

Voice or loyalty?

The evolution of the European Environmental Agency (EEA)

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Abstract:

This paper examines the role and autonomy of the European Environmental Agency (EEA) in the EU system through almost fifteen years. The main finding is that the Commission, and DG Environment in particular, has acquired a privileged position vis-à-vis the EEA through gradual processes of learning and trust building. The EEA has over the years become a more predictable and loyal partner in the European administrative system, balancing and mediating the ability to have a credible voice on the one hand and the need for stability and a secure resource supply on the other. The paper seeks to contribute to the debate about the role and autonomy of agencies in the EU, and it is argued that in order to capture a fuller and more nuanced picture of their functioning, we need to go beyond a legal framework, taking into account those aspects of institutional life that involve both formal and informal processes. It is also argued that we need to follow processes over time in order to avoid snap shot images and being able to capture temporal dynamics of cooperation, conflict and power.

1. Introduction

Over the last decades agencies have become a viable part of the European institutional landscape, and the academic debate on their role and autonomy has intensified. This paper examines the institutionalization of the European Environmental Agency (EEA) from its inception in 1991 and analyses its gradual transformation into a living institution (Laffan 1997a, Olsen 1997), balancing autonomy and the ability to speak ‘truth to power’ on the one hand and the need for stability, partnership and a secure resource supply in the EU governance system on the other.

The main questions raised in this paper are the following:

- How can we capture and understand the evolving role of the EEA in the EU system?
- To what extent and how has the EEA been able to operate autonomously within this system?

The EEA is not a regulatory agency. It is an information-gathering agency like most of the European agencies created since 1990 (Dehousse 2008). However, my starting point and reason for studying the EEA is that information provided by agencies may influence political decision making, and the informational role they are playing may have considerable implications for their autonomy. Information is not neutral or apolitical since it ‘structures the definition of problems, solutions and causal understandings’ (Gornitzka and Sverdrup 2008: 2, Shapiro 1997). Moreover, information may be produced and used in different ways and information agencies may play different roles and serve different purposes within a political system. Such purposes may include enhancing the democratic ideal of informing European citizens, and ‘assuring that citizens know what officials are doing’ (March and Olsen 1995: 161-162). Such purposes may also include filling the knowledge gap of decision makers, enabling them to make informed decisions and function as a vehicle and tool in administrative activities . The latter type of information is more closely connected to the motivations and preferences of specific actors within a specific decision making process and not necessarily accessible or relevant to the wider public. The latter type may also imply less freedom for an information agency to act autonomously and provide information on its own terms. Hence, different ways of processing and providing information have different political implications

and is related to the distribution of influence and power within a political system (Gornitzka and Sverdrup 2008: 1, Haas 2002: 116).

Several scholars studying European agencies have recently highlighted the multi faceted nature of their institutional surroundings in order to understand their creation and functioning. They point to different preferences of different actors at different levels of governance, including the Commission, the Council, Parliament, Member States and private actors, resulting in a multiplicity of formal control mechanisms (Dehousse 2008, Gehring and Krapohl 2007, Kelemen 2002, Kelemen and Tarrant 2007, Krapohl 2004). Dehousse (2008: 11) argues explicitly that we need to apply an anti-hegemonic, multi principal model in order to understand the functioning of these agencies, and the *multiplicity of controls* to which they are subjected. The key principle is ‘institutional balance’, and according to Dehousse ‘the current ‘multi-principals’ compromise is here to stay’ (ibid: 23).

In this paper the multifaceted institutional environment of the EEA serves as an important starting point. However, in this paper I go beyond the anti hegemonic multi-principal model and the notion that ‘no one controls the agency, and yet the agency is under control’ (Moe 1987). Exploring the development of the role and autonomy of the EEA in the EU system through almost fifteen years, the message is more in the spirit of George Orwell: All institutions are equal, but some institutions are more equal than others. It is argued that the Commission, and in particular DG Environment, gradually has acquired a privileged and influential position vis-à-vis the EEA through processes of learning and trust building interacting and blending with processes of power and resource dependency. It is further argued that the EEA gradually has developed standard procedures of processing and providing information, and gradually learned to appreciate the privileged position of being an insider and a trusted partner in the EU-system, striving to find a balance between freedom to be critical and speak ‘truth to power’ on the one hand and the need for stability, partnership and a secure resource supply on the other. Applying a new institutional perspective, highlighting the significance of rules, procedures and norms in structuring political behavior and outcomes (March and Olsen 1989) allows us to capture these features and shed light on how they came about.¹

¹ The ‘new institutionalism’ contains a variety of different approaches addressing different issues (Peters 1998). In this article I have chosen to apply the so called ‘normative institutionalism’ particularly known through the work of March and Olsen (1989). Although this approach is labeled as part of the new-institutionalism in political science it reflects in several ways a traditional format for institutionalism encountered in sociology and organization theory (Peters 1998:26).

Within the institutionalist literature it is observed that change is ‘rarely the rational, planned exercise found in strategic plans, but rather tends to be emergent and more organic’ (Brunsson and Olsen 1993, March and Olsen 1989, Peters 1999: 34). Becoming a living institution takes *time*. It takes time to ‘learn one’s place in a larger institutional order’ (Olsen 2007: 28). In other words, *learning* from experience over time is an important stimulus for institutional change (March 1999, Olsen 2007, Peters 1999). From repeated behavior that has proven successful, or at least feasible, organizations establish routines and standard operating procedures (March 1999, March and Simon 1958). Institutions ‘can not be imposed on the world full-blown by Napoleonic decrees’ (Olsen 1997: 175). They must forge a proper remit for themselves in the institutional landscape and learn to know the limits of their role and autonomy (Laffan 1997a). Hence, in this study of the EEA I am stressing the necessity of studying an agency over time, after the birth of the organization (Simon 1953) in order to avoid snap shot images and being able to capture institutional dynamics of cooperation, conflict and power. I am also stressing the necessity to go beyond a legal understanding of the functioning and autonomy of agencies which have been widespread in the agency literature (see e.g. Chiti 2000, Geradin et al. 2005, Krapohl 2004, Vos 2000, Yataganas 2001) and rather focusing on the EEAs actual capacity and ability to make decisions and doing work on its own terms, following its own logic, timetables and priorities (Goetz 2007: 10). Thus, the institutionalism applied in this paper relates to the *socio-structural* aspects of the EEA and how and why they alter over time. It relates to both formal and informal structuration and routinization of EEA’s way of ‘processing information, making decisions and doing work’ (Olsen 1997: 159) gradually creating a *meaning* to the individuals in the organisation to what they are, where they are, and what they do (Cini 1996: 6, Selznick 1984).

