

Student name: Hilde Feddema

Student number: 402949

Supervisor: Prof. Dr. M. Haverland

Co-reader: Dr. J.L.M. Hakvoort

*Thesis submitted for the obtainment of a*

MSc. in International Public Management and Policy (IMP),  
department of Public Administration Erasmus University  
Rotterdam

Word count: 31.935

August 2014, Rotterdam

# **THE INFLUENCE OF EU INVOLVEMENT ON THE AUTONOMY OF INDEPENDENT ADMINISTRATIVE BODIES**



## **ABSTRACT**

This research focuses on ‘agencies’, which are institutions created by legislation and that are organisationally separate from governments. Moreover, they are subject to the controls of elected politicians. But agencies are also highly central actors who can be influential during the phase of agenda-setting and pre-parliamentary discussions on policymaking. In addition, agencies are able to deal with supranational organisations such as the institutions of the European Union: the European Commission and the Council of the European Union. Several empirical studies indicate that EU involvement of national agencies can have an effect on the autonomy of those agencies. To complement this debate this thesis has studied eleven Dutch Independent Administrative Bodies (IABs, ‘Zelfstandige Bestuursorganen’), on their EU involvement and the consequences this involvement has on the autonomy of the IABs during the national policymaking process. Through a co-variational analysis it has been attempted to assess this relation as well as to analyse a possible relation between policy complexity and the autonomy of an IAB. The findings of this research indicate that involvement through the European Commission and through the Council is valuable for the IABs since they gain information on EU legislation and information on best practices through their participation and interaction with the institutions. A strong relation between EU involvement and the autonomy of IABs cannot be demonstrated.

## **ACKNOWLEDGEMENTS**

The past year has been a year of transitions: I switched from Utrecht University to Erasmus University in order to complete my Master degree, and I found it challenging to embark on the processes of doing my biggest piece of academic research so far by completing this master thesis. These were exciting developments that have positively contributed to my personal development and I am very proud to present this master thesis that hopefully reflects this process.

When starting with writing my Master thesis I did not know what to expect: I did not know if I would find an interesting topic or if my research proposal would be feasible. Fortunately, I can now present you a thesis that gives insight in the influence of EU involvement on the autonomy of Dutch IABs. Beforehand, I thought that IABs were non-dynamic organisations that were not aware of the, in some cases, huge influence of the European Union on their daily work. Nothing could be further from the truth: IABs operate in a dynamic environment in-between the ministries, their interest groups and the institutions of the European Union. This research has contributed to new personal insights and it has led to a rich description of the several cases.

These findings could only be discovered because of the cooperation of the respondents and therefore I would like to thank them. Your time, honesty and opinions have contributed to new insights and it has contributed to the creation of this thesis. I would also like to thank my supervisor, Markus Haverland, for his constructive feedback and helpful comments. Besides that, the several feedback sessions have kept me motivated during the whole process. Finally, I would like to thank my family and friends for listening and for providing feedback on my thesis.

It remains me to say that I hope you enjoy reading this thesis.

Hilde Feddema  
Rotterdam, 2014

# **LIST OF CONTENTS**

<u>Abstract</u>	<u>3</u>
<u>Acknowledgements</u>	<u>4</u>
<u>List of contents</u>	<u>5</u>
<u>1. Introduction</u>	<u>8</u>
1.1 Independent Administrative Bodies in a EU environment	8
1.2 The EU environment	8
1.3 Main focus	9
1.4 Theoretical relevance	10
1.5 Research aim	10
1.6 Societal relevance	11
1.7 Reading guide	12
<u>2. Literature review</u>	<u>13</u>
2.1 Historical background	13
2.2 Defining autonomy	14
2.3 Increase in autonomy: institutional design agency	15
2.4 Summary	18
<u>3. Theoretical framework</u>	<u>19</u>
3.1 Controlling variables: institutional independence	19
3.2 Independent variables	20
<u>4. Conceptualization &amp; Operationalization</u>	<u>23</u>
4.1 Conceptualization dependent variable: autonomy	23
4.2 Operationalization	24
<u>5. Research design</u>	<u>27</u>
5.1 Experimental versus observational designs	27
5.2 Case selection	29
<u>6. Context</u>	<u>33</u>
6.1 The Dutch political system	33
<u>7. Findings: Ministry of Finance</u>	<u>35</u>
7.1 Ministry of Finance	35
7.2 Netherlands Authority for the Financial Markets	36
<u>8. Findings: Ministry of Economic Affairs</u>	<u>41</u>
8.1 Ministry of Economic Affairs	41
8.2 National Forest Service	41
8.3 Quality Control Bureau	46
8.4 Chamber of Commerce	49
8.5 Statistics Netherlands	53
<u>9. Findings: Ministry of Safety and Justice</u>	<u>57</u>
9.1 Central Agency for the Reception of Asylum Seekers	57

9.2 The Dutch Institute for Physical Safety	60
9.3 The Game of Chance Authority	63
<u>10. Findings: Ministry of Infrastructure and the Environment</u>	<u>67</u>
10.1 Ministry of Infrastructure and the Environment	67
10.2 RDW	68
10.3 Dutch Emissions Authority	71
10.4 Kadaster	75
<u>11. Cross-sectional analysis</u>	<u>80</u>
11.1 Autonomy IABs	80
11.2 EU involvement	84
11.3 Policy complexity	88
<u>12. Discussion</u>	<u>90</u>
12.1 Involvement through the European Commission	90
12.2 Involvement through the Council	91
12.3 Policy complexity	92
12.4 Summary: implications for the autonomy of IABs	93
<u>13. Conclusion</u>	<u>94</u>
13.1 Comparison literature and empirical data	94
13.2 Answering research question	95
13.3 Type of research	95
13.4 Broader implications	96
13.5 Limitations of the research	96
<u>References</u>	<u>98</u>
<u>Appendices</u>	<u>101</u>
1: Interview questions IABs	101
2: Interview questions ministries	103
3: List of respondents	104

### List of Figures

Figure 1. EU involvement of IABs constructed on the basis of the findings	92
Figure 2. Autonomy of IABs constructed on the basis of the findings	92

### List of Tables

Table 1. Case selection beforehand	30
Table 2. IAB 1: Netherlands Authority for the Financial Markets – Parent ministry: Finance	39
Table 3. IAB 2: National Forest Service – Parent ministry: Economic Affairs	44
Table 4. IAB 3: Quality Control Bureau – Parent ministry: Economic Affairs	48
Table 5. IAB 4: Chamber of Commerce – Parent ministry: Economic Affairs	51
Table 6. IAB 5: Statistics Netherlands – Parent ministry: Economic Affairs	55
Table 7. IAB 6: Central Agency for the Reception of Asylum Seekers–Parent ministry: Safety and Justice	59
Table 8. IAB 7: Dutch Institute for Physical Safety – Parent ministry: Safety and Justice	62
Table 9. IAB 8: The Game of Chance Authority – Parent ministry: Safety and Justice	65
Table 10. IAB 9: RDW – Parent ministry: Infrastructure and the Environment	70
Table 11. IAB 10: Dutch Emissions Authority – Parent ministry: Infrastructure and the Environment	74
Table 12. IAB 11: Kadaster – Parent ministry: Infrastructure and the Environment	78
Table 13. Scores on autonomy per IAB based on the interviews	83
Table 14. Scores on EU involvement per IAB based on the interviews	87
Table 15. Scores on policy complexity per IAB based on the interviews	89

### Abbreviations

IRA	Independent Regulatory Agency
EU	European Union
IAB	Independent Administrative Body
EC	European Commission
AFM	Netherlands Authority for the Financial Markets
SBB	National Forest Service
KCB	Quality Control Bureau
KvK	Chamber of Commerce
CBS	Statistics Netherlands
COA	Central Agency for the Reception of Asylum Seekers
IFV	Dutch Institute for Physical Safety
Ksa	The Game of Chance Authority
NEa	Dutch Emissions Authority

# **1. INTRODUCTION**

## **1.1 Independent Administrative Bodies in a EU environment**

In a research on regulatory agencies (IRAs), which are independent agencies that have regulatory competences instead of executive tasks, it has been acknowledged that these agencies participate actively in the entire process of decision-making. They are highly central actors whose role is most influential during the phase of agenda-setting and pre-parliamentary discussions (Maggetti, 2009). Regulatory agencies can perform useful functions for elected officials, such as politicians, to assist them in responding to pressures and problems. Besides that, agencies are able to deal with international organisations: agencies are seen as an interlocutor for these organisations. Moreover, agencies are able to transpose, for example, controversial EU legislation into national legislation (Thatcher, 2011). With the establishment of the European Union (EU) agencies and ministries are confronted with a new level, which they have to interact with. Agencies can participate in EU networks by attending meetings of council and comitology committees and by participating in networks of sister agencies, to gain expertise and knowledge. Therefore, the European level could have implications for the working method of these agencies because it offers the possibility of representing their interests at a higher level compared to the national level, but how does this result in practice?

A type of agency that exists in the Netherlands is a ‘Zelfstandig Bestuursorgaan’ (ZBO or Independent Administrative Body, IAB). A Dutch IAB falls under the authority of the Dutch government but it is not hierarchical subordinate to the minister. The minister of the parent ministry has a limited amount of competencies that he can use to control the IAB; the minister is not responsible for the decisions of the IAB. He is merely responsible for the policy that is implemented by the IAB; all other aspects are up to the IAB (Yesilkagit & Thiel, 2008: 143). These IABs are also confronted with a new level of interaction: the EU. The implications this can have for these organisations will be analysed in this research.

This thesis is a co-variational analysis where the relation between EU involvement and the autonomy of eleven Dutch IABs will be analysed. This research has been conducted on the basis of interviews with both IABs and their parent ministries. These IABs have a different degree of EU involvement and a different degree of autonomy within the Netherlands. A possible relation between these two variables will be presented in this thesis. First, some background information will be given on the topic.

## **1.2 The EU environment**

In recent years the EU has offered an institutional architecture where national agencies can make use off. This works either through the European Commission (EC) or through the Council. Both levels of



involvement have a different working method: the EC as a supranational organisation and the Council as an intergovernmental decision-making organisation (Bach & Ruffing, 2013). The different working methods can also result in a different involvement of the member states and the national agencies at EU level. For example, the transposition and application of 'indirect legislation' is commonly seen as the 'administrative sovereignty' that member states have (Hix, 2005: 31 in Egeberg & Trondal, 2009: 781). Thus, implementation through this method, the intergovernmental method, is subject to national politics and administrative traditions (Egeberg & Trondal, 2009). The member states remain in control of the process of European integration by implementing it through their national traditions (Moravcsik, 1994). Whereas 'direct implementation', where policies are implemented by EU bodies such as the EC thereby bypassing the national governments, should result in a smaller influence of national preferences of the member states (Egeberg & Trondal, 2009).

These types of involvement are also a possibility for national agencies to participate within the EU. Moreover, member states even encouraged their national agencies to participate within the EU: the creation of national agencies was seen as minimising costs, these organisations could 'help' the member state (Thatcher, 2011). Already in the 1980s and 1990s governments faced several pressures such as increased supranational regulation (EU regulation and legislation) and the regulation became more technical. IRAs were seen as an answer to these pressures: governments were able to offload controversy by repelling difficult implementation decisions to these agencies and ensuring an interlocutor for Brussels (Thatcher, 2011: 133). It seems that the main purpose of establishing these agencies was to shift attention from 'difficult' subjects to organisations that were created by legislation instead of through elections. Therefore these agencies are the designated actors to deal with the execution of EU legislation on a national level since EU legislation is commonly seen as difficult and technical.

### **1.3 Main focus**

Previous theories have shown how agencies play a role in the relation between EU legislation and national legislation. Within some policy areas they are the executive organisations to implement EU policies into national policies. However, contact with EU institutions can also occur vice versa: as has been mentioned in the previous paragraph, agencies can make use of the EU level with various consequences. Within this research it is argued that IABs can gain autonomy in the national policymaking process by being active at the EU level through the EC.

This line of reasoning also stood central in the research of Bach and Ruffing (2013) that forms the theoretical foundation for this thesis. Two ways of involvement, which are linked to intergovernmentalism and neofunctionalism, can be distinguished and that could have a possible effect on the autonomy of an agency during the national policymaking process. Within the first form of participation, the sectoral logic, an agency can participate through EC expert committees and through formal agency networks at the EU level. The EC needs the expertise of the agencies for the

preparation of new policy proposals and many of the formal agency networks are connected to the EC since they have a legal basis. This form of involvement is expected to have a relatively strong effect on the autonomy of an agency, thus it leads to an increase in the autonomy of an agency (Bach & Ruffing, 2013). The other form of involvement, the intergovernmental logic, is expected to have a weaker effect on the autonomy of an agency, thus it does not lead to an increase in the autonomy of an agency. Within this logic the agency has a subordinate position to its ministry; the ministry is in the lead. Examples are council and comitology committees where civil servants represent the interests of the member state. Agencies can play an important role in the preparation of the negotiation position of the ministry and the minister. This means that the agency can less easily bypass its parent ministry, the participation of the agency is indirect (Bach & Ruffing, 2013). Both logics will be tested in this research.

