

Session 1:

The networked governance in Europe

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Horizontal approach to network industries in Croatia

More than two decades ago in the European Union law, competition has started to be introduced in economic activities organised traditionally under the concept of services of general economic interest. Special and exclusive rights have gradually been abolished in important industries like telecommunications, post, energy or railways. European Union policy has opted to prioritize efficiency over social issues in those industries by adopting liberalisation agendas. Previous monopolies have undertaken long restructuring processes to meet upcoming competition. However, entering and positioning in the market has not proven to be a short process for new-comers either. Although these network industries display differences among themselves, common trans-sector issues exist that allows a horizontal approach. This brings into focus the actual role of different national regulatory and competition authorities and future ways of coordinating their function in multi-sector patterns.

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National public administrations and the democratic deficit of the European Union: A comitology conundrum

European Union is a complex political system whose institutional framework encompasses, amongst others, representatives of European citizens, and of member states, "eurobureaucracy" through European Commission and different agencies, national parliamentarians, as well as members of national public administrations. Such a complex institutional arrangement was a byproduct of constant reforms European Union went through in order to include as many stakeholders as possible in its decision-making process, with the ultimate goal of delivering democratically adopted rules that have legitimacy in the eyes of the citizens. The democratic deficit of the European Union, on the other hand, is a sign that the European Union lacks full legitimacy of European citizens. Aim of this paper is to show that obscurity of certain parts of decision-making process, the so called comitology system, is one source of said democratic deficit. It shows the reasons national public administrations of member states got involved in the decision-making process of the European Union, and the role they have in not only drafting legal acts and implementing measures, but also in overseeing the proper implementation of adopted measures in member states. Paper also shows the reasons why comitology, as it now stands, is a threat to democratic accountability of the European Union, pointing to the working practices of the Council as the main source of that threat. In the end the paper tries to provide ways of reducing the democratic deficit of the European Union, not by excluding national public administrations but by empowering their representatives to work in transparent manner.

Key words: comitology, national public administrations, European Commission, Council, working groups

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Reforming EU agency governance: more control, greater accountability

The agencification in the European Union, as in most of its member states, has mainly proceeded without firm legal framework and horizontal measures, leading to a creation of numerous more or less independent specialised administrative organisations with diverse structure and functions. The EU institutional setting, the relationship between the levels of governance, as well as the nature of the EU regulation represented powerful engines of agencification. Despite their importance for the EU governance, the existence of agencies was not envisaged nor recognised in the primary legislation before the Lisbon Treaty, while the more extensive data on agencies emerged only recently, due to the attempts to put agencies under more control.

This descriptive paper aims to explore the elements of the EU agency governance and to highlight the drivers and the directions of the recent reforms of the EU agencies. The paper first outlines the rationale and legal basis for agencies, then presents a short overview of the development of agencification, and finally gives insight into recent agency reforms. The main argument of the paper is that although the agencies in the EU have been perceived as being diverse, due to the numerous agencies in different policies and with various tasks, the recent developments inspired by the political and economic reasons show that the construction of common norms and practices for agencies is taking place, aimed at more control and greater accountability of agencies. These developments might have influence on the agencification process and agency models in the member states.