The paper proceeds as follows: Firstly, I have a closer look at the EEA regulation, its genesis and possible interpretations. Then, I shortly discuss methodology and data-collection. Thirdly, I have a brief outline of the organisational set up of the EEA. Fourthly, I describe the development of tasks, procedures and interinstitutional relations. DG Environment is the main EEA client, and I will explore the relationship to this institution in particular. In the last section I analyze the role and autonomy of the EEA and indicate some preliminary answers to the complex how and why questions.

2. The multi interpretable EEA regulation

Information is a vital component of any political system. However, as noted in the introduction, information may be produced and used in different ways; and an information agency may play different roles and serve different purposes within a political system. The regulation establishing the EEA gives few answers with regard to the role the EEA is supposed to play in the EU system.² The potential field of work includes factual data gathering as well as analyzing and assessing effectiveness of policies and supporting specific policy initiatives. The potential constituency includes the Commission, the Council, Parliament, Member States, interest groups and the general public, and the regulation does not give consistent guidance on the relative importance that the EEA should attach to each possible constituency. These unclarities can be explained by the different expectations that existed among the parties involved in the EEA negotiations in 1990. The Commission and some member states wanted a pure data gathering role. The European Parliament was most eager to give inspection/implementation power to the agency, and also that it should be independent of the Commission (Hayward and Menon 2003, Schout 1999). Some member states attached importance to informing the public and having an independent body to monitor the effectiveness of environmental policies. In sum, the creation of EEA required a meeting of will between actors of various types; each with their own interests and different views, making the final regulation multi-interpretable. There were in the words of Simon (1953: 228) several ‘claimants to parenthood’. Moreover, the EEA parents were not even very enthusiastic about the new born baby. According to Schout (2008: 265) ‘It started as a truly chaotic body that probably only few really wanted and which was partly created because it was in 1994, necessary to have enough agencies to satisfy each capital. Yet, upon its launch, the EEA in fact had many tasks to fulfill because, rather than choosing between tasks, the member states and Commission simply added all the tasks that were mentioned during the negotiations [...]’.

Thus, in light of the multi interpretability of the EEA regulation, it is possible to imagine different roles the EEA may play and develop in the EU governance system. Such ways may include enhancing the ideal of informing European citizens, audit decision makers and ‘assuring that citizens know what officials are doing’ (March and Olsen 1995: 161-162). ‘As new arguments and information are introduced to political discussion, citizens are led to

²The consolidated text of the Regulation establishing the European Environment Agency and the European environment information and observation network (Council Regulation (EEC) No 1210/90 of 7 May 1990, amended twice by Council Regulation (EC) No 933/1999 of 29 April 1999 and by Council Regulation (EC) No 1641/2003 of 22 July 2003) can be found on: http://europa.eu/eur_lex/en/consleg/main/1990/en_1990R1210_index.html

revise not only their choices but also their perceptions of themselves, other citizens, and their situation' (ibid: 84). However, March and Olsen (1995: 162-163) are noting that 'there has never been agreement [...] on exactly what information is to be made freely available' and what information 'legitimately may be concealed'. [...] 'Democracies have never developed a stable solution to the problems involved in balancing the information requirements of effective accountability with the confidentiality requirements of effective action'.

In line with this thinking, Hoorbeek (2000: 148) is stating that environmental agencies may seek to develop information for *two* broad purposes. First, they may create environmental information that will direct or justify particular political decision making, focusing on particular audiences in an effort to achieve specific results. The second type of information effort seeks primarily to inform *public debate* on environmental issues. It does not focus on particular audiences, rather to inform many audiences in an effort to clarify the nature and status of different environmental problems, participate in the environmental discourse and enhance accountability through name and shame (ibid). Hence, environmental information may differ with regard to how close the information is connected - and adjusted to the interests and programs of relevant policy makers. To put it a bit bluntly, an information agency may seek to play the role as a barking watch dog or the role as a house warm lap dog vis-à-vis the political masters. Taken this argument into account, it is possible to claim that the two questions presented in the introduction are interlinked. The EEA becoming an insider, becoming a vehicle or tool in the EU decision making system, would imply a closer link and dependence upon *specific* policymakers, and less freedom to act autonomously and make decisions on its own terms.

3. Methodology and data

Three sources of data have been of particular importance with regard to tracing and understanding the evolution of the EEA in the EU governmental system: personal interviews, EEA official documents and different evaluation reports presented to the European Commission.

The main source of information is interview data. Twenty semi-structured interviews with key-people in the EEA and parallel organisations have been conducted. Most of these people had worked within or with the Agency for several years, some even from the very beginning.

It seemed fruitful to pose open ended questions and create room for broad reflections, giving people the possibility of telling the story of the EEA in their own words. It was a challenge to integrate all the different voices and all the different pieces into a coherent whole, and an early draft was circulated and then re-circulated to several of the informants in order to get a reality check of the paper. However, the final result and conclusions are naturally due to the analyses and interpretation of the author.

The second source of data is EEA documents. The EEA produces several official documents like annual reports, working programs, press statements etc. These documents give a certain indication of the Agency's tasks and priorities and changes over time. All of these documents are easily available at the home page of the EEA (<http://www.eea.europa.eu/products>).

The third source of data is secondary literature on the EEA. Three evaluation reports have been conducted and submitted to the Commission the last ten years: 1. Schout (1999) covering the period from 1991 to 1998.³ 2. Arthur Andersen report (2000) mainly covering the functioning of the Agency during the evaluation period 1999-2000 and 3. EIPA and IEEP (2003) covering parts of the history of the EEA until 2003.⁴ The reports are useful for getting an overview of the functioning of the EEA over time, particularly with regard to the early years of the Agency's existence. However, all three reports are consultancy reports, focusing on design and efficiency and looking for potential improvements and measures of reform. Thus, it was necessary to have these elements in mind when interpreting and using the empirical material in my own analyses. In the next section we will have a brief look at the formal organisational set up of the EEA before I describe the evolution of tasks, clients and procedures.

4. The EEA organisational setup

The EEA regulation came into force in late 1993 immediately after the decision was taken to locate the organisation in Copenhagen. Work started in earnest 1994. The regulation also established the European environment information and observation network EIONET.