#### **1.4 Theoretical relevance**

This research follows the line of reasoning of several empirical studies that indicate that EU involvement of national agencies can have a causal effect on the autonomy of the agency. Although several researches within this area have already been performed (Yesilkagit, 2011; Trondal, 2011; Bach & Ruffing, 2013) this research forms an addition because it performs the existing research of Bach and Ruffing (2013) in a different setting, the Netherlands instead of Germany, and through a different method – qualitative instead of quantitative. A qualitative research can give the researcher the possibility to ‘reflect more intensively on the indicators they use to score the cases’ (Haverland & Blatter, 2012: 64). Therefore the validity of the measurement of a concept is higher compared to a large quantitative study: much attention can be given to the context (Haverland & Blatter, 2012). Moreover, according to Yesilkagit and Thiel (2008) and Verschuere and Bach (2011), there are relatively few studies that offer analyzed data on political influence, the channels of influence and bureaucratic autonomy.

#### **1.5 Research aim**

In order to answer the previously outlined puzzle, the following research question will be central throughout this research:

*‘Does EU involvement of Independent Administrative Bodies increase their autonomy during the formulation of policies?’*

This question is a factor-centric question: the researcher is primarily interested in the explanatory power of causal factors (Gschwend & Schimmelfennig, 2007: 8). An effect of the independent variables (x) on a dependent variable (y) will be attempted to retrieve. The independent variable is EU

involvement; the dependent variable is the autonomy of IABs during the formulation of national policies. Another independent variable has also been added to the research, policy complexity, and whether this has an effect on the autonomy of an IAB. A hypothesis has been formulated for this variable to see whether this provides an explanation for the increase in the autonomy of an IAB.

Three expectations, hypotheses, have been formulated for this research. A hypothesis is a theory-based statement about a relationship that we expect to observe (Kellstedt & Whitten, 2013: 4). These hypotheses can be used to test the empirical data gathered during the research.

#### Hypothesis 1

*The more an IAB is involved in complex national policy issues, the higher its autonomy during the policymaking process.*

#### Hypothesis 2

*The more an IAB is active in EC expert committees and formal agency networks at the EU level, the higher its autonomy during the policymaking process.*

#### Hypothesis 3

*The lesser an IAB is exposed to council and comitology committees and involved in the preparation of the Dutch position for EU negotiations, the higher its autonomy during the policymaking process.*

## 1.6 Societal relevance

National agencies are offered the opportunity to participate in EU networks and activities but this can have several consequences. It can lead to changing ministry-agency relations or a changing autonomy status (Bach & Ruffing, 2013). This research tries to contribute to the understanding of the influence of the EU on national organisations. What does it mean for the autonomy of these organisations and how does it affect the implementation of EU legislation on a national level.

Besides that, the position of Dutch IABs has recently come under the attention of the ministries by the publication of ‘rapport de Leeuw’ in May 2013. This report was a response to the governmental agreement ‘Bruggen slaan’ (‘Building bridges’, 2012): the Dutch government wanted to reduce the amount of IABs and the ministerial responsibility needs to be maintained. Therefore, this report is a research into the position of IABs in relation to the ministerial responsibility. The report indicated that IABs have gained too much independence and therefore some of the IABs will be abolished and some IABs need to merge. These plans are meant to reinforce the ministerial responsibility by placing some IABs closer to the parent ministry. Moreover, the report was published to regulate the amount of IABs, to reduce costs and to professionalize the organisation of the IABs (de

Leeuw, 2013). This research could make a small contribution to the aims of the government by giving an insight in the autonomy of IABs and the explanations for this autonomy.

The research of Bach and Ruffing (2013) forms the motive for this thesis. To complement to the existing literature, the research has been conducted in the Netherlands. Eleven Dutch IABs are central in this research; they are subordinates to the Ministry of Economic Affairs, the Ministry of Infrastructure and the Environment, the Ministry of Finance or the Ministry of Safety and Justice. These IABs are: the Netherlands Authority for Financial Markets (AFM), the National Forest Service (SBB), Chamber of Commerce (KvK), Quality Control Bureau (KCB), Statistics Netherlands (CBS), the Games of Chance Authority (Ksa), the Central Agency for the Reception of Asylum Seekers (COA), the Dutch Institute for Physical Safety (IFV), the Dutch Emissions Authority (NEa), Kadaster and RDW. They differ in size and they differ in the degree of EU involvement. These characteristics have formed the basis for an explanation in the variety of autonomy of these IABs during the national policymaking process. A more detailed explanation of the IABs will follow in the next chapters.

The scope of this research is not completely encompassing since it focuses on eleven IABs in the Netherlands. Far-reaching conclusions about the influence of the EU on all national organisations in the Netherlands are therefore not possible to make. Moreover, for a complete contribution to the debate about the position of Dutch IABs a research needs to be conducted including all the Dutch IABs. It is beyond the scope of this research to draw any conclusions on both these topics, this research needs to be seen as a case study, which could serve as a point of reference for further (quantitative) research.

## **1.7 Reading guide**

After this introduction, the literature review will reveal the main debate that exists on the autonomy of national agencies and the possible relation it has with EU involvement. Several publications will be discussed to provide the reader with an overview of the debate. In chapter three on the theoretical framework, the choice for the particular theory by Bach and Ruffing (2013), the variables and the underlying hypotheses will be clarified. The definitions and indicators for the variables will be presented in chapter four. Chapter five gives an explanation of the research design, it explains the chosen method and how data has been gathered during this research. Before starting with the analysis, context will be given on the Dutch policymaking process in which the IABs have to operate. After these chapters the several findings of the interviews will be discussed per IAB in the analysis, chapter seven. In chapter eight these results will be discussed and a comparison will be made between the different IABs. This research will conclude with chapters nine and ten in which the hypotheses will be discussed and where the findings will be assessed on their broader implications.

## **2. LITERATURE REVIEW**

This research will focus on the autonomy of IABs and if this will increase when they are involved at the EU level. IABs can be compared with agencies; this is a comprehensive concept for these type of organisations in different countries. The concept ‘agencies’ and the linked ‘agencification’ are widely discussed in the literature. However, this thesis will not focus on the debate of agencification – many authors have done this already. In this chapter a short historical background of the development of agencies will be given, as well as several theories and concepts on the autonomy of agencies and EU involvement.

### **2.1 Historical background**

Agencies can be seen within a broader trend in the field of public administration: New Public Management (NPM). This trend started in the 1980s and simply said, four large trends can be recognised within NPM: the attempt to slow down or reverse government growth, the shift toward privatization, the development of automation and the development of a more international agenda (Hood, 1991: 3). Agencies are used to make governments more effective and they were used to constrain the growth of governments (Hood, 1991). According to the ideal NPM style agencies would have to be professionally managed, flexible, customer responsive, specialized, efficient and intensely performance oriented (Pollitt et al., 2001: 279).

NPM existed as a response to three large problems that governments faced since the 1970s. The first problem was financial: the ability to tax seemed to be diminished just as the cost of continuing to run welfare states had climbed, this put the government under pressure to economize. Secondly, there was an apparent decline in citizen trust in governmental institutions. The third problem was the rising citizen expectations with respect to the standards of public services. The government had to ‘do more with less’. More autonomous and more specialized bodies would improve the service quality and efficiency of the government (Pollitt et al., 2001: 276). Agencies were seen as the solution to these problems and in many countries it also led to the establishment of several agencies.

#### **2.1.1 Contemporary context**

In the 1980s and 1990s, agencies allowed elected officials to shift blame for the unpopular but necessary decisions they had to make. Besides that, the influence of the EU seemed to increase. EC regulation formed an impulse for national regulation: national governments had an important say in determining EC regulation but these EC decisions were sometimes still difficult to implement and many times high costs were associated with these regulations (Thatcher, 2011). Member states nowadays still have a certain ‘free space’ in which they can decide how they are going to implement EC decisions. This creates a variation in implementation across the member states in terms of how EU

policies are implemented into national practices. It seems to be that the EC takes on a more proactive role and it is trying to prevent this variation in implementation by taking on a pivotal role in relation to national agencies. This change of attitude by the EC can have consequences for agencies (Egeberg & Trondal, 2009). Which actor remains more important for the agency while implementing policies: the parent ministry or the EC? This question has already gained the attention of many researchers in particular because agencies fulfil a ‘special role’ within the political system of many countries. Agencies are non-majoritarian institutions that are created by legislation and they are organisationally separate from governments while being subject to the controls of elected politicians (Thatcher, 2011; Verschuere & Bach, 2012). This separation of policy and operations are meant to improve management or political control (Verschuere & Bach, 2012: 185). Thus, agencies are confronted with a dynamic environment existing of its parent ministry and the institutions of the EU. This interplay can affect the autonomy of the agency; these concepts will be discussed below.

## 2.2 Defining autonomy

The influence or autonomy national agencies have, has been a frequently researched phenomenon, performed from different angles. Verschuere and Bach (2012: 187) acknowledged that ‘most research, small-N or large-N, confirms that executive agencies may have significant influence in policy formulation (yet with clear variation among agencies and countries) and generally seem to have substantive discretion when implementing policies’. In their research they have created a very broad conceptualization of influence by taking into account the different stages of the policy cycle. They summarize the concept by seeing the agency’s policy influence as the extent to which it influences the eventual content of the decisions that were made about the policy in different stages of the policy process of different policy programs (Verschuere & Bach, 2012: 189). This conceptualization puts ‘influence’ central to its research instead of ‘autonomy’, therefore making it even broader. Autonomy can be seen as a more condensed conceptualization within the debate on agencies and the environment in which these organisations have to act.

For instance, Wilson (1989: 182) stated in his influential work, *‘Bureaucracy: what government agencies do and why they do it’*, that the autonomy of an agency is a ‘condition of independence sufficient to permit a group to work out and maintain a distinctive identity’. This definition consists of an external and internal part. The external part is independence, which is equivalent to ‘jurisdiction’ or ‘domain’. In this case agencies gain autonomy if they have few or no bureaucratic rivals and a minimum of political constraints imposed on them by superiors. The internal aspect is the identity or mission: a widely shared and approved understanding of the central tasks of the agency (Wilson, 1989: 182). Yesilkagit and Thiel (2008) share the same understanding as Wilson when he discusses the external part of autonomy. In their research organisations rank high on policy autonomy if they can choose the target groups and instruments for the policies they implement independently from the minister of the parent department and when they are (pro-)actively involved in

the policymaking process. This corresponds to Wilson's statement, the 'minimum of political constraints imposed on them by superiors'.

Bach and Ruffing (2013) have explored different sources of autonomy instead of focusing on one definition of autonomy. First of all, they have involved the deliberate design of agencies into their conceptualization: the parent ministry or the legislator has granted the agency autonomy because of the institutional design. They do not, in contrary to Bach et al. (2012), distinguish any differences between the formal autonomy and the de facto autonomy an agency has. The de facto autonomy also reflects the formal autonomy of an agency. The reasons behind granting autonomy to an agency are credible commitment to long-term goals and the need for expertise (Bach & Ruffing, 2013: 715). The second source of autonomy is changes in the task environment of the agency. Agencies might not fulfil a function even though they were meant to do so. The process of European integration is seen as the most important change in the direct environment of agencies; the consequences of this integration cannot be fully foreseen by agencies (Bach & Ruffing, 2013: 716). The third and final source of an increase in the autonomy of agencies is that complete control by the ministry is impossible. Hidden action and hidden information can oppose the ministry from fully monitoring the agency. Stakeholders can capture the agency or the agency can engage in international networks, such as EU networks, which can increase the information asymmetry (Bach & Ruffing, 2013: 716). These sources can be summarized into a definition of autonomy: an agency is granted a certain autonomy by their institutional design but this can be subordinate to changes in the task environment of the agency and because the agency can extract itself from its parent ministry by participating, for example, in international networks. However, this definition strongly focuses on the reasons behind the autonomy of an agency instead of giving one definition on the concept.

### **2.3 Increase in autonomy: institutional design agency**

It has been emphasized several times that many studies have been performed on the autonomy of agencies. Now several definitions on this concept have been introduced, a different perspective can be provided on autonomy: how does this increase or decrease? An increase in the autonomy of an agency can be illustrated with a research of Wonka and Rittberger (2010). Although this research focused on EU agencies, it is very useful to identify different factors. Instead of seeing the institutional design of an agency as given, such as Bach and Ruffing (2013), Wonka and Rittberger move beyond this concept by assessing the variation in agencies' institutional design. Therefore they have developed three characteristics with corresponding arguments. The first characteristic partially corresponds with one of the explanations of Bach and Ruffing (2013): 'credibility'. Agencies are on purpose provided with a degree of independence, in that way they contribute to the stability of economic actors' expectations, both inside and outside the EU (Wonka & Rittberger, 2010: 734). Policy-makers design these agencies to send strong signals of regulatory stability to firms and consumers that a change in the



political environment in the institutions of the EU (the EC, the Parliament or the Council) will not directly lead to a change in regulatory decisions taken previously. Besides that, they argue that agencies, which are directly involved in EU regulatory policy-making, are likely to be designed more independently in order to credibly signal to economic actors their commitment to expertise-based regulation. This indicates that these agencies are not susceptible for electoral incentives and it gives economic actors incentives to invent and invest on the EU's common market. This argument will not apply for executive or informational agencies since they are not responsible for regulatory policy-making (Wonka & Rittberger, 2010). The empirical data revealed that agencies that operate in uncertain environments are given more independence by their institutional designers. Agencies that are active in EU regulatory politics also show greater independence than informational or executive agencies (Wonka & Rittberger, 2010: 743).

