question thus becomes whether agencies have the necessary administrative capacity and expertise to fulfill them. Moreover, the numerous accountability relationships toward various stakeholders seemingly increases this administrative burden, particularly within in the specific constellation of the EU in which such accountability relationships point in multiple and often contradicting directions. For EU agencies, this situation potentially creates a trade-off between efficiency and accountability in which EU agencies are forced to almost play a zero-sum game in favor of either the former or the latter.

Important to consider in this regard is the way in which EU agencies are originally conceived, as this potentially influences the institutional make-up of the agency and the way in which it functions and operates. In practice, agencies are often times born out of crises, meaning that their mandates are given in contested political arenas. Also, agencies sometimes originate because either the Commission or EU member states do not have the capacity to fulfill the mandated tasks themselves and the problem is accordingly cast into the lap of the newly formed EU agency. In that sense, the initial conception of EU agencies and the according tasks they come to fulfill often have no real (instrumental) rationale behind it. Although sometimes presented as neutral and technological solutions to interdependent policy problems, the practice of EU agencies often shows a far more messier picture. Delegation is perhaps then more realistically understood as a pushing away of responsibility from other actors. These considerations should be taken into account when analyzing and assessing how EU agencies operate and the problems with which they are confronted.

The above-named issues also influence the way in which accountability should be conceived and how it plays out in practice. A question to ask is how accountable we want agencies to be, as this seemingly influences the kind of accountability that we want. In practice we see how agencies are often burdened with rules to ensure "accountability" and an automatic reflex to

malpractices or misconduct is come up with even more rules “to ensure that it never happens again”. However, EU agencies do not need *more* rules; they need *coherence* in the rules that already exist, as these are often in conflict. We should consider in this regard that accountability should not be equated with terms such as compliance, transparency, and streamlining. These are instruments of *control*, not of *accountability*. In fact, these instruments can even work to the detriment of accountability. Accountability should be tailored to the specific tasks that the agencies fulfills and the risks that are associated with that task. One size does not fit all in light of the vast differences that exist between EU agencies. Therefore we should better specify and classify what it is that we are actually talking about when referring to this widely differing class of public organizations.