³ The European Environmental Agency (EEA): Heading Towards Maturity? in Everson, Michelle et al. (1999), The Role of Specialized Agencies in Decentralizing EU Governance. Report presented to the Commission. Project director: Giandomenico Majone.

⁴ European Institute for Public Administration (EIPA) and Institute for European Environmental Policy (IEEP): Evaluation of the European Environmental Agency. A final report to DG Environment, August 2003.

EIONET consists of the EEA itself and around 900 experts from 37 countries in over 300 national environment agencies and other bodies dealing with environmental information.⁵

The Management Board is formally the main decision-taker. It decides on the final versions of the work programmes and budgets and approves annual reports. In addition, it decides on general staff policy. The Board is composed of four senior officials from the Commission and one from each member state in addition to two designated members who are independent scholars, reporting to the environmental committee of the European Parliament.⁶ The chairperson of the Board, the four vice-chairpersons, one Commission representative and one of the members designated by the Parliament constitute the Bureau of the Agency. The Bureau is entitled to take executive decisions in between meetings of the Board. The EEA provides the secretariat of the Bureau. The EEA has also a Scientific Committee whose main function is advisory. It comprises approximately twenty members, and it is consulted in quality control of the work program and the different reports of the agency. The EEA has its own information centre that gives individual responses to external requests for information. It was expanded in 2006 and receives about 500 requests monthly. A Liaison Office situated within DG Environment coordinates and facilitates contacts between the EEA and the other EU-institutions. An own press officer took office in 2004, and the agency has recently improved its websites where all documents produced by the agency are accessible.

In the next part of the paper, I will describe the Agency's main tasks, clients and procedures and explore changes over time. I divide this part into two phases: 1. Interinstitutional tension (1994-2003) and 2. Institutional consolidation and partnership (2003-2007).

5. Interinstitutional tension (1994-2003)

In light of the multi interpretable regulation, the EEA and the Commission have had difficulties in sorting out what their relationship should be. The establishment of the EEA was to a large extent regarded as the creation of a *competitor* by DG Environment and it strained

⁵ The hub of the network is the EEA, and the core elements are the European Topic Centers and the National Focal points. European topic centers (ETCs) are centers of thematic expertise contracted by the EEA to carry out specific tasks identified in the EEA. National Focal Points (NFPs) are the main contact points for the EEA in the member countries. NFPs maintain and develop the national network and coordinate contacts between national and EU level. In addition, they act as advisers to their EEA management board members. See http://www.eionet.europa.eu/about/eionet_web-en.pdf. The EEA is responsible for the mapping of EIONET, ensuring that the physical infrastructure is up and running, that national partners are identified, and that information is distributed to the partners.

⁶ The three EFTA/EEA-countries are present in the Board but do not vote.

relations between the EEA and DG Environment already from the start (Schout 1999: 87). In the following we will have a closer look at two important issues which have caused tension between the EEA and DG Environment from the very beginning. The two issues are to a certain extent interlinked.

-the tension between data-gathering and policy analyses

-the tension between targeted and general information

Data gathering or policy analyses?

The tension between data gathering and policy analysis has been a leitmotiv in the history of the EEA, and there was a constant struggle between DG Environment and EEA over this during the first years of the agency's existence. A key issue between DG Environment and the Agency was how far the latter could legitimately move beyond the collection of basic environmental data and address matters of policy more directly, such as reviewing implementation, assessing instruments, and evaluating policy effects and effectiveness. According to Schout (1999) Commission officials felt criticized by the EEA evaluations of the EU's environmental policy because evaluations were regarded as criticisms of the effectiveness of DG Environment. The view of Director-Generals Enthoven (1994-7) and Currie (1997- 2001) expressed to the EEA in letters, was clear and consistent, claiming that the chief client of the EEA was DG Environment, and the primary task of the Agency and EIONET was to collect data on the current state of the environment only. The development of policy implementation reviews, policy evaluations and recommendations were the responsibility of the Commission alone, and the EEA should not 'get sidetracked by the more glamorous but rather sensitive hot political issues' (EIPA and IEEP 2003: 39). Indeed, in 1995 it was argued that Article 2 (iii) of the EEA Regulation – which refers to collating state of the environment data, and reporting on the quality, sensitivity and pressures on the environment – should be interpreted *sequentially*. In other words, reliable data on all aspects should be collected *before* undertaking work on the other elements. Accordingly, in the light of a budget freeze in 1998, there was considerable pressure on the EEA from the Director-General in DG Environment to remove 'less essential' tasks, other than the collection of reliable and consistent data from the 1998 Annual Work Programme (EIPA and IEEP 2003: 39). Hence, from the start DG Environment called for hard facts, not policy analyses. EEA on the other hand did not change its approach. It continued doing policy analyses in spite of rumblings of discontent in DG Environment. According to Schout (1999: 105) the first

Director Jiménez-Beltrán wanted to avoid the EEA ‘turning into a graveyard of data’ and stressed vis-à-vis the Commission in the Management Board that an important part of the agency’s role was informing the public and evaluating effectiveness of policies (Schout 1999: 94). In his view, wide reaching information on current situations, trends, and possible new policies, was an important mechanism to strengthen environmental thinking in society. Therefore, he stimulated the public profile of the Agency, for example, through insisting on publishing everything that the EEA produced and sticking to deadlines, even though requests were made from the Commission to delay reports (Schout 1999: 107-108). Several disputes were taking place in the Board in the late 1990s, where the two representatives assigned by the European Parliament supported the EEA in doing policy analyses and focusing on far-reaching reports on state of the environment. This leads us to the second main issue: the tension between general and targeted information.

General or targeted information?

The EEA produces two types of reports: The first type, mentioned above, involves state of the environment-reports which are of a general nature and described as ‘useful tools for raising awareness of environmental issues and for identifying needs for new measures’ (Schout 1999: 103). The 1990 Regulation explicitly required the production by the Agency of a three-yearly ‘state of the environment’ report. In 1999, this was amended to a five-yearly report on ‘the state of, trends in, and prospects for the environment.’ These high-profile reports have been expensive to produce and commanded a wide audience. They have also served as major ‘flagships’ for the EEA, which were important particularly in the early years of the EEA in establishing its public profile (EIPA and IEEP 2003: 30). The second type involves reports on more topical issues and more closely connected to the development of new proposals within DG Environment. Hence, the information can be of a more or less general nature. According to Schout (1999:106) DG Environment called several times for more *targeted* and more *relevant* information during the first years of the Agency’s existence. The state of the environment reports were perceived as being too general for their specific needs (Schout 1999: 106). However, the EEA insisted on addressing the wider public attaching the agency to the main and more general debates on EU’s environment policy, instead of more detail-oriented special reports. According to the EIPA/IEEP report (2003: 32) ‘the absence of specific target audiences during the first years of the agency’s existence, gave rise to criticisms that the EEA had taken something of a ‘butterfly’ approach, moving rapidly across a wide range of subjects, often in a highly visible (but somewhat superficial) way.’