The second characteristic, 'policy complexity', explains the relation between very complex policy issues and the levels of independence. They expected to find that very complex policy issues contribute to the independence of an agency, since EU agencies are created to provide national and EU policy-makers with information that will help them to adopt decisions that are technically efficient and effective in reaching the aspired policy goals. To reduce the informational transaction costs, regulatory agencies are guaranteed with higher independency and professional expertise (Wonka & Rittberger, 2010: 736). This is also affirmed by Elgie and McMenamin (2005), political actors do not have the resources or the incentive to develop such expertise for themselves. The complexity of the topics an agency encounters can be established by the percentage of people with policy-specific qualifications who sit in the governing council. However, the complexity of the policy area that falls under the agency's responsibility did not appear to have an impact on EU agencies' relative institutional independence according to the research of Wonka and Rittberger (2010: 743).

The third characteristic is 'political uncertainty': legislators may find it in their interest to design politically independent agencies, therefore ruling coalitions are able to institutionally 'freeze' or 'lock in' their preferred policy status quo because of the regulatory powers of the agency. This has also been found during the research: agencies within the first pillar (which falls under the EC) experienced more independence compared to agencies from the second and third pillars (Wonka & Rittberger, 2010: 745).

### **2.3.1 Increase in autonomy: task environment agency**

The previous research of Wonka and Rittberger (2010) elaborated on the institutional design of agencies. However, many scholars have found that the environment in which agencies participate can also have an influence on the autonomy of an agency. A growing body of literature has spent attention to European Union networks and the effect of these networks on the autonomy of national agencies (Bach & Ruffing, 2013). Egeberg and Trondal (2009) found that participation of agencies at the EU level could reinforce their autonomy. They became 'double-hatted'; meaning that they work for their



own government as well as for the EC. The focus of their research was national agencies involved in the formulation of new EU policies and during the practice of EU legislation. These agencies were still supervised by their parent ministry even though they enjoyed professional autonomy; the importance of the parent ministry as a supervisory body depended mostly on the political contestation of the subject. It could be concluded that the parent ministry and the EC were the two most important actors for the national agencies in terms of practicing EU legislation (Egeberg & Trondal, 2009: 788). The research of Egeberg and Trondal showed how agencies can 'bypass' their ministry by also working for the EC. A research of Yesilkagit (2011) shows how national agencies can also gain autonomy through EU involvement by focusing on the compliance to EU legislation. National agencies gained more expertise and a higher legitimacy at a national level because of their involvement in a European Regulatory Network (ERN) (Yesilkagit, 2011: 975). Both studies show how important the EU level can be for national agencies even though the participation takes on different forms. The EC can be seen as vital for national agencies to gain more knowledge, which can be used to influence the policymaking process at the EU or national level. An important aspect of these studies is that it demonstrates a change in the traditional separation of tasks between ministries and agencies.

Bach and Ruffing (2013) elaborated on these researches by conducting a large quantitative research on EU involvement of German national agencies and the effects of this involvement on the agencies' autonomy in the policy formulation. They acknowledged that many studies show that control and steering problems emerge if national agencies become involved in European networks: it gives national agencies room to manoeuvre. Bach and Ruffing (2013) tried to give insight in the theoretical foundations of these effects. They made a distinction between two forms of involvement: a sectoral logic (in line with neofunctionalism) and an intergovernmental logic. Within the sectoral logic participation of national agencies in EC expert committees, formal agency networks and sister agency networks stood central. Within the intergovernmental logic networks in which the parent ministry takes the lead and in which the agency only fulfils a consultative or supporting function for the ministry and comitology committees, stood central (Bach & Ruffing, 2013: 717). Bach and Ruffing (2013: 724) found that the sectoral logic was more strongly associated with a growing level of national agencies' policy autonomy and a higher degree of involvement in the policy formulation process through the development of policy proposals and policy development activities. This could be explained by the fact that agencies can bypass its parent ministry through the sectoral logic: national agencies can then develop preferences on topics that have not yet gained the attention of ministry officials or politicians (Bach & Ruffing, 2013: 717). Moreover, the national agencies are stronger in the lead within the sectoral logic than within the intergovernmental logic. During the latter the ministry or minister stays stronger in the lead.

### **2.3.2 Policymaking process**

During the national policymaking process agencies also seem to be known for building trust: they publish extensive and attractive reports on their performance (Rommel & Christiaens, 2009). Because of the contacts they have in the field, they become an inescapable source of information when the minister wants to launch a new initiative. This competence is signaled by the minister and his cabinet but also by other influential politicians, such as members of the parliament. This will increase their legitimacy. Routine-based trust is increased by their high visibility; agencies frequently seek contact with the cabinet. The agency also frequently shares information with the ministry, in that way both actors learn to know each other and build up a history of mutually beneficial exchanges. Agencies are aware of their minister's interests and will often conform to these norms, thereby constructing a shared identity (Rommel & Christiaens, 2009: 95). It shows that agencies demand a role in the preparation of policies as well, especially because they see departments as being incompetent (Rommel & Christiaens, 2009: 94). Participation through the EU can therefore make a national agency even more important within the national policymaking process because of their access to EU information.

## **2.4 Summary**

This chapter has tried to give an overview of the research that has already been performed within this topic of interest. The autonomy of an agency can be explained in different ways but central to the definition is the institutional design of the agency and the environment in which it is active. Besides that, this autonomy can change through 'credibility', 'complexity' of the policies, 'political uncertainty' and through EU involvement (Wonka & Rittberger, 2010; Bach & Ruffing, 2013). The latter becoming a subject more of interest for researchers even though they have not been able to fully explain the theory behind the phenomenon. Important seems to be how agencies are involved at the EU level: through which networks and committees. Ministries and agencies are involved in a dynamic environment that they need to cope with to formulate new policies.

### **3. THEORETICAL FRAMEWORK**

In the literature review several theories have been identified that explain an increase in the autonomy of agencies. This research will focus on eleven IABs in the Netherlands that are involved in the European Union in different degrees. The possible differences in autonomy of these IABs will be further researched. Several hypotheses underlie this co-variational case study; these hypotheses will be introduced in this chapter.

#### **3.1 Controlling variables: institutional independence**

As has been outlined in the literature review, the autonomy of European agencies can be influenced by three different characteristics: credibility, policy complexity and political uncertainty. The research of Wonka and Rittberger (2010) has focused on European agencies, giving it a different approach compared to this research. This thesis will focus on Dutch agencies; they understandably operate in a different environment compared to European agencies. Nevertheless, the characteristics are useful to identify so they can be controlled for.

The variable ‘credibility’ explains the fact that agencies are deliberately provided with a degree of independence to contribute to the stability of economic actors’ expectations, inside and outside the EU (Wonka & Rittberger, 2010). Dutch IABs are also deliberately created at a certain distance of the parent ministry: this independence, or distance, is established in their organisation structure and in their legal basis. The minister is responsible for the policy that is implemented by the IAB, the decision to charge an IAB with this task and it is responsible for the supervision of the IAB and the ministers have received a (minimal) set of accountability instruments (Yesilkagit & Thiel, 2008: 143; Thiel, 2001: 192). The staff of the IABs fall under one arrangement which entails that the IAB is responsible for all other aspects of performance such as the method how to implement a policy (Thiel, 2001: 192; Yesilkagit & Thiel, 2008: 143). The minister is, in the end, responsible for the IABs since they fall under the ministerial responsibility. However, this responsibility does not prescribe how the IABs should perform their tasks, this makes them more independent. These conditions apply to all the IABs in the Netherlands, therefore it can be stated that the IABs have the same amount of credibility. Moreover, as has been underlined by Wonka & Rittberger (2010) this argument does not apply for executive agencies, which some IABs are in this research. Therefore it is expected that this variable will not even have an effect on this type of IABs.

The variable ‘political uncertainty’ will also be controlled for. This variable is aimed at the degree to which ruling coalitions are able to ‘freeze’ or lock in their preferred policy status quo by entrusting agencies with certain regulatory powers (Wonka & Rittberger, 2010). IABs are non-majoritarian organisations that are not being elected; this makes them not susceptible for political influences. Besides that, the majority of the IABs that are part of this research do not have any regulatory powers. Therefore the IABs are less subordinate to the ministry and the minister for

political input. Furthermore, most of the IABs have been created fall either under a legal framework ('Kaderwet ZBO') or under a directive ('Aanwijzingen'), these frameworks, as well as the IABs itself, have not been changed the past years and therefore it is not possible for a ministry to lock in a preferred policy status. Finally, a Dutch minister is responsible and dependent upon the legislature through a vote of confidence (Yesilkagit & Thiel, 2008). He cannot operate completely according to his party beliefs because the parliament has to approve the proposals. This significantly decreases the chance on political uncertainty within this research.

### **3.2 Independent variables**

After having established that the previous variables will be controlled for during this research, hypotheses will be developed around the first independent variable: EU involvement. A hypothesis is a theory-based statement about a relationship that we expect to observe (Kellstedt & Whitten, 2013: 4). They should be educated guesses about relationships that exist in the real world, not statements about what ought to be true or about what a researcher believes should be the case (Buttolph Johnson & Reynolds, 2007: 71). The formulated hypotheses find their basis in two different theories that have been explained in the literature review.

#### **3.2.1 EU involvement: sectoral logic**

The focus of this research is on Dutch IABs that might increase their autonomy in the policymaking process while being involved in the EU. Therefore the article of Bach and Ruffing (2013) will be used as guidance throughout this research. As has been explained in the literature review, they distinguish two different logics of EU involvement: the sectoral and the intergovernmental logic. The first logic, the sectoral logic, concerns agencies that are directly engaged in European policy development (Bach & Ruffing, 2013). The direct involvement in European policy development is reflected in the participation in EC expert committees, formal agency networks and networks of sister agencies. Agencies form the access to information for their parent ministry because they consult other experts. Moreover, they develop policy preferences together with their international colleagues. This leads to the fact that the policy preferences of agencies are not consistent with the preferences of the parent ministry. Besides that, the EC is dependent on expertise for drafting new policy proposals; they are dependent on reliable partners such as national agencies (Bach & Ruffing, 2013). Within this logic the national agencies can be seen as the gatekeepers and they decide which actor will receive information. Furthermore, this form of EU involvement can add to spill-overs: each step in the direction of European integration leads to a situation in which a demand for the next step arises (Bach & Ruffing, 2013: 718). The more an agency will develop different policy preferences together with international colleagues, the more the agency feels the need to operate at a EU level instead of at a national level.

Bach and Ruffing (2013) have found a positive relation in their research between formal involvement via EC committees and formal agency networks by agencies and a proactive role in

policy development. Therefore the following hypothesis has been formulated which is aimed at the positive relationship between the sectoral logic and the autonomy of an agency:

*H1: The more an IAB is active in EC expert committees and agency networks at the EU level, the higher its autonomy during the policymaking process.*

### **3.2.2 EU involvement: intergovernmental logic**

The second logic of EU involvement in the research of Bach and Ruffing (2013) is the intergovernmental logic. This logic applies to the networks in which the ministry supposedly has the lead and the agency only has a supportive or consultative role. Examples where this logic applies are during Council committees and during comitology committees. Within Council committees, senior civil servants of a ministry take place and prepare the decision-making in the Council. Within comitology committees, member state representatives take place who need to be consulted by the EC before this institution adopts measures of policy implementation. This gives IABs a subordinate position towards the parent ministry: IABs can only assist the civil servants in both committees by preparing a negotiation position. The member states stay in control during this process. During this form of involvement agencies can help in preparing a negotiation position for the civil servants who take a seat in the several committees. In contrast to the sectoral logic, national agencies are involved in European networks in an indirect way. The member state, the minister and its ministry, stays in the lead (Bach & Ruffing, 2013).