In sum: During the first years of the Agency's existence DG Environment was calling for hard facts and targeted information relevant for its own needs and was blamed for being afraid of a body evaluating what the policy-makers were doing. The EEA on the other hand insisted on doing policy analyses and providing the public with general information about the state of the environment. It was also concerned about being a viable organisation to the general public. The lines along which the EEA developed the first years of its existence resulted in conflicts with DG Environment, and to an atmosphere of mutual distrust particularly at the leadership level. Those who preferred the EEA to be a data-gathering agency regarded the agency as 'pushy' and 'expansionistic' (Schout 1999: 122-123).

During the last years, there have been some gradual changes in the relationship between DG Environment and the EEA. These changes became particular visible and outspoken after the change of leadership in both DG Environment and the EEA in 2003, but can be traced back to the late 1990's. In the next section we will have a closer look at these developments and also explore the relations to two parallel organisations in the environment: Eurostat and the Joint Research Center (JRC).

6. Consolidation and interinstitutional partnership (2003-2007)

Change of attitude

The relationship between the EEA and the Commission became less hostile over the years, and these changes initially took place on the case handler level. One important feature was the increased acceptance among officials in DG Environment that the EEA was conducting policy analyses. After a few years, Commission officials working with the EEA on a daily basis became less defensive and recognized and appreciated to a larger extent the work of the organisation. Thus, they gradually changed their attitude. According to my informants, this development was linked to the EEAs improved recognition as a *professional* body producing *reliable* information. In the words of one official in DG Environment: *they became less NGOe'* (Interview 6/3-07).

Thus, initial steps towards a better relationship took place from late 1990s and onward, but as previously stated, the change of attitude within DG Environment became particular salient and outspoken after a parallel change of leadership in 2003. The new director general in DG

Environment Catherine Day decided to leave the ‘you are supposed to produce data only’ approach and rather focus on the mutual benefits of working together. Hence, she started to work closely with the new EEA executive director Jacqueline McGlade, and the working conditions and atmosphere at the leadership level improved. In parallel to these developments, the EEA developed a more customer oriented approach and related its work closer to the agenda of DG Environment. EEA seemed to move beyond *ad hoc* planning and contacts with Commission officials towards more structured ways of serving DG Environment. Discussions related to the development of the third Multi-annual work Programme (2004-2008) highlighted that more direct support should be given to DG Environment’s work as set out in the Commission Sixth Environmental Action Program. The EEA narrowed its scope and focused increasingly on the following core areas in the Sixth Action programme: climate change, water, air, nature diversity and land use.

In addition, concrete EEA tasks were increasingly discussed and settled together with the EEA prior to the annual budget proposal of DG Environment. Ultimately it is the European Parliament that decides on the EEA budget. However, the standard procedure is that DG Environment makes its proposal to DG Budget. The Commission presents the proposal to the Council, the Council discusses it, makes a recommendation and the Parliament takes the final decision. According to my informants the Council often proposes to cut the EEA budget, and the Parliament often votes to put it back to the Commissions initial proposal. And what the EEA gets in the end of the year is typically what DG Environment proposed initially. Hence, having a say in the very first phase of the budget process is of vital interest to the EEA. As mentioned, DG Environment increasingly included the Agency in the initial budget discussions, and one of the EEA directors describes the discussion with DG Environment on the 2008 budget in these words: *we worked with the Commission to see - well if the Agency is to provide this information to you it will cost you x millions Euros. And then the Commission took that information and said that we don’t think we can persuade DG Budget to give you all of that but we can persuade them to give you x millions minus four or something so you get about half of what you originally asked for, and then they had an important role to see where the additional money should go* (Interview 23/10-07).

However, in spite of a more benignant relationship, a more constructive approach on the leadership level as well as close discussions related to tasks, priorities and draft budgets, the informants in the EEA underline that they have not become part of the Commission service,

and there are limits with regard to their service mindedness. One EEA employee puts it this way: *Sometimes DG Environment acts as we were a free consultancy for them. But we are free, we are not slaves. It happens quite often that they come to us with questions and specific needs, e.g. with regard to legal proposals. And they have the money. But we have limits* (Interview 23/10-07). Several informants underline that the Commission can not force them to ignore certain areas if they are considered important enough within the Agency. One example is the Arctic environment. In 2003 the state of the Arctic environment became a massive priority of the EEA, and DG Environment tried to stop it because it was not a priority for them. However, the new executive director argued her case very strongly and refused to let it go. After a while DG Environment decided to defer, and as political attention on climate change increased, the Commission started to actively support the study of the arctic as well. In the words of an EEA employee *'see what is happening now! It is clear that they were wrong'* (Interview 23/10-07).

With regard to the issue of independence vis-à-vis DG Environment, the European Parliament seems to have a say as well. As we recall, the Parliament supported Agency independence actively during the negotiation of the Regulation, and it is clear that the EEA employees regard the Parliament as an *ally* in the EU system. They see the Parliament as a hidden threat in case the Commission goes too far in its attempts of steering the work of the Agency. In the words of one EEA employee: *So if they think the Commission is too bossy, then they could be very powerful on our side in the discussions. And in case of an eventual confrontation, it would be the big guy beating up the small guy, and the sympathy is always for the small guy* (Interview 22/10-07). However, some of the EEA employees admit that it is difficult for the Parliament representatives to have very sophisticated views with regard to *concrete* issues brought up for discussion in the Board or in the Bureau. They point at the difficulty of the Environmental committee consisting of 68 MEPs to communicate their views to their representatives in the Board. The Environmental committee is often split between left and right, and between north and south. The question is then whose view are the Parliament representatives representing when they are to decide upon concrete issues? Hence, it seems easier for the Parliament representatives to have an opinion on *general* institutional questions like 'agency independence' and 'transparency' rather than concrete tasks. This seems also to a certain extent to be the case with regard to the member state representatives in the Board/Bureau. As we recall, every member state has one representative in the Board. This was an important issue during the initial negotiations in order to safeguard 'a microcosm of

Council control' (Shapiro 1997: 289). However, in spite of their numerical majority the member state representatives have a disadvantage vis-à-vis the Commission in terms of vital information, and according to my informants they often lack a clear perception of what they actually want the EEA should do or not do. They often expect the Commission to identify the problem and then they express their opinion afterwards, if they have an opinion. In the words of one EEA employee: *There is a fundamental difference between member states and the Commission. For the Commission it is a full time job. The guy who comes from Germany has a Ministry to run. The transaction cost for him to have as much information as the Commission has is enormous. When there is something at the Bureau table they tend to have much less information about the European agenda because it is not their full time job. But it doesn't mean that they are powerless* (Interview 23/10-07).

Four parallel institutions. One illustration.

Except for DG Environment, two other organizations are particularly relevant with regard to the role of the EEA in the EU governance system: Eurostat and the Joint Research Centre (JRC). Eurostat, EEA and JRC have several similar tasks and need to a certain extent to cooperate in their daily work. EEA and Eurostat are similar because they both collect information from the Member States and work primarily for the Commission. They have been carrying out comparable tasks, and a sense of competition existed between the two bodies during the first years of the EEAs existence (Schout 1999). The JRC is a service of the European Commission with a mission to provide scientific and technical information. There has been a development over the years from the JRC being a research centre to itself providing more operational support for policymaking, resulting in a potential overlap with regard to the role of the EEA (ibid). However, the JRC, the EEA and the Environmental unit in Eurostat have during the last years been working towards improving co-ordination and better working relations, and DG Environment has been particularly eager to clarify the boundaries between the three institutions in order to avoid overlap and confusion with regard to who does what. In 2005 'the group of four' (including DG Environment) was established to clarify the different roles in further detail. DG Environment took the initiative and led the group. The group agreed upon a thematic split: The agency should concentrate on climate change, water, nature diversity and land use. JRC was taking forestry and soils. Eurostat was taking resources, waste and integrated product policy. According to the informants the divisions are still not always clear cut, but the agreement in 2005 represented an important step further with regard to better coordination of the work of the three parallel institutions. In

the following I will briefly describe the formulation and implementation of the Water framework directive (WFD) and the Water information system (WISE) to illustrate the practical cooperation between the three parallel organisations and shed light on a living EEA institution 'at work'.

The Water framework directive and Wise

The purpose of the water framework directive 2000 (WFD) is to establish a framework for the environmental protection of water in Europe.⁷ Negotiations on the directive took place during the 1990s, and the EEA contributed with regard to the drafting of technical annexes. A common implementation strategy was established after the legal framework was in place - where DG Environment, member states representatives, the EEA, JRC and Eurostat have been and still are discussing and agreeing upon the implementation of the directive. The participants are separated into five main working groups and some sub groups, consisting of approximately 30 - 40 members. The working groups are providing and regularly updating information on new tools and best practices examples on the internet. The overall aim is to clarify and develop information and non-legal guidelines to assist the practical implementation of the directive.⁸

On 22 March 2007, the Commission launched the Water Information System for Europe (WISE), a data base developed together with the EEA that gathers a wide range of water-related information from across Europe, building an integrated exchange and provision system on European water information. On one hand, this concerns the key legislation that is currently in place such as the WFD⁹. The user finds details on the directive and the implementation activities, and the process and results of the common implementation strategy. On the other hand WISE includes an overview of new water policy areas at community level when they are under development and negotiation.¹⁰ EEA is the water data centre and is operating and maintaining the system. Eurostat is provider of water statistics, while the JRC will be providing analytical work e.g. scenarios. DG Environment is politically in charge of the system and is one of the main users of the system.

⁷ The "Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for the Community action in the field of water policy"

⁸ for further details see http://ec.europa.eu/environment/water/water-framework/objectives/implementation_en.htm

⁹ The same has been done for the Floods Directive (2007/60/EC) and Bathing water directive and it currently under way for the directives on Urban Wastewater, Nitrates and Drinking water.

¹⁰ See <http://www.wise-rtd.info/>

The EEA is increasingly managing databases linked to specific community legislation like WISE, and it is currently hosting databases for climate change, biodiversity, land use and air quality. Employees in the EEA underline that they are not assessing compliance per se, but they admit that they have become increasingly useful with regard to providing data the Commission needs in order to know what is actually going on in the different member states.¹¹ In the words of one of the EEA employees: *We can sort of argue that we are looking for data which we can use in the state of the environment reports in a broader sense, while the Commission is looking for data which they can use to assess compliance. In fact they are often the same data. And they are being integrated into data systems which we are managing. As the data systems become more integrated we are in situations where we are very close to compliance situations. Next year we will be doing the annual audit bathing report which is sort of a compliance report. But we will only be collecting the data and the Commission will be on the top in the actual compliance assessment. We won't touch that. But we are providing the data that they need, the maps and everything, maps of colorful beaches everywhere* (Interview 22/10-07).

Based on the previous account, we will now have a closer look on what kind of role the EEA has developed in the EU governance system, and to what extent is it able to act autonomously.

7. The role and autonomy of the EEA: voice or loyalty?¹²

We recall from the introduction that information provided by an agency may differ with regard to how close it is connected - and adjusted to the interests and programs of specific policy makers. An information agency may primarily seek to inform public debate, shed light on what policy makers are doing and enhance accountability through name and shame. Or it may seek to create information that will direct or justify particular political decision making, serving certain actors within a specific decision making process. As we recall, an information agency may seek to play the role as a barking watch dog or the role as a house warm lap dog within a political system. Or perhaps it may seek to do both?

¹¹ Schout (2008) makes a similar observation with regard to the development of EASA (the European Aviation Safety Authority). He notes that 'Risk management has also improved because the Commission now operates with a Database in which the NAAs [National Aviation Authorities] have to report the results from their inspections of the planes. This system allows the Commission to spot problems with operators on an EU scale (ibid: 285). This observation is also in line with the analyses of Kelemen (2002: 112) noting that 'the delegation of information-gathering tasks to European agencies may encourage the Commission to act more aggressively in enforcement, as it will diminish the Commission's concern that taking enforcement actions against member states will compromise its ability to gather information'.

¹² The concepts 'voice' and 'loyalty' applied in this paper, are inspired, but not drawn upon, the famous book of Albert O. Hirschman 'Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States' (1970).