The empirical data in the research of Bach and Ruffing (2013: 722) revealed that agencies are involved during the preparation of EU negotiations and during the transposition of EU law into national law. However, the agencies were stronger involved at the EU level within the sectoral logic than within the intergovernmental logic. Therefore the intergovernmental logic seemed to have a weaker effect on the autonomy of an agency. When taking this into account, the following hypothesis has been formulated which presents a negative relationship between the intergovernmental logic and the autonomy of an agency:

*H2: The lesser an IAB is exposed to council and comitology committees and involved in the preparation of the Dutch position for EU negotiations, the higher its autonomy during the policymaking process.*

### 3.2.3 Policy complexity

The variable ‘policy complexity’ concerns the relation between very complex policy issues and the levels of independence. The more complex the policy issue, the more independent the agency will be (Wonka & Rittberger, 2010). The logic behind this is that EU agencies are guaranteed with higher independency and professional expertise to reduce the informational transactions costs. Many agencies are created to provide national and EU policy-makers with information to help them make decisions that are technically efficient and effective in reaching policy goals (Wonka & Rittberger, 2010). This theory can be translated into the Dutch policy environment: IABs can also be guaranteed with higher independency to reduce the informational transaction costs and to assist their parent ministry in efficiently making decisions. This is a different variable, besides EU involvement, that can influence the autonomy of an agency, thereby leading to the following positive relationship:

*H3: The more an IAB is involved in complex national policy issues, the higher its autonomy during the policymaking process.*

## **4. CONCEPTUALIZATION & OPERATIONALIZATION**

To answer the research question a clear definition of both variables need to be formulated. ‘Clear definitions are important so that the knowledge we acquire from testing our hypotheses is transmissible and empirical.’ (Buttolph Johnson & Reynolds, 2007: 81). The dependent variable, autonomy, and the independent variables, EU involvement and policy complexity will be defined according to the explanations that are given within the literature. In this chapter several indicators will be formulated to recognise the variables in the empirical data.

### **4.1 Conceptualization dependent variable: autonomy**

This research will focus on the autonomy of the agency and whether it will increase or decrease because of EU involvement. Within this research autonomy is the dependent variable: ‘the phenomenon thought to be influenced, affected or caused by some other phenomenon’ (Buttolph Johnson & Reynolds, 2007: 87). As has been shown in the literature review, many definitions have been given for autonomy. Key concepts within the description of autonomy were institutional design, independency and the environment in which the agency is active: the conceptualizations of the different scholars seemed to correspond on these characteristics. Since the research of Bach and Ruffing (2013) serves as a focal research in this thesis, their definition will serve as the leading conceptualization for autonomy. This means that the autonomy of an agency can be extracted from its institutional design (which is deliberately created by the parent ministry), from changes in the task environment of the agency and because complete control by the parent ministry is impossible.

#### **4.1.1 Conceptualization independent variable: EU involvement**

EU involvement is one of the independent variable in this research: ‘The phenomenon thought to influence, affect, or cause some other phenomenon’ (Buttolph Johnson & Reynolds, 2007: 87). The first type of EU involvement can be traced back to the sectoral logic. This has a twofold definition, consisting of a formal and informal dimension. The formal dimension consists of the participation of an IAB in EC expert committees and formal agency networks. The informal dimension consists of the participation of an IAB in networks of ‘sister agencies’ across national borders. During these types of involvement IABs function as gatekeepers of information (Bach & Ruffing, 2013).

The second type of EU involvement consists of all the networks in which the ministry supposedly has to take the lead and the agency has a consultative or supportive role. This exists of two different forms: participation in Council committees – an agency prepares the negotiation position of the civil servants – and participation in comitology committees – the EC consults the member state representatives in these committees before implementation, IABs can assist the representatives. Moreover, in this type of involvement an IAB supports its parent ministry by giving information and advice (Bach & Ruffing, 2013). The most important difference between both logics is the degree of

involvement of the IABs: during the sectoral logic IABs are directly involved at the EU level while during the intergovernmental logic IABs are indirectly involved at the EU level.

#### **4.1.2 Conceptualization independent variable: policy complexity**

In the article of Wonka & Rittberger (2010) the focus of measuring the policy complexity lies on the staff size: the larger the staff size of an agency, the more complex the field in which it operates because complex tasks require more expertise and information. The logic behind this is that governments only agree on a large staff size when there is a good reason for spending money on it. However, this logic is too limited. An IAB can also be large because it has to perform a variety of tasks, this does not indicate how complex these tasks are. A large staff size does not necessarily possess much expertise and information. Therefore, the task of the IAB and the policy specific qualifications of the employees of the IABs have been taken into account to elaborate on the policy complexity of the IABs. The task of the IAB can indicate how independent an agency is: to reduce the informational transaction costs, regulatory agencies are guaranteed with higher independency and professional expertise (Wonka & Rittberger, 2010: 736). Therefore regulatory IABs are involved in more complex policy tasks compared to, for example, executive IABs. Executive agencies are involved in less complex policy tasks since informational transaction costs are not present during the performance of their task. Moreover, the policy specific qualifications of the employees can indicate the complexity of the policy task of an IAB. Political actors do not have the resources or the incentive to develop such expertise for themselves (Elgie & McMenamin, 2005). The political actors have outsourced certain tasks to the IABs; this could indicate that the employees of IABs have more policy specific qualifications. These qualifications can be a specific educational background or internal trainings.

### **4.2 Operationalization**

To actually measure the concepts autonomy and EU involvement, indicators need to be created. These indicators help to identify the theory in the empirical data. The following paragraphs will discuss the creation of these indicators and the validity and reliability.

#### **4.2.1 Unit of analysis**

First of all it is important to distinguish the unit of analysis in this research. The unit of analysis is where the hypotheses are thought to apply (Buttolph Johnson & Reynolds, 2007). In this case these are the IABs.



#### 4.2.2 Indicators dependent variable: autonomy

Several indicators will be used to recognise autonomy in the empirical data. These indicators are summarized in the following table. The indicators are partially retrieved from the article of Bach & Ruffing (2013). They have also been used to create interview questions (appendix 1).

Concept	Indicators
Autonomy	<ul style="list-style-type: none"> <li>- The IAB has tasks within the area of policy development</li> <li>- The IAB can develop proposals for policy development within its area of responsibility</li> <li>- The expertise of the IAB is used by the ministry concerning the development of a national position towards the EU position</li> <li>- The IAB can independently negotiate with external actors (e.g. interest groups, stakeholders)</li> <li>- The IAB has succeeded in getting its positions and requests accepted by the parent ministry concerning a national position on EU topics</li> </ul>

These indicators need to be evaluated at their reliability and validity. ‘An operational measure of a concept is said to be reliable to the extent that it is repeatable or consistent; that is, applying the same measurement rules to the same case or observation will produce identical results’ (Kellstedt & Whitten, 2013: 99). ‘A valid measure accurately represents the concept that it is supposed to measure’ (Kellstedt & Whitten, 2013: 101). In this case the indicators for autonomy are reliable and valid. They have been used in an earlier research where the relation between autonomy and EU involvement has been found; therefore the researcher expects that the indicators will produce similar results in the different cases.

#### 4.2.3 Indicators independent variable: EU involvement

Below, a table is outlined with the several indicators for EU involvement.

Concept	Indicators
EU involvement: sectoral logic	<ul style="list-style-type: none"> <li>- Participation in meetings organised by the EC (e.g. expert committees and formal agency networks)</li> <li>- Consultation with colleagues in EU member states</li> <li>- Participation in formal agency networks</li> <li>- Participation in networks of sister agencies</li> </ul>
EU involvement: intergovernmental logic	<ul style="list-style-type: none"> <li>- Contact with civil servants who are active in council committees or comitology committees</li> </ul>

- |  |
|--|
| <ul style="list-style-type: none"> <li>- Preparation of the Dutch position for EU negotiations</li> <li>- Assisting the minister during EU negotiations</li> </ul> |
|--|

These indicators are also derived from the article of Bach and Ruffing (2013). It can be stated that these indicators have the same degree of reliability and validity as the previous indicators since they have also been used in the research of Bach and Ruffing.

#### 4.2.4 Indicators independent variable: policy complexity

In the following table the indicators for the concept policy complexity have been outlined. The basis for these indicators is the article of Wonka and Rittberger (2010) and the article of Elgie and MacMenamin (2005).

Concept	Indicators
Policy complexity	<ul style="list-style-type: none"> <li>- Reason establishment IAB</li> <li>- Task IAB</li> <li>- Policy specific qualifications employees</li> </ul>

The establishment reason of an IAB and the description of the task of an IAB are both reliable and valid because it is formally established. Both indicators are clearly defined especially because it is the reason why these IABs exist. The indicator ‘policy specific qualifications’ is also reliable and valid because these qualifications are given: it is a fact about the employees of the IABs.

## **5. RESEARCH DESIGN**

In the previous chapter an explanation of the chosen theory has been given as well as an explanation of the variables. This chapter will discuss the chosen method of research. To answer the research question and to identify the empirical data during this research, it is essential to choose a specific research design. The considerations for the choice of a co-variational design will be clarified in this chapter by considering different options of research designs.

### **5.1 Experimental versus observational designs**

First of all, a distinction can be made between experimental and observational designs (Blatter & Haverland, 2012). An experimental design would not be applicable for this research. It would have been very difficult to manipulate different values of the independent variable, EU involvement (Blatter & Haverland, 2012: 38). EU involvement is a phenomenon that is present within an organisation in a certain degree or not, this choice is left to the organisation and cannot be manipulated by the researcher. A research on EU involvement will only be possible through observation: the researcher can observe different values of EU involvement since they already exist in the real world. Therefore an experimental research design has not been appropriate for this research.

#### **5.1.1 Large N-studies versus small N-studies**

Within an observational design a distinction can also be made between two options: a large N-study or a small N-study. A large N-study will focus on many different cases: around fifty cases will be the minimum for this type of research (Gschwend & Schimmelfennig, 2007: 12). Within a large N-study one can choose for a cross-sectional study or a time-series study. A cross-sectional study examines a cross section of social reality, focusing on the variation between individual spatial units (Kellstedt & Whitten, 2013: 85). A time series design is a comparison over time within a single spatial unit (Kellstedt & Whitten, 2013: 86). For this research question a cross-sectional design would be better applicable since it would be interesting to apply it on many different agencies instead of one agency in one period of time. A time-series design would be too limited since the EU involvement of an agency probably does not change much over time. Within the cross-sectional design, it is necessary that there is some degree of variability in the independent variables across cases, as well as variation in the dependent variable (Kellstedt & Whitten, 2013: 83). So for this type of research there should exist a variation in the degree to which an agency is involved in the EU (high, medium or low) and a variation in the autonomy of agencies that will be scrutinized. Moreover, the agencies that will be included should have the same 'definition' or 'tasks'. This makes a comparison possible between the agencies because one is measuring the same type of entities. The advantage of involving many cases is that the research can represent 'the population more broadly construed'; it can be representative for other agencies as well. Therefore the external validity of this research is high. However, the feasibility of

this research is not very high. It can be difficult to approach many agencies that perform the same tasks. And as can be seen within the literature, there is not one universal definition for an agency. Differences exist between the types of agencies and this makes the research less valid.

In this research a choice has been made for a small-N study because of the feasibility and because a small case study can lead to a very rich description of the cases. This forms a contribution to the research of Bach and Ruffing instead of an iteration of this research. The researcher has made the choice for a co-variational analysis instead of a congruence analysis in the small-N study; this choice will be explained in the next paragraph.

### **5.1.2 Congruence analysis & co-variational analysis**

The congruence analysis uses case studies to provide empirical evidence for the explanatory relevance or relative strength of one theoretical approach in comparison to other theoretical approaches. This is performed by deducing sets of specific propositions and observable implications from abstract theories in a first step and then by comparing a broad set of empirical observations with these implications drawn from diverse theories (Blatter & Haverland, 2012: 144). Thus, the focus of this type of research will be on comprehensive theories: if they compete or complement each other (Blatter & Haverland, 2012: 27). However, that will not be the focus of this research. This research focuses on EU involvement and the influence of this variable on the autonomy of an agency. There are not several theories on this involvement or on the several cases in this research. The focus of this research question is on the independent variable, EU involvement, and if this makes a difference. Therefore the co-variational analysis has been the appropriate design for this research instead of the congruence analysis.

The co-variational design tries to answer the question whether specific features of the social reality make a difference, whether they produce a significant effect in the social reality or not. This is achieved by comparing different cases and by systematically comparing the variation of these features with the variation of relevant potential effects (Blatter & Haverland, 2012: 35). As has been mentioned before, the aim of this research has not been to apply different theories and compare them with each other. Instead, it focuses at explaining certain factors. To perform this type of research, the independent variable needed to be a factor of influence and there should exist strong differences in EU involvement between the different cases. Moreover, the cases had to score the same in respect to the control variables – in this case these were the ‘credibility’ and ‘political uncertainty’ (both explained in chapter three, the theoretical framework).

### **5.1.3 Internal and external validity**

The internal and external validity can also be assessed for this type of research. The internal validity is the degree to which a study produces high levels of confidence about whether the independent variable causes the dependent variable. The external validity is the degree to which we can be confident that

the results of our analysis apply not only to the participants and circumstances in the study, but also to the population more broadly construed (Kellstedt & Whitten, 2013: 89). These forms of validity can differ per type of research. The researcher improves the internal validity of a co-variational design through a well-considered case selection. Case selection has been crucial: the researcher needed to pay attention to the scores of the independent and dependent variables by performing a small research beforehand on the IABs that have been included in this thesis (this selection will be explained in the next paragraph). This case selection needed to ensure that the cases do vary in the independent variables of interest and it needed to ensure that the control variables, credibility and policy uncertainty, were really controlled for because all other conditions needed to remain constant across the research (Blatter & Haverland, 2012: 41). This has improved the internal validity of the research significantly. However, this type of research has a low external validity: it cannot represent the population more broadly constructed because only a small amount of cases have been selected. This research can only be used as a handle for further (quantitative) research. The feasibility, on the other hand, was higher in this case. Especially since the researcher was not confronted with cultural and language barriers because the research has been performed in the Netherlands.