Arguably, it has been and still is crucial for the EEA to be a salient actor in the public discourse and communicate to the wider public through the media and internet. Strengthening environmental thinking in Europe has been an important goal from the start, and the organisation has not become ‘a graveyard of data’. It has been and still is essential to the EEA to have a public voice that might make a difference with regard to how people assess and think about environmental issues in Europe. Producing information to the wide public – to students - to researchers – to everyone –is part of the core, the essence of the EEA’s identity. Along these lines, the EEA has strengthened its administrative capacity to manage public relations, e.g. it has expanded its information centre, it has established its own press officer and it has improved its website on the internet where all documents produced by the Agency are accessible.

There might be good reasons to wait or accelerate time for publishing. But we do not suppress anything. It is very fundamental to go out with all the information we actually have. We basically believe very strongly that everything we produce is for everybody. It is not just for the Commission it is also for the rest of the world (Interview 22/10).

Having said this, we have also seen that the EEA has gradually become a more stable, predictable and trustworthy partner *within* the EU governance system. The relationship between the EEA and DG Environment has moved in the direction of reciprocity and mutual recognition. The EEA has during the last years developed a feel for the needs of DG Environment as well as a feel for timing and for what can or cannot be done or said. DG Environment on the other hand has left its confrontational style vis-à-vis the agency and recognized its usefulness. DG Environment is calling on the EEA to make specific support to their policy where they before may have used consultants or other arrangements. EEA has become involved both in *policy formulation* and in *implementation* reflecting to a large extent the policy agenda of DG Environment. In the words of one Commission official: *‘that gives positive motivation for the agency and gives them a very concrete role (Interview 6/3-07).* Playing a more concrete role as an insider in the decision making process and being DG Environment’s *partner* both in the initial and the implementation phase, the EEA has become more focused, and to a certain extent loyal to the policy of DG Environment. Press statements are coordinated and reports are published in accordance with the Commission’s timetable. In the words of an official in DG Environment: *They are more loyal and predictable. Not totally*

in any means, but there has been a movement in the right direction (Interview 8/11-07). This development is in line with the observations made by Selznick (1984: 7) stating that: '[a]s a government agency develops a distinctive clientele, the enterprise gains the stability that comes with a secure source of support, an easy channel of communication. At the same time, it loses flexibility'. This is a tension that is already familiar, for example NGOs which are co-opted into stakeholder committees (Olsen 1983). Becoming an insider implies in some ways less freedom of speaking 'truth to power' (Olsen 2007: 23). We have seen that the EEA has learned to modify and tune its public tone; it has become more 'professional' and less 'NGOe'. All in all, it has become a more acceptable, stable and loyal partner in the eyes of the Commission, and in particular DG Environment.

Summing up, the EEA employees have been and still are very aware that they are not part of the Commission service. They pursue issues they find important, and they have in many ways strengthened their public voice and visibility. Informing the general public in an effort to clarify and explain the nature of different environmental issues has been and still is part of their role and mission. At the same time, they have gradually become a more predictable, stable and loyal partner to the Commission, and they contribute substantially both in the drafting and in the implementation phase. Hence, it is possible to claim that even if they have kept their public voice and visibility, they have gradually become a more important vehicle in the EU administrative machinery. How can that be?

8. Why and how?

Why has the EEA evolved and changed into a loyal and predictable partner in the EU system? How can we explain the changes we have observed? Within the normative institutionalist literature it is observed that change is 'rarely the rational, planned exercise found in strategic plans, but rather tends to be emergent and more organic' (Brunsson and Olsen 1993, Peters 1999: 34). Becoming a living institution takes time. It takes *time* to 'learn one's place in a larger institutional order' (Olsen 2007: 28). In other words, *learning* from experience, learning from action that has proven successful or feasible - or non feasible, is an important stimulus for institutional change (March 1999, March and Simon 1958, Olsen 2007, Peters 1999). Arguably, the EEA has learned from experience during almost fifteen years in the EU-business. It has gradually developed standard procedures of processing and providing information in the EU-system, and the actors involved have been learning to know each other

and cooperate – over time. DG Environment has gradually got used to the EEA, learned to trust the EEA and experienced its usefulness. The EEA on the other hand has gradually learned to appreciate the privileged position of being an insider and trusted partner in the EU-system and modified and adjusted its public tone. Hence, the two institutions have built a relationship based on confidence, trust and goodwill - over time. Apparently, it has been *easier* to build this type of relationship to DG Environment than other and seemingly more fragmented institutions in the system, like the European Parliament and the member states. In the words of one EEA employee: *We cannot be seen as working for the Commission, and we cannot be seen as working for the countries either. But there are 36 countries, 300 MEPs and one Commission. It is easier to establish or break the relationship to one actor than many* (Interview 24/10-07).

At the same time, we have seen that it is possible to question whether the relationship between EEA and DG Environment has been evolving on equal footing. Indeed, DG Environment has learned to appreciate and trust the EEA as a partner in the EU governance system. On the other hand, the EEA's dependence upon DG Environment has in a way increased as DG Environment has established itself as its main client and resource provider. As we have seen, DG Environment's responsibility for the budget, the 'power of the purse' gives it a privileged position. It has not been using the budget as an explicit threat, but as an instrument to fine tune and adjust the work priorities of the EEA.

Within the 'normative' wing of new institutionalism, human rationality is often described as institutionalized, following *a logic of appropriateness* (March and Olsen 1989) while rational choice theory on the other hand is based on the belief that individuals will be motivated primarily by the desire to make maximum gain for themselves, following *a logic of consequences*. Arguably, there is a difference that reveals a tension; actors as (part of) social environments that structure appropriate interaction, as opposed to rational actors calculating what particular actions are likely to benefit them (Checkel and Zürn 2005). Apparently the latter description of DG Environment *using* the EEA budget as *a tool* to steer the priorities of the EEA falls in the last category. However, several new institutionalist scholars have argued that there is no intractable and incompatible divide between the two logics of decision making (March and Olsen 1989, Olsen 1991). They may interact, it might be a 'judicious blend of both' (Godin and Klingeman 1996: 11). This interaction or blend seems also to be present in the EEA-Commission relationship. On the one hand, the particular resources and strategic

position of the Commission gives it a privileged position vis-à-vis the EEA. On the other hand, a thread of trust and mutual understanding has gradually been inwrought in the relationship, creating a meaning to the individuals in both organisations to what they are, where they are, and what they do (Cini 1996) – together and in relation to each other. Hence, processes of power and resource dependency seem to interact and blend with processes of gradual learning and mutual trust and confidence building. As one official in DG Environment puts it: *And they know that they need us. And they sometimes resent the dependence they have. But there is less tension now than before* (Interview 6/3-07).

Institutions operate and are studied at multiple levels – from world systems to subunits within organisations (Olsen 2007). Having emphasized features like learning, trust building and resource dependence at the *meso* level, the story of the EEA may also be partly interpreted in light of the larger institutional context. Scholars such as Meyer and Rowan (1977) emphasize the importance of cultural rules in wider institutional environments which take the form of ‘rationalized myths’. They are *myths* because they are widely held beliefs whose effects ‘inhere, not in the fact that individuals believe them, but in the fact that they ‘know’ everyone else does, and thus that ‘for all practical purposes’ the myths are true’ (ibid: 75). With regard to the role of the EEA in the EU-system it is difficult to ignore the increased importance and appreciation of *credible information* in the very same system and arguably, it is possible to perceive the strong trust in - and appreciation of information as such a ‘rationalized myth’, as part of the normative context of the EEA and parallel organisations.

Using information, asking for information, and justifying decisions in terms of information have all come to be significant ways in which we symbolize that the process is legitimate, that we are good decision makers, and that our organizations are well managed (Feldman and March 1981: 178).

This is in line with Majone (1997: 264) stating that ‘[i]t is by now *a truism* that public policy is increasingly dependent on relevant, timely and, especially, credible information’ [italic by

the author]. Hence, 'hard facts' provided by 'independent' institutions have become increasingly important elements in 'rational' decision making in the EU (and the Western world in general). In the words of Shapiro (1997: 284) '[t]he vision that X will gather and present the information to Y who will do the policy making so that X will be independent and Y should be political is a curiously mechanical one today'. This seems to be a 'truism' with regard to the EEA as well. EEA can provide arguments that stand out as neutral and unbiased, at least to a larger extent than information from a NGO or an administrative subunit. The credibility of the EEA in the EU system would be undermined if the information was perceived as biased. An official in DG Environment puts it this way: *'We were very much on the back foot in DG Environment, always having to justify our actions. We are really dependent upon robust information with regard to all kinds of implications from our policy suggestions. 'What would be the implications with regard to this? Have you thought about that?' It puts a very heavy burden on us coming up with reliable information. There has been an evolution in this respect (Interview 6/3-07).'*

Hence, in order to be perceived as credible, in order to have an impact in the EU system, the Agency has to be perceived autonomous, unbiased, and unafraid, as an institution with an independent and public voice, limiting to a certain extent the direct influence of the Commission. In other words, to be an insider, it has to be perceived as an outsider. Loyalty depends upon voice. On the other hand, in order to be able to serve the informational needs of the broader public; children, students, researchers – everyone, and to be a salient actor in the European environmental discourse, the EEA needs a secure and stable resource supply. In practice, the Commission holds the key to this resource supply. Hence, voice depends to a certain extent upon loyalty. And, based on the previous analyses, it is possible to argue that this loyalty gradually has increased over time.

9. Conclusion

In this study of the role and autonomy of the European Environmental Agency, we have seen informal dynamics of cooperation, conflict and power evolving over time. We have seen that the EEA has searched its own mission, form, role and identity and gradually developed standard operating procedures of processing and providing information in the EU-system, as well as developing stable patterns of interinstitutional cooperation. We have seen

that the Commission, and DG Environment in particular, has acquired a *privileged* position vis-à-vis the EEA through processes of trust building interacting and blending with processes of power and resource dependency. DG Environment has gradually got used to the EEA, learned to trust the EEA and experienced its usefulness. The EEA on the other hand has gradually learned to appreciate the privileged position of being an insider and trusted partner in the EU-system, and developed into an important and living institution (Laffan 1997a, Olsen 1997) in the EU administrative system, balancing and mediating the ability to have a credible voice on the one hand and the need for stability, partnership and a secure resource supply on the other.

Evidently, '[t]he world in all its complexity cannot be grasped in a single picture' (Simon 1953: 235) and we have seen that processes at different institutional levels may be taken into account when explaining the evolution of the EEA in the EU governance system. However, a merit of the neo-institutional perspective in analyzing the EEA has been the ability to trace institutional dynamics over time; avoiding snap shot images and include those aspects of institutional life that involve gradual learning processes. Applying a neo-institutional framework has helped us to go beyond a multi-principal model and the notion of balance of powers and to reveal temporal dynamics of inter-institutional conflict and cooperation in the EU-system. It has also helped us moving beyond a legal understanding of the functioning and autonomy of agencies and highlight informal resources and processes *after* the formal creation, after the birth of the organization (Simon 1953). In the words of a senior EEA employee: *Now we can relate our things to the past. In the beginning there was no past. It was just presence* (Interview 22/10-07).