## 5.2 Case selection

As has been mentioned before, case selection within a co-variational analysis is crucial. This means that the researcher selects the cases on purpose, randomly selecting cases may result in cases not varying in the independent variable of interest (Blatter & Haverland, 2012: 41). In addition, there are several modes of comparison possible between the cases. In this case a cross-sectional comparison has been made: this is a comparison across cases at the same time, exploiting spatial variation (Blatter & Haverland, 2012: 45). In table 1 an overview is given of the several IABs that have been approached during this research and the IABs that eventually have cooperated in this research. This table has been formed on the expectations of the researcher after performing a small analysis.<sup>1</sup> Expectations on EU involvement have been formed by examining the websites of the IABs: were the EU networks and activities mentioned on their websites or not and if yes, what did it say? Some websites already indicated that the IAB valued the EU participation and the websites showed in which networks the IAB is active while some websites did not mention anything about EU cooperation. Ultimately, the case selection has been dependent upon the willingness of the IABs to cooperate. Some IABs did not have an interest in cooperation or the IABs did not have time to cooperate. This can also be seen in table 1 at the next page.

---

<sup>1</sup> By visiting the following websites: [almanak.zboregister.overheid.nl](http://almanak.zboregister.overheid.nl) and the different websites of the IABs.

**Table 1: Case selection beforehand**

Parent ministry	IAB	Size IAB <sup>2</sup>	Expected EU involvement	Cooperation with this research
Ministry of Finance	The Dutch Central Bank (DNB)	Large	High	No, not interested.
Ministry of Finance	The Netherlands Authority for the Financial Markets (AFM)	Large	High	Yes
Ministry of Economic Affairs	The Netherlands Authority for the Consumer and the Market (ACM)	Large	High	No, no response.
Ministry of Economic Affairs	National Forest Service (SBB)	Medium	Low	Yes
Ministry of Economic Affairs	Quality Control Bureau (KCB)	Small	Low	Yes
Ministry of Economic Affairs	Chamber of Commerce (KvK)	Medium	High	Yes
Ministry of Economic Affairs	Statistics Netherlands (CBS)	Medium	Medium	Yes
Ministry of Security and Justice	Nidos	Medium	High	No, no response.
Ministry of Security and Justice	The Police Academy	Large	Low	No, not interested.
Ministry of Safety and Justice	The Games of Chance Authority (Ksa)	Small	Low	Yes
Ministry of Safety and Justice	The Central Agency for the Reception of Asylum Seekers (COA)	Large	High	Yes
Ministry of Infrastructure and the Environment	The Dutch Emissions Authority (NEa)	Small	Low	Yes
Ministry of Infrastructure and the Environment	Kadaster	Large	High	Yes

<sup>2</sup> A small IAB has between the 60 and 300 employees, a medium-sized IAB has between the 300 and 1500 employees and a large IAB has between the 1500 and 20.000 employees.

Ministry of Infrastructure and the Environment	RDW	Medium	High	Yes
Ministry of Social Affairs and Employment	Employee Insurance Agency (UWV)	Large	Medium	No, did not have time.

This table has been constructed before the interviews were conducted at the different IABs. This means that these are not fixed results; this oversight is based on the expectations of the researcher.

### 5.2.1 Selection of respondents

The respondents that have cooperated in this research have been selected through purposive sampling: respondents have deliberately been selected on the basis of their expertise on the topic (van Thiel, 2010: 55). The researcher was interested in respondents with expertise on EU involvement, knowledge on the autonomy of the IAB they were working for and knowledge on the relation between the ministry and the IAB. Through this knowledge the respondents were better able to provide the researcher with answers to the interview questions. These respondents have been found by contacting the IABs by phone and by mail in which an explanation of the research was given. Besides that a snowball sample has been used, in which a respondent could provide contacts for other respondents, the researcher has tried to interview more respondents who could also tell more about EU involvement of the IAB they are working for (van Thiel, 2010: 55). The respondents that have cooperated in this research can be found in appendix 3.

### 5.2.2 Data collection

Data for case studies comes from six important sources: documentation, archival records, interviews, direct observation, participant-observation and physical artifacts (Yin, 2003: 83). In this research documentation, archival records and interviews have been used. The use of several methods will contribute to a qualitative stronger case study. Using several methods is called ‘triangulation’; it guarantees the internal validity. Therefore the collected information of this research can be assessed for its reliability and its validity (van Thiel, 2010: 61). These methods will be discussed in the next paragraph.

The main data source for this research is interviews. Semi-structured interviews form the basis for this research; this has given the researcher as well as the respondent the opportunity for their own input (Horton, Macve & Struyven, 2004). Moreover, other topics, if they were related to the research question, were discussed during the semi-structured interviews. In appendix 1 and 2 the interview questions can be found.

Documentation and archival records have also been used during this research as guidance for the interviews and to use this information during the establishment of certain indicators. The strength of documentation and archival records is that they are stable, they are exact and they cover a long time span and events. In this research annual reports of several IABs and the websites of the IABs have been used to establish the organisation objectives and task and the degree of policy complexity. However, the limitation of this documentation was that the researcher adds a certain interpretation to it and they could have been incomplete (Yin, 2003: 86-89). This limitation also applies to interviews and therefore this forms a limitation of this research. However, by using these different methods, the so-called triangulation, the researcher has tried to decrease this limitation: the documentation could be used to check the information that was given in the interviews.



## **6. CONTEXT**

Before the findings of this research will be presented in the next chapters, this chapter will give the context on the Dutch political system: in which environments are Dutch IABs active and what is the legal basis for the IABs.

### **6.1 The Dutch political system**

The IABs in this research are part of the Dutch political landscape, the Dutch political system is a parliamentary democracy: it has consistently produced multiparty governments that were founded upon rather stable, often oversized, parliamentary majority coalitions. In the Dutch parliamentary system, the executive is fully responsible and dependent upon the legislature through a vote of confidence. Therefore the minister becomes an agent of the parliament but at the same time a principal for the bureaucracy that is assigned to his portfolio. Bureaucratic agencies are dependent on the formal powers of the minister (Yesilkagit & Thiel, 2008: 140). The IABs all fall under the ministerial responsibility of 'their' ministry, which means that they cannot operate completely independent.

#### **6.1.1 Legal basis IABs**

For the performance of the IABs, a legal framework has been established. In 2006 the 'Kaderwet ZBO' (framework IAB) came into force that formed a compromise between two different views: uniformity and diversity (Thiel, 2001). The uniform view underlines that all IABs have to fulfil the same legal requirements. The pluralist view explains that there exists much diversity in size, task and history between the many IABs and therefore they cannot fall under the same legal framework: exceptions need to be made. In the end, the framework had to exclude many IABs from this legal framework precisely because it needed to form a compromise between these different views (Thiel, 2001).

The legal framework does have four important items that an IAB should meet: arrangements for financial control should be harmonized, the staff has to fall under one arrangement, the ministers receive a (minimal) set of accountability instruments and a register for IABs has been created (Thiel, 2001: 192). Still these arrangements only apply to a quarter of all the IABs in the Netherlands and they can still diverge from these requirements by abiding to the establishment act ('Instellingswet'). The legal framework has been a 'stripped compromise' between both views (Thiel, 2001: 192). Besides this legal framework, there exists a different directive ('Aanwijzingen 1996') for how an IAB can be established. Less discussion has taken place about this directive and most IABs seem to comply with this directive instead of the legal framework. Nonetheless, the debate about the establishment reasons of IABs is still ongoing. For several IABs it has not been clear why they have been guaranteed the

IAB status, uniformity is still not present across the IABs. In this research IABs have been included that are subordinate to the Kaderwet or to the directive (Aanwijzingen 1996).

## **7. FINDINGS: MINISTRY OF FINANCE**

The next chapters will discuss the findings of the conducted interviews and the findings from the documents of the several IABs. In this chapter the perspective of the ministry of Finance and the Netherlands Authority for the Financial Markets (AFM) will be discussed. These perspectives will be presented by discussing the different variables in the following order: involvement through the EC, involvement through the Council, policy complexity and the autonomy of the IAB. After that, a table will be presented that gives an overview of how the IAB is involved at the EU level and how complex the policy task of the IAB is.

### **7.1 Ministry of Finance**

According to a respondent of the Ministry of Finance (2) IABs have the possibility to become involved during policymaking. Nevertheless, the degree in which they are involved can differ per IAB (respondent 2). Besides that, IABs are involved during so-called ‘implementation tests’ (‘uitvoeringstoetsen’). The IAB can then indicate if the legislation can be implemented, therefore they need to have contact with the departments of the ministry (respondent 2).

However, both respondents (2 & 3) indicate that the autonomy of IABs is controversial. The question is whether all IABs still need to have the status of an IAB or that they need to be put closer to the parent ministry. Currently, the minister stays accountable for the decisions that IABs make and therefore it is important that the IAB performs its tasks well (respondent 3). EU regulation can also lead to more independence of an IAB since ‘independence’ forms a condition for the implementation of EU legislation, as the following quote<sup>3</sup> demonstrates:

*‘What I just indicated for a certain, in my opinion, for two IABs a discussion took place about if they needed to become an IAB because in that case well, certain EU regulation should be implemented independently, but what is independence?’ – Respondent 2*

It has also been indicated that the argument that independence is needed to implement EU regulation, could be misleading since the different types of agencies across EU member states can be difficult to compare (respondent 2). Therefore independence of an agency, in for example Germany, is different compared to the independence of Dutch IABs. The other respondent (3) indicated that it is not necessary to have an IAB status to be active at the EU level. An organisation with the status of an agency, instead of IAB, can also be active at the EU level (respondent 3).

---

<sup>3</sup> The quotes in the chapters 7, 8, 9, 10 and 11 have been freely translated, from Dutch to English, by the researcher.

## 7.2 Netherlands Authority for the Financial Markets

The Netherlands Authority for the Financial Markets (AFM) is trying to promote fair and transparent financial markets. They are the independent supervisory authority for the markets of savings, loans, investments and insurances. Their main task is to guarantee fair financial services for consumers, private investors and (semi-) professional parties (annual report AFM, 2013).

### 7.2.1 Involvement through the European Commission

The AFM is highly involved within the EU through the EC and its networks. The EC can consult the AFM for its expertise and the EC also makes use of this option. However, it is necessary to have a certain ‘buy-in’: the EC takes certain countries and its expertise more seriously than other countries (respondent 1). The EC especially consults the European financial regulators to gain information for drafting new legislation; therefore the EC also attends meetings of ESMA (European Securities and Markets Authority). The EC does not only attend the meetings, they participate in them as well: they are vocally present (respondent 1). The ESMA network is seen as the most important network for AFM: they fulfil a board position and spend much time on the meetings of this network (respondent 1). Other important networks are EIOPA (European Insurance and Occupational Pensions Authority) and EBA (European Banking Authority). However, the Nederlandsche Bank (Dutch Central Bank, DNB) fulfils the board position within these latter networks, making it less important for AFM (respondent 1).

According to the respondent (1), the AFM regularly consults colleagues in other member states. This contact is frequent and takes place at all levels. The respondent sees having contact with countries as France, Germany, the UK and Belgium as most important. Within those meetings different important topics and strategies for the following year are being discussed (respondent 1). Moreover, the respondent indicated that his colleagues and himself frequently have contact with employees of other regulating authorities in the member states and with the employees of the ESMA (respondent 1).

The ESMA network is partially financed by the EC, which causes some tensions. Within ESMA technical binding standards are developed but the EC has to ratify these standards; therefore it could affect the independence of ESMA (respondent 1). These technical binding standards are important for the AFM according to the respondent:

*‘And we definitely try to move beyond monitoring on subjects we find important. (..) Yes, who writes, who stays, I mean if you help to draft on rapport subjects, technical bindings standards, then you are in.’ – Respondent 1*

It is important to guarantee the position of a country and its financial regulator within the ESMA network. The position of AFM within this network is established by writing on topics that the AFM finds important or if the AFM has important interests at stake (respondent 1). The technical binding standards are mostly developed within committees and in several committees the AFM tries to obtain a leading position.

It can be stated that the AFM seems to participate very actively through the EC by attending meetings, by actively participating in the ESMA network and by consulting colleagues of EU member states frequently. This could also be explained by the task of AFM: it seems to be an important topic for the EC and harmonization in this area seems to have a high priority (respondent 1).

### 7.2.2 Involvement through the Council

The AFM seems to be less involved at the EU level through the route of the Council. First of all, they do not seem to have contact with civil servants who are active in council or comitology committees (respondent 1). During the preparation of a Dutch position for EU negotiations the AFM does not seem to be involved. The AFM advises the ministry of Finance but they do not participate in council meetings (respondent 1). According to the respondent (1) the distinction between the tasks of the ministry of Finance and the tasks of AFM seems to be very rigid in the Netherlands; this is different in other countries. In some cases, the respondent (1) indicated, that it is useful to cooperate with the DNB and the Ministry of Finance to develop a ‘Dutch point of view’. According to the respondent (1) the ministry of Finance needs the expertise of the AFM to retrieve the dynamics of the board meetings of the ESMA network. The following quote indicates how important it can be to have one Dutch point of view instead of several. This can increase the credibility of the Dutch position.