- Brunsson, N. and J. P. Olsen (1993) *The Reforming Organization*, London: Routledge.
- Checkel, J. T. and Zürn (2005) 'Getting Socialized to build bridges: Constructivism and Rationalism, Europe and the Nation state', *International Organization* 59(fall): 1045-1079.
- Chiti, E. (2000) 'The Emergence of a Community Administration: The Case of European Agencies', *Common Market Law Review*, 37: 309.
- Cini, M. (1996) *The European commission : leadership, organisation and culture in the EU administration*, Manchester: Manchester University Press.
- Coen, D. and M. Thatcher (2007) 'Network governance and delegation: European Networks of Regulatory Agencies. ' *Paper prepared for CONNEX workshop: European Agencies Oslo 2007*.
- Dehousse, R. (2008) 'Delegation of Powers in the European Union: The Need for a Multi-principals Model', *Journal of West European Politics*, 4(Special Issue June).
- Egeberg, M. (2003) 'How bureaucratic structure matters: an organizational perspective', in B.G., P. and P. J (eds), *Handbook of Public Administration*. , London Sage.
- Egeberg, M. (2005) 'EU institutions and the transformation of European level politics. How to understand profound change (if it occurs?)', *Comparative European Politics*, 3(1): 102-117.
- Egeberg, M. (ed) (2006) *Multilevel Union Administration - The transformation of Executive Politics in Europe*, London: Palgrave.
- EIPA and IEEP (2003) 'Evaluation of the European Environment Agency. A final report to DG Environment'.
- Feldman, M. S. and J. G. March (1981) 'Information in Organizations as Signals and Symbol', *Administrative Science Quarterly*, 26: 171-186.
- Gehring, T. and S. Krapohl (2007) 'Supranational regulatory agencies between independence and control: the EMEA and the authorization of pharmaceuticals in the European Single Market', *Journal of European Public Policy*, 14(2): 208-226.
- Geradin, D., R. Muñoz and M. Petit (2005) *Regulation through agencies in the EU: a new paradigm of European governance*, Cheltenham: Edward Elgar.
- Godin, R. and H. Klingeman (1996) 'Political Science: The Discipline', in Godin, R. and H. Klingeman (eds), *A New Handbook of Political Science*, Oxford: Blackwell.
- Goetz, K. (2007) 'The EU Timescape: An Emergent Temporal Order
Paper presented at the Connex conference 'Institutional Dynamics and the Transformation of Executive Politics in Europe', Barcelona, 7-9 June 2007'.
- Gornitzka, Å. (2003) *Science, Clients, and the State*, CHEPS/UT, Enschede.
- Gornitzka, Å. and U. Sverdrup (2008) 'The informational basis of EU decision making - a national bias?' *Paper presented at the ARENA seminar 22 April 2008*.
- Hayward, J. and A. Menon (2003) *Governing Europe*, Oxford: Oxford University Press.
- Hirschman, A. O. (1970) *Exit, voice, and loyalty: responses to decline in firms, organizations, and states*, Cambridge, Mass.: Harvard University Press.
- Hoorbeek, J. (2000) 'Information and Environmental Policy: A Tale of Two Agencies', *Journal of Comparative Policy Analysis: Research and Practice* 2: 145-187.
- Haas, P. M. (2002) 'Science policy for multilateral environmental governance', in Kanie, N. and P. Haas, M. (eds), *Emerging Forces in Environmental Governance*, Tokyo: UN University Press.
- Kelemen, D. R. (2002) 'The Politics of 'Eurocratic' Structure and the New European Agencies', *West European Politics*, 25(4): 93-118.
- Kelemen, D. R. and A. Tarrant (2007) 'Building the Eurocracy: The Politics of EU Agencies and Networks
Paper Prepared for the Biennial European Union Studies Association

- Convention, Montréal, Canada, 16-19 May 2007'.
- Krapohl, S. (2004) 'Credible Commitment in Non-Independent Regulatory Agencies: A Comparative Analysis of the European Agencies for Pharmaceuticals and Foodstuffs', *European Law Journal*, 10(5): 518-538.
- Laffan, B. (1997a) 'Becoming a 'Living Institution': The Evolution of the European Court of Auditors', *Journal of Common Market Studies*, 37(2): 251-268.
- Laffan, B. (1997b) 'From policy entrepreneur to policy manager: the challenge facing the European Commission', *Journal of European Public Policy*, 4(3): 422-438.
- Majone, G. (1996) *Regulating Europe*, London: Routledge.
- Majone, G. (1997) 'The new European Agencies: regulation by information', *Journal of European Public Policy*, 4(2): 262-275.
- March, J. (1999) 'A Learning Perspective on the Network Dynamics of Institutional Integration', in Egeberg, M. and P. Lægheid (eds), *Organizing Political Institutions. Essays for Johan P. Olsen*, Oslo: Universitetsforlaget.
- March, J. G. and J. P. Olsen (1989) *Rediscovering institutions: the organizational basis of politics*, New York: Free Press.
- March, J. G. and J. P. Olsen (1995) *Democratic Governance*, New York NY: Free Press.
- March, J. G. and J. P. Olsen (1998) 'The Institutional Dynamics of International Political Orders', *International Organization*, 52(4): 943 –969.
- March, J. G. and H. A. Simon (1958) *Organizations*, New York: John Wiley and Sons.
- Meyer, J. W. and B. Rowan (1977) 'Institutionalized Organizations: Formal Structure as Myth and Ceremony', *American Journal of Sociology*, 83(2): 340-363.
- Moe, T. (1987) 'Interests, Institutions and Positive Theory: The politics of the NLRB', *Studies in American Political Development*, 2: 236-299.
- Olsen, J. P. (1983) *Organized Democracy*, Oslo: Universitetsforlaget.
- Olsen, J. P. (1991) 'Political Science and Organization Theory. Parallel Agendas but Mutual Disregard', in Czada, A. W.-H. a. R. M. (ed), *Political choice, Institutions, rules and the limits of rationality*, Campus: Westview.
- Olsen, J. P. (1997) 'European Challenges to the Nation State', in Steunenberg, B. and F. van Vught (eds), *Political Institutions and Public Policy*, Dordrecht: Kluwer Academic Publishers, pp. 157-187.
- Olsen, J. P. (2007) *Europe in Search of Political Order*, Oxford: Oxford University Press.
- Peters, G. B. (1999) *Institutional Theory in Political Science – the new institutionalism*, London: Pinter.
- Schout, A. (1999) 'The European Environment Agency (EEA): Heading Towards Maturity?' The Role of Specialised Agencies in Decentralising EU Governance. Report presented to the Commission. .
- Schout, A. (2008) 'Inspecting Aviation Safety in the EU', in Vos, E. (ed), *European Risk Governance. Its Science, its Inclusiveness and its Effectiveness*, Mannheim: Connex Report Series.
- Selznick, P. (1984) *Leadership in administration: a sociological interpretation*, Berkeley, Calif.: University of California Press.
- Shapiro, M. (1997) 'The problems of independent agencies in the United States and the European Union', *Journal of European Public Policy*, 4(2): 276-292.
- Simon, H. A. (1953) 'Birth of an Organization: The Economic Cooperation Administration', *Public Administration Review*, 13(4): 227-236.
- Stone Sweet, A. and M. Thatcher (2003) *The Politics of delegation*, London: Cass.
- Sverdrup, U. (2006) 'Administering information: Eurostat and statistical integration', in Egeberg, M. (ed), *Multilevel Union Administration. The Transformation of Executive Politics in Europe*, Hounmills: Palgrave Macmillan.

- Thatcher, M. (2005) 'The third force? Independent regulatory agencies and elected politicians in Europe.' *Governance*, 18(3): 347-373.
- Thatcher, M. and A. Stone Sweet (2001) 'Theory and Practice of Delegation to Non-Majoritarian Institutions', *West European Politics*, 25(1): 1-22.
- Vos, E. (2000) 'Reforming the European Commission: What Role to Play for EU Agencies?' *Common Market Law Review*, 37(5): 1113-1134.
- Yataganas, X. (2001) 'Delegation of Regulatory Authority in the European Union: the Relevance of the American Model of Independent Agencies', *Jean Monnet working paper*, 01(3).