*‘So yes, national interests are important but you cannot become blinded by them, for certain topics is it, indeed, not helpful to just say, here are six different statements from the Netherlands. Because then Brussels will think, they don’t want anything.’ – Respondent 1*

### 7.2.3 Policy complexity

The AFM is established to promote fair and transparent markets and it has strong regulatory markets because they supervise the financial markets in the Netherlands (annual report AFM, 2013). According to the respondent (1), the employees have the ‘right expertise’: such as economists, lawyers and policy advisors. However, a specific education background is not necessary: these backgrounds can vary. The respondent itself is responsible for Public International Affairs and his employees are working fulltime on international affairs: such as the development of technical binding standards,

preparing the meetings of ESMA and having contact with colleagues of other member states (respondent 1).

#### 7.2.4 Autonomy AFM

The AFM does seem to be able to develop proposals for policy development within its area of responsibility. The enforceability of rules is very important and therefore the ministry of Finance involves the AFM during the formulation of policies because of its expertise (respondent 1). However, some experts and stakeholders indicate that they do not want the AFM to be involved in giving guidance during policymaking: the stakeholders see AFM as an executive agency but the respondent indicated that it is sometimes necessary for AFM to be involved. The European activities of AFM are aimed at developing technical binding standards and the influence of AFM is necessary to adjust these standards to national preferences (respondent 1).

This tension, between the AFM as an executive organisation and the AFM as a potential legislator, is also present in the relation between the ministry of Finance and the AFM. Through an assessment of the AFM by the IMF, it appeared that the AFM has very limited competences concerning the drafting of rules (respondent 1). However, as has been mentioned already, the ministry of Finance and certain branch organisations do not agree on the expansion of tasks of the AFM. And this could implicate that the AFM only has limited possibilities of developing proposals for policy development within its area of responsibility.

*‘So we have said to the ministry of Finance, that is an important subject, we would like to have more regulatory competences, but that is a very sensitive subject in the Netherlands. In the Netherlands, if you start to talk about regulatory competences of an IAB, most lawyers will panic and I always find that fascinating because I am not familiar with that abroad.’ – Respondent 1*

The expertise of AFM is being used by the ministry of Finance but mostly during technical EU issues (respondent 1). This is because the ministry of Finance does not possess the expertise on very technical issues concerning the regulation and supervision of financial markets. However, the ministry of Finance stays in the lead, but, according to the respondent (1), the ministry will not develop policies that are not feasible for AFM. Moreover, the AFM has an advisory panel that consists of their stakeholders. This contact takes place on a frequent basis and it is focused on the agenda and the budget of the AFM. Besides that, this advisory panel discusses the functioning of the organisations of the stakeholders and how the AFM should cope with these organisations (respondent 1).

The ministry of Finance seems to accept the position of AFM. Moreover, the respondent (1) indicated that it is important to emphasize these roles during disagreements. However, as has been mentioned earlier, the AFM has limited competences in certain areas and the ministry does not see the

necessity to expand the tasks of the AFM. The acceptance of roles and the relation between the ministry and the AFM is also being demonstrated with the following quote:

*‘Very good and that is also because we have invested in it. Because what I think is important, is that we know within our trajectories whether it is about directives or the interpretation of policies, that you are aware of each other’s roles and that you respect those roles from each other.’ – Respondent 1*

### 7.2.5 EU involvement – autonomy

The respondent of AFM (1) sees participation at the EU level as an important part of the work of AFM:

*‘Well yes, I think that, for example, if we would not be active at the European level, then you are insufficiently connected to the developments, to what is happening and then you will have little or no influence on, for example, technical binding standards, which also has a direct impact on the operations in the Netherlands. So then you have actually put yourself offside.’ – Respondent 1*

The importance of being connected to the European level seems to be present within the AFM. The respondent (1) indicated that many colleagues of different IABs are not aware of this importance. They see it as ‘nice to have it’ which is not consistent with the opinion of the respondent (1). This quote also indicates that EU policies have a large influence on national policies, therefore it is important to be involved at the EU level because it can affect the Dutch operations. However, this does not imply a relation between EU involvement and the autonomy of AFM. The respondent (1) even indicated that there does not exist a relation between EU involvement and the autonomy of an IAB: an IAB is only stronger connected to national policy discussions if it is active at the EU level. These findings imply that EU involvement of AFM has an influence on their activities during the national policymaking process. It does not seem to have an effect on the autonomy of AFM. Moreover, the expertise of the AFM seems to be of importance for the ministry of Finance, but the ministry is biding in giving AFM more tasks and therefore more independence.

**IAB 1: Netherlands Authority for the Financial Markets (540 employees) – Parent ministry: Finance. Table completed on the basis of an interview with the manager team Public International Affairs.**

<i>Indicators EU involvement: sectoral logic</i>	<i>In practice</i>
Participation in meetings organised by the EC	Yes, but not very frequently.

(e.g. expert committees and formal agency networks)	
Consultation with colleagues in EU member states	Yes, frequently.
Participation in formal agency networks	Yes, very frequently within ESMA, EIOPA and EBA.
Participation in networks of sister agencies	No

<i>Indicators EU involvement: intergovernmental logic</i>	<i>In practice</i>
Contact with civil servants who are active in council committees or comitology committee	No
Preparation of the Dutch position for EU negotiations	Yes, but not very frequently giving advice.
Assisting the minister during EU negotiations	No

<i>Indicators policy complexity</i>	<i>In practice</i>
Reason establishment IAB	Supervision of financial markets
Task IAB	Regulating authority
Policy specific qualifications employees	Medium.

<i>Indicators autonomy</i>	<i>In practice</i>
The agency has tasks within the area of policy development	No
The agency can develop proposals for policy development within its area of responsibility	Yes
The expertise of the agency is used by the ministry concerning the development of a national positions towards the EU position	Medium
The agency can independently negotiate with external actors (e.g. interest groups, stakeholders)	Yes
The agency has succeeded in getting its positions and requests accepted by the parent ministry concerning a national position on EU topics	Medium



## **8. FINDINGS: MINISTRY OF ECONOMIC AFFAIRS**

This chapter will discuss the findings of the ministry of Economic Affairs and the IABs that fall under the responsibility of this ministry: the National Forest Service, the Quality Control Bureau, the Chamber of Commerce and Statistics Netherlands. The same order for the presentation of the data will be maintained as in the previous chapter: first the findings of the ministry will be discussed, after that the EU involvement, policy complexity and autonomy will be discussed per IAB.

### **8.1 Ministry of Economic Affairs**

The respondent of the ministry of Economic Affairs (8) could specifically answer questions about the KCB and other IABs that are responsible for agriculture. The respondent (8) indicated that these IABs assist the ministry during meetings organised by the EC. Only in exceptional cases the IABs assist the ministry during council meetings (respondent 8). Besides that, IABs keep the ministry updated about their activities at the EU level and they keep the ministry updated about the point of view they represent on behalf of the Netherlands at the EU level (respondent 8). This indicates that IABs have the possibility to prepare the Dutch position for EU negotiations but that they have to keep the ministry updated about their involvement.

During the development of national policies, the IABs are involved at a technical level (respondent 8). Concerning agriculture policies, IABs are also involved by the ministry of Economic Affairs at the EU level since this is an influential topic (respondent 8). The expertise of the IABs is important for the ministry and they frequently make use of it. Besides that, the IABs can independently negotiate with external actors. However, the ministry wants to be informed about these contacts, especially if this contact has a political nature (respondent 8).

However, the respondent (8) is not convinced of the relation between EU involvement and the autonomy of IABs: this relation is not present. Nevertheless, the IABs do have a certain amount of autonomy, even though this is not caused by EU involvement:

<i>'The I of IAB stands for a reason for Independence.'</i> – Respondent 8
--

This indicates that the respondent (8) is aware of the status of IABs and that the IABs are independent.

### **8.2 National Forest Service**

The first IAB of this chapter that will be discussed is the National Forest Service (SBB). The main task of this IAB is to maintain the Dutch landscapes and ecosystems. In 1998 the IAB has become more autonomous and it received the possibility to acquire more own income (Staatsbosbeheer, n.d.).

Nowadays, as a consequence of declining government spending, the SBB also needs to generate more of its own income. The privatization law National Forest Service has offered the opportunity for the SBB to exploit commercial activities within the framework of the competition law (Annual report Staatsbosbeheer, 2013).

### **8.2.1 Involvement through the European Commission**

The SBB does not frequently seem to participate at the EU through the EC. They are accountable for maintaining the nature reserves and therefore the EC needs an annual rapport of their progress. The SBB has European diplomas for the management of these nature reserves and they maintain these diplomas by informing the EC about their activities (respondent 4). These rapports are requested by the EC so this could imply that the communication with the EC happens from the EC to the SBB and not vice versa. This accountability is especially important for the participation in projects like Natura 2000 and LIFE Nature<sup>4</sup>. Participation in formal agency networks does seem to be present, even though this participation does not seem to be intensive. They participate in the formal network called Europarc and they have ‘twinning like’ contacts with administrators abroad, sometimes the departments of the ministry play a role in these contacts as well (respondent 4).

The SBB participates within a coalition of green organisations such as Birdlife to advocate their interests. This could mean that the informal dimension of the sectoral logic, the participation in networks of sister agencies, does occur. But the SBB does not seem to be in the lead within this network, they only participate and deliver information according to the respondent (4). The respondent (4) sees the delivery of information within this network not as lobbying and therefore he does not think the participation is very active within this network of green organisations.

The respondent indicated that the SBB could take more initiative during the development of policies, a so-called ‘policy advocacy’ (respondent 4). The SBB seems to be hesitant in this role even though there seem to be possibilities to fulfil a more leading position within the development of policies. The respondent added a critical note to the participation at EU level: EU involvement is seen as something ‘extra’. Being active at this level becomes complicated even more because of the cutbacks SBB has to make:

---

<sup>4</sup> These projects are organised by the EC to create a network for the most valuable nature reserves in Europe. These nature reserves have become protected areas to prevent a further deterioration in the quality of the nature (Staatsbosbeheer, n.d.).

*'Our primary task is the things we have in the Netherlands, that we manage them well. That we organise this well for the society, that we help the ministries and that they help us to develop conditions so that we can perform our task. International is still one step further, it is a level that could be of importance, it could definitely be worthwhile, however, you do need to have employees to fulfil that task.'* – Respondent 4

The participation through the EC by the SBB seems to take place but not on a large scale. The communication seems to follow a top down route: from the European level to the SBB and not vice versa. The SBB provides information at the EU level within the coalition of green organisations but they do not lobby at this level, a crucial difference according to the respondent (4).

### **8.2.2 Involvement through the Council**

Contact with civil servants who are active in council or comitology committees does not seem to occur (respondent 4). The SBB does have contact with the ministry in the preparation of the Dutch position for EU negotiations but similar to the sectoral logic, the respondent (4) thinks this contact could be more intensified. The ministry does not think directly of the SBB while developing policies on European topics, this contact could be arranged more effectively and productive because IABs like the SBB are 'the connecting link to the society' according to the respondent (4).

### **8.2.3 Policy complexity**

The reason why the SBB has been established is because a government organisation needed to maintain the nature reserves in the Netherlands (respondent 4). The main task of the IAB is to maintain these areas but also to develop possibilities to exploit nature areas for tourism purposes (respondent 4). Within their staff there exists a lot of expertise around the core tasks of the organisation (respondent 4). This is also seen as given by the respondent: an organisation needs expertise to have a strong position (respondent 4). The SBB has employees with an ecological education background, employees with a background in natural heritage, employees with a background in recreation and the SBB has a staff that has a background in management and policy advice. This could indicate that the SBB is responsible for a complex policy task.

### **8.2.4 Autonomy SBB**

The expertise of the SBB is being used by the ministry of Economic Affairs, especially in areas such as participation in the nature by the public where the knowledge of the SBB is high (respondent 4). The next quote clearly illustrates this relation between the ministry and the SBB concerning the usage of the expertise of the SBB. It could indicate that the SBB can help to develop proposals for policy development within its area of responsibility and that the expertise of the SBB is being used by the ministry:

*‘ (...) so from the gained expertise and knowledge we have from those projects, we can help the ministry to make policies. And the ministry can ask us: if we make policies, how should we develop this the best?’ – Respondent 4*

Concerning the ability to independently negotiate with external actors, the SBB cooperates particularly with other ‘green organisations’ (for example Birdlife and Natuurmonumenten) and with departments of other ministries. Besides that, SBB represent its interests in areas of the CAP (for example during the developments of outer areas), this can also be explained by the fact that the SBB together with other ‘green organisations’ sometimes clashes with the interests of agriculture organisations (respondent 4). Interest representation in such policies therefore becomes more important. According to the respondent (4) the ministry has to steer in the middle between these two conflicting interests. Moreover, the respondent (4) emphasized that it is very important to handle the relation with the ministry integer: they need to keep the ministry informed about the contacts SBB has outside of the ministry. It seems that trust between these two actors forms the basis for autonomy.

### **8.2.5 EU involvement – autonomy SBB**

Is the autonomy of the SBB a result of their EU involvement? The respondent (4) does not believe in a relation between EU involvement and an increase in the autonomy of SBB in the development of policies. Instead, the (good) relation between the ministry and SBB is decisive for the increase in autonomy:

*‘ (...) the legal frameworks decide the space we have. And we try to make use of that as well as possible and the space that is awarded, that is more dependent on what I said before, investing in each other and gain trust because of that, so the legal space that one has, is decided by the law and the practical space exists because of investing in each other and then you will receive that space and I am not worried about that’ – Respondent 4*

This quote can also be interpreted differently: the SBB does not participate very actively at EU level and therefore a relation between EU involvement and autonomy is not present. Furthermore, the SBB has a very explicit task: maintaining Dutch landscapes and ecosystems. This task is not highly political sensitive but knowledge is necessary to perform the task. The SBB seems to have a medium to high degree of autonomy but this does not seem to be caused by EU involvement.

### **IAB 2: National Forest Service (1000 employees) – Parent ministry: Economic Affairs.**

**Table completed on the basis of an interview with an employee of Public Affairs.**

<i>Indicators EU involvement: sectoral logic</i>	<i>In practice</i>
Participation in meetings organised by the EC (e.g. expert committees and formal agency networks)	EC monitors the performance of SBB.
Consultation with colleagues in EU member states	/
Participation in formal agency networks	Yes, Europarc: membership is not very active.
Participation in networks of sister agencies	Yes, cooperation with other 'green organisations' (e.g. Birdlife).
<i>Indicators EU involvement: intergovernmental logic</i>	<i>In practice</i>
Contact with civil servants who are active in council committees or comitology committee	/
Preparation of the Dutch position for EU negotiations	Does not occur very often.
Assisting the minister during EU negotiations	Does not occur very often.
<i>Indicators policy complexity</i>	<i>In practice</i>
Reason establishment IAB	They have to maintain the nature areas in the Netherlands. Moreover, they have social and recreation tasks.
Task IAB	Service delivery
Policy specific qualifications employees	High, the largest part of the staff is experts such as ecologists.
<i>Indicators autonomy</i>	<i>In practice</i>
The agency has tasks within the area of policy development	No
The agency can develop proposals for policy development within its area of responsibility	Yes
The expertise of the agency is used by the ministry concerning the development of a national positions towards the EU position	Yes
The agency can independently negotiate with	Yes

external actors (e.g. interest groups, stakeholders)	
The agency has succeeded in getting its positions and requests accepted by the parent ministry concerning a national position on EU topics	/

### 8.3 Quality Control Bureau

The next IAB that will be discussed is the Quality Control Bureau (KCB). The main task of the KCB is to conduct import and export inspections of fresh fruit and vegetables, cut flowers and potted plants/ornamentals. It also monitors the quality of fresh fruit and vegetables that are traded in the Netherlands. The board of the foundation KCB consists of members appointed by organisations in the fruit and vegetable sector, the floriculture industry and the Central Bureau for Food and Trade (CBL) (KCB, 2013).

#### 8.3.1 Involvement through the European Commission

EU involvement by the KCB through the route of the meetings of the EC is very limited. The respondent (5) indicated that they would like to be more involved during meetings of the EC where topics within their area of expertise are discussed. The main reason for this is the concern to receive second-hand information of the representative of the ministry, which could be incorrect because of the technicalities in this policy area (respondent 5). However, they currently do not necessarily have the desire to become more involved at this level (respondent 5). Consultation of colleagues in EU member states, on the other hand, does occur. The purpose of this contact is mainly focused on the harmonization of practical methods between different countries. A side note needs to be placed: decisions are not taken within these consultations; the contact between different quality control bureaus is informative. The respondent clearly indicated that the ministry takes decisions, not the KCB (respondent 5). This could also be explained by the fact that the EC does not want to create many regulations in this topic (respondent 5).

#### 8.3.2 Involvement through the Council

Involvement through council committees or involvement by preparing the Dutch position is very limited. It became very clear that the respondent (5) sees the KCB as an executive organisation and the ministry as the legislator. The KCB is not directly involved at the EU level; they deliver input for eventual decisions (respondent 5).

#### 8.3.3 Policy complexity

The KCB fulfils a very specific task: the inspection of fruit and vegetables according to the EU regulations that exist in that area (respondent 5). Furthermore, the expertise of the employees is high.

The employees already have a specific background in agriculture; in addition they receive a training to perform inspections. This could indicate a high level of policy complexity within the KCB because the task cannot be performed without an internal training and without a certain educational background:

*‘We train the examiners to perform that task. You don’t have a school to fulfil that task, it is an internal training, and in general all of the employees have an agricultural background, horticulture background. But the specific knowledge, they learn that through internal trainings where we take care of.’ – Respondent 5*

#### **8.3.4 Autonomy KCB**

The KCB does not have a high degree of autonomy. First of all, it does not have tasks within the area of policy development in general and within its own area of expertise. This can be underlined through the following quote, it demonstrates that the respondent (5) does not want to be involved during the formulation of policies because it would make the relation between the ministry and the KCB unclear and it would complicate the performance of the task of the KCB:

*‘We are committed to the separation of powers, like I said before. We are not a legislator, we do not make policies, we only execute. And that makes working in practice much easier because if you make policies and you get involved in regulations, you will be mostly seen as having an interest in the increase in regulation.’ – Respondent 5*

Besides that, they are not necessarily dependent upon the policies. They gain income through their inspections; they do not receive government funding (respondent 5). This could also implicate that the KCB does not need to be involved in policymaking because they gain own income instead of government funding. Furthermore, the expertise of the KCB is being used by the ministry but not on a large scale: the final decision is still being made at the ministry and the KCB can only deliver input (respondent 5). The respondent (5) also indicated that the relation with the branch organisations is very important for the KCB; they need to have a ‘feeling’ with the sector. These findings show that the KCB does not have a high degree of autonomy, however the respondent believes that the KCB does have a certain degree of autonomy but only concerning their main tasks:

*‘(..) the work that we execute, we are designated in the law to execute that task so in that regard, it is clear what we need to do, that contributes to operating quite independently in respect to the task of performing inspections on vegetables and fruit.’ – Respondent 5*

### 8.3.5 EU involvement – autonomy

As the previous explanations illustrate, EU involvement of the KCB is not present at a large scale. The respondent (5) does indicate that they operate quite autonomous because the EC does not want to have strict regulations within this area, which gives KCB space for their own interpretation. Because they are not regularly ‘checked upon’ by the EC, it becomes easier to operate more autonomous (respondent 5). In the case of the KCB it is difficult to prove the relation between EU involvement and an increase in the autonomy because they do not operate at this level. Nevertheless, the KCB does seem to have autonomy within the performance of their task. This can be explained by their narrowly defined tasks: it is a specific subject that requires a certain expertise which the ministry does not have.

#### **IAB 3: Quality Control Bureau (152 employees) – Parent ministry: Economic Affairs.**

**Table completed on the basis of an interview with the Technical Director.**

<i>Indicators EU involvement: sectoral logic</i>	<i>In practice</i>
Participation in meetings organised by the EC (e.g. expert committees and formal agency networks)	No. Would like to be more involved.
Consultation with colleagues in EU member states	Yes, to harmonize practical methods.
Participation in formal agency networks	No
Participation in networks of sister agencies	No
<hr/>	
<i>Indicators EU involvement: intergovernmental logic</i>	<i>In practice</i>
Contact with civil servants who are active in council committees or comitology committee	No
Preparation of the Dutch position for EU negotiations	Very limited, deliver technical input for decisions.
Assisting the minister during EU negotiations	No
<hr/>	
<i>Indicators policy complexity</i>	<i>In practice</i>
Reason establishment IAB	To conduct inspections on vegetables and fruit.
Task IAB	Service delivery
Policy specific qualifications employees	High, employees finish a training to be able to conduct inspections.
<hr/>	
<i>Indicators autonomy</i>	<i>In practice</i>



The agency has tasks within the area of policy development	No
The agency can develop proposals for policy development within its area of responsibility	No
The expertise of the agency is used by the ministry concerning the development of a national positions towards the EU position	No
The agency can independently negotiate with external actors (e.g. interest groups, stakeholders)	Yes
The agency has succeeded in getting its positions and requests accepted by the parent ministry concerning a national position on EU topics	/

#### 8.4 Chamber of Commerce

The Chamber of Commerce (KvK) is an actor between the government and entrepreneurs in the Netherlands. This IAB is responsible for the basic registration for companies and legal persons: data that is recorded in the trade register ('Handelsregister'). Moreover, the KvK is a service provider that delivers information for companies, entrepreneurs and consumers (Kamer van Koophandel, n.d.).

##### 8.4.1 Involvement through the European Commission

The respondent of the KvK (6) sees the EC as an important actor to influence and as an easy lobby route. The KvK is especially known within the EU for its expertise on the trade register: the basic registration for companies and legal persons. This expertise is used to make the KvK known at the EC and to make the EU legislation on registration easier for companies. The interest representation of KvK is therefore mainly focused on the registration of and information for companies (respondent 6). The KvK does not represent the companies itself, the IAB did this in the past but other organisations have taken over this task (respondent 6). For the respondent (6) it is important to recognise the 'pivotal civil servant' within the EC during the creation of new legislation so the KvK can influence that person. The most important aspect is to identify the most effective route which to lobby. Besides that, the KvK is known within the EC according to the respondent (6), these reasons could be an explanation for the effectiveness of the KvK in lobbying their interests within the EC. Consultation of colleagues in member states is especially important to form a coalition, which is more effective for interest representation (respondent 6).

Moreover, many different Dutch organisations have an office in Brussels and the respondent (6) is committed to regularly keep in touch with these organisations for possible interest representation. Eurochambres is an important network that consists of many Chambers of Commerce in the EU, 45 in total (respondent 6). Again, this network is also important to represent more interests

at the same level: different countries that share the same point of view have more weight within EU institutions (respondent 6).

#### **8.4.2 Involvement through the Council**

KvK is also very active at this level of EU involvement (respondent (6)). If a certain topic is important for the KvK and this will be dealt with during council committees, the KvK sends their input to the Permanent Representation of the Netherlands (respondent 6). The council committees also form an important lobby route according to the respondent (6): the right ministry needs to be chosen to influence but this can easily be recognised through the subject of the case. Assisting the minister during EU negotiations does not happen unless it is an exceptional case and if the KvK can deliver exceptional expertise on a certain subject (respondent 6). Government representatives have a central role during EU negotiations, is the impression of the respondent (6).

#### **8.4.3 Policy complexity**

The KvK is responsible for the registration of companies and entrepreneurs but it is also a platform of information for these actors (KvK, n.d.). It is an IAB that delivers a service and, in some cases, provides policy advice. The KvK has employees with very diverse policy specific qualifications; a specific education background is not necessary. Therefore it is difficult to establish whether the employees of the KvK have high policy specific qualifications. The respondent (6) does value the expertise of the employees, especially the expertise of the employees of his team. The respondent (6) sees it as an important asset for an organisation in general:

*'The expertise is very important, that is one of your key aspects to influence properly and if a case relates to you then you will probably have expertise in it, because it affects you so it means that it has common ground within your organisation.'* – Respondent 6

The policy complexity of KvK can be seen as medium: it does have one specific task but the employees do not need to possess very specific qualifications.

#### **8.4.4 Autonomy KvK**

The KvK does not seem to be able to develop proposals for policy development in general and within its area of responsibility. Nevertheless, the KvK does deliver expertise and information concerning the development of a national position towards the EU position but they would like to see this involvement to become more intensified. The relation between the ministry and KvK during the usage

of the expertise and knowledge of the KvK is especially interesting for the IAB is the ministry contacts KvK:

*‘(..) a very practical example, a directive for single enterprises, has recently been released, proposal for it. And the ministry has sought contact with us, what do you think and do you have input for our point of view? Well, that is great. That is how you would like to see it.’ – Respondent 6*

Moreover, the respondent (6) is under the impression that it is a general desire of IABs in the Netherlands to be more involved during policymaking. KvK also has contacts with their stakeholders: the small- and medium-sized companies (MKB) and the Association for Confederation of Netherlands Industry and Employers (VNO-NCW). Furthermore, the respondent (6) emphasized that the ministry decides the point of view but if the KvK disagrees and it has good reasons to state the opposite, the KvK can explain this even though it needs to be cautious in communicating this different point of view through strong arguments and numbers. To conclude, the degree of autonomy of KvK can be seen as medium.

#### **8.4.5 EU involvement – autonomy**

The respondent of the KvK (6) finds it difficult to identify a possible relation between EU involvement and the autonomy of the IAB. The respondent (6) emphasized that the EU has an important influence and he indicated that it is difficult to understand why other IABs do not ‘make use’ of the EU level. The respondent (6) could imagine that EU involvement could cause a more autonomous performance of an organisation. The following quote underlines the importance of EU legislation:

*‘(..) we are an IAB and we are affected by Brussels’ legislation that can cost us millions or it can have a great impact on our systems, we have to do something with that as an IAB and that is what we do.’ – Respondent 6*

The KvK seems to have a certain amount of autonomy: they can independently negotiate with external actors and they regularly give advice and deliver expertise to the ministry, even though the respondent (6) treats this relation with care. The strong involvement of the Chamber of Commerce at the EU level could form a cause for their autonomy because they gain more expertise and they have several personal contacts at this level. However, this relation is not fully recognised by the respondent (6).

**IAB 4: Chamber of Commerce (2200 employees) – Parent ministry: Economic Affairs.**

**Table completed on the basis of an interview with a senior advisor EU Public Affairs.**

<i>Indicators EU involvement: sectoral logic</i>	<i>In practice</i>
Participation in meetings organised by the EC (e.g. expert committees and formal agency networks)	Yes, for lobby purposes.
Consultation with colleagues in EU member states	Yes, frequently.
Participation in formal agency networks	Yes, Eurochambres.
Participation in networks of sister agencies	Yes, Eurochambres.

<i>Indicators EU involvement: intergovernmental logic</i>	<i>In practice</i>
Contact with civil servants who are active in council committees or comitology committee	Yes, frequently.
Preparation of the Dutch position for EU negotiations	Yes, within their area of expertise.
Assisting the minister during EU negotiations	No, only during exceptional cases.

<i>Indicators policy complexity</i>	<i>In practice</i>
Reason establishment IAB	Registration of companies and entrepreneurs.
Task IAB	Service delivery / Policy advice
Policy specific qualifications employees	Medium

<i>Indicators autonomy</i>	<i>In practice</i>
The agency has tasks within the area of policy development	No
The agency can develop proposals for policy development within its area of responsibility	No
The expertise of the agency is used by the ministry concerning the development of a national positions towards the EU position	Yes
The agency can independently negotiate with external actors (e.g. interest groups, stakeholders)	Yes
The agency has succeeded in getting its positions and requests accepted by the parent ministry concerning a national position on EU topics	/

## **8.5 Statistics Netherlands**

Statistics Netherlands (CBS) consists of two parts: the Central EC for Statistics (CSS) and the regular organisation where the research is conducted. CBS publishes information on a variety of topics such as education, the economy, trade, nature, safety et cetera. CBS is supervised by the CSS, this EC consists of eleven members and they approve the long-term work program and the annual reports of CBS. Besides that they supervise CBS during the collection of information, during research for third parties and during the provision of data for researchers (CBS, n.d.). Within this research the main focus lies on CBS since CSS supervises and it is not responsible for the management of the organisation of CBS. CBS actually performs the task: conducting research.

### **8.5.1 Involvement through the European Commission**

CBS does not actively participate in meetings organised by the EC, this seems to have a subordinate role to other activities. Participation in networks with colleagues seems to be of more importance. Participation in partnership groups, the Europe Economic EC for Europe, Eurostat and the European Statistical System Committee are most important (respondent 7). In partnership groups CBS consults colleagues and they prepare the meetings for Eurostat. Eurostat is a formal agency network that is still part of the EC even though they have a certain 'independent status' (respondent 7). According to the respondent (7) it would be better if this organisation would not be part of the EC to guarantee the objectivity of the research that the several statistics bureaus conduct. The European Statistical System Committee consists of all the director generals of the statistics bureaus in the member states; meetings take place regularly (respondent 7). Besides being present at these meetings in different networks, CBS has three employees working at Eurostat who conduct research and perform preparatory work (respondent 7). Due to the task of CBS, performing research, it seems that their participation is more focused on sharing information at EU level. Attending meetings of the EC does not occur since CBS is not focused at preparing legislation.

### **8.5.2 Involvement through the Council**

Involvement via the Council does happen through several routes. An employee of CBS attends meetings of the council committees for statistics once a month (respondent 7). Harmonization of opinions between the Permanent Representation and CBS takes place before these meetings. Usually CBS provides the Permanent Representation with information on statistics. Occasionally CBS gives

advice to other groups such as the EcoFin (respondent 7). Preparation of the Dutch position for EU negotiations occurs by jointly drafting on BNC fiches<sup>5</sup>:

*'(..) the moment that a BNC fiche has to be made about a subject that covers statistics, we are always involved and that can be through EZ (Economic Affairs) but it can also be by a different department. That is coordinated by the ministry of Foreign Affairs or by a different department, if the subject is statistics it ends up here. And then we also write for those fiches.'* – Respondent 7

Moreover, CBS will take into consideration the consequences of the implementation of EU legislation. They have to analyse how much it will cost and what the consequences for the Netherlands are to implement certain legislation (respondent 7). The coordination between the parent ministry, Economic Affairs, and CBS seems to take place frequently. Nevertheless, assisting the minister during EU negotiations does not take place according to the respondent (7). These negotiations are a task of the minister and the Permanent Representation – which they do have contact with although not during EU negotiations.

### **8.5.3 Policy complexity**

CBS is responsible for conducting research on the major topics in the Netherlands and it is responsible for publishing this research for the public. The employees of CBS have several policy specific qualifications and they all work in different working groups to respond to practical problems (respondent 7). Moreover, it could be established that CBS has a complex policy task because of the amount of research they perform on multiple topics. Therefore CBS needs employees with several educational backgrounds such as economists, legal experts, physicists and all these type of researchers. This could indicate a high degree of policy complexity.

### **8.5.4 Autonomy CBS**

It can be stated that CBS is an organisation with a high degree of autonomy because they have the possibility to develop proposals for policy development within its area of responsibility and their expertise is frequently being used. The respondent sees the independence of CBS especially reflected in the fact that the organisation itself can decide about its program (respondent 7). In addition, the ministry cannot interfere with the methodology of 'how they do it' and CBS can decide itself when they publish their findings (respondent 7). The fact that CBS can decide on its own timing is a cause for tension between the several ministries and CBS (respondent 7). However, it is necessary for the objectivity of the statistics (respondent 7).

---

<sup>5</sup> In a BNC fiche the Dutch government (Second Chamber) gives its first judgement about a EC proposal. These fiches can be seen as the point of view of the Netherlands on this proposal (Europa-nu.nl, n.d.).

The expertise of CBS is very important, especially for the ministry of Economic Affairs. This importance has been underlined during the economic crisis, CBS could indicate which measurements would be effective or not (respondent 7). Besides that, the tension between CBS and the ministry of Economic Affairs is exacerbated because the ministry has a double role towards CBS: a role as supervisor and a role as user. While CBS should be dependent on the ministry of Economic Affairs, the ministry is also dependent upon CBS for its statistics and research. This could create problems in the relation between both actors:

*‘So they (ministry of Economic Affairs) have for that matter a double role because they supervise us and they are our financiers so they really are our parent ministry and at the same time they are a user so that makes it sometimes quite complicated.’ – Respondent 7*

The respondent (7) did emphasize that they do not make policies; this is the responsibility of the ministry. However, they do sometimes get involved in subjects that also lie in their area of expertise (respondent 7). This contributes to its autonomy: no one else can perform the task that CBS performs (respondent 7).

#### **8.5.5 EU involvement – autonomy**

CBS and statistic bureaus of all the member states have contributed to a strong establishment of the statistical system in the EU (respondent 7). Besides that, the autonomy of CBS has already been established for many years (respondent 7). The respondent sees CBS as an organisation with a considerable autonomy, even if the organisation was not an IAB:

*‘(..) maybe you have to summarize it like this, our autonomy is already more than hundred years guaranteed but also conserved in all those years and this has never been a discussion. Sounds a bit arrogant, what I say now, but I think it is grown this way because it has never been under pressure.’ – Respondent 7*

CBS has a strong degree of autonomy as has been underlined in the previous paragraphs but this does not seem to be the result of EU involvement. It seems to be stronger dependent on the topic CBS is responsible for. Moreover, EU involvement does seem to strengthen the autonomy of CBS even more but this organisation already has a degree of autonomy because of the topics and their independent status. This independent status is necessary to guarantee objectivity during the publication of their research.

**IAB 5: Statistics Netherlands (2000 employees) – Parent ministry: Economic Affairs.**
**Table completed on the basis of an interview with the head Central Policy Staff.**

<i>Indicators EU involvement: sectoral logic</i>	<i>In practice</i>
Participation in meetings organised by the EC (e.g. expert committees and formal agency networks)	No
Consultation with colleagues in EU member states	Yes, very frequent.
Participation in formal agency networks	Yes, very frequent in Eurostat, European Statistical System Committee and the Europe Economic EC for Europe.
Participation in networks of sister agencies	Yes, in Eurostat.
<hr/>	
<i>Indicators EU involvement: intergovernmental logic</i>	<i>In practice</i>
Contact with civil servants who are active in council committees or comitology committee	Yes, frequently.
Preparation of the Dutch position for EU negotiations	Yes, writing on BNC fiches.
Assisting the minister during EU negotiations	No
<hr/>	
<i>Indicators policy complexity</i>	<i>In practice</i>
Reason establishment IAB	Conducting research and the publication of statistics.
Task IAB	Service delivery / Policy advice
Policy specific qualifications employees	Medium – High.
<hr/>	
<i>Indicators autonomy</i>	<i>In practice</i>
The agency has tasks within the area of policy development	No
The agency can develop proposals for policy development within its area of responsibility	Yes
The expertise of the agency is used by the ministry concerning the development of a national positions towards the EU position	Yes
The agency can independently negotiate with	Yes



external actors (e.g. interest groups, stakeholders)

The agency has succeeded in getting its positions and requests accepted by the parent ministry concerning a national position on EU topics

/

## **9. FINDINGS: MINISTRY OF SAFETY AND JUSTICE**

In this chapter an overview will be given of the IABs that fall under the responsibility of the Ministry of Justice: the Central Agency for the Reception of Asylum Seekers, the Dutch Institute for Physical Safety and the Game of Chance Authority. Following the same structure as previous chapters, the findings will be presented by first discussing the EU involvement of the IABs, secondly the policy complexity of the task of the IABs and finally the autonomy of the IABs and the possible relation with EU involvement.

### **9.1 Central Agency for the Reception of Asylum Seekers**

The Central Agency for the Reception of Asylum Seekers (COA) is responsible for the reception, supervision and departure of asylum seekers that come to the Netherlands. They have several locations in the Netherlands for the reception of asylum seekers and therefore it is a large IAB.

#### **9.1.1 Involvement through the European Commission**

COA operates very closely with the departments of the ministry that formally maintain the relations with the EC and the EP or, in case of the implementation tasks that fall under the responsibility of COA, they operate together on these topics (respondent 9). They want to fully inform the EC and the MEPs. The respondent (9) also sees the consultation of colleagues in other member states as a valuable addition to their expertise in the form of sharing best practices and monitoring trends. And they also participate in a formal agency network: ENARO. COA is a co-founder of this European network where agencies share their experiences and information (respondent 9). The most important aspect of the participation of COA through the EC is spreading their knowledge, expertise and information. During this participation, the informal circuits around Brussels seem to be more important than the formal contacts within Brussels. COA seems to strategically make use of involvement through the EC route.

#### **9.1.2 Involvement through the Council**

During matters of reception, COA always delivers input for the preparation of a Dutch point of view; COA is closely connected to the ministry (respondent 9). The respondent (9) acknowledges that the ministry is formally in the lead. Nevertheless, during issues that are the expertise of COA, COA will give advice: on paper, orally or they join the Dutch delegation if this is necessary for having a good

dialogue (respondent 9). Contact with civil servants of comitology and council committees has not been recognised by the respondent. The relation with the ministry and close cooperation between both actors was seen as most important.

### 9.1.3 Policy complexity

COA is responsible for the reception and supervision of asylum seekers and it is responsible for providing shelter for the asylum seekers. According to the respondent (9) COA has to deal with a political sensitive subject and this leads to close connections with the ministry without affecting their independence. The following quote explains the relation between political sensitivity and the independence of COA:

*'We are not civil servants. We are part of the CAO welfare and social services. That gives us space and we definitely need that during times of, well actually always but especially now, if we want to gain more capacity, that we have our own unit to do this and that it can switch quickly without having it to enter an official trajectory through the national government.'* – Respondent 9

The policy specific qualifications of the employees on the other hand, are less important for COA. They need to be aware of the regulations on this topic but they do not need a specific background or education (respondent 9). It is only important to be engaged with the field according to the respondent (9):

*'(..) we always need to prevent that people, to put it very simplified, only sit behind their desks and not perform practical work. Basically they do not know what happens in practice and that those people are in the lead during policy cycles.'* – Respondent 9

It seems that COA performs a medium complex policy task: the purpose of the IAB is clearly defined but the employees do not need a specific education background.

### 9.1.4 Autonomy COA

The following quote clearly demonstrates how COA has tasks within the area of policy development. The main motive for this involvement is to create regulations and policies that COA can easily implement.

*‘(..) what we have often seen in the past is a very large distance between the formal policymakers and the executors where the principle of tossing it over the fence could be applied, well now I see a very positive development of close cooperation to prevent the development of policies which the executor cannot cope with, that is indeed unwise.’ – Respondent 9*

Also within the development of proposals for policy development in its area of responsibility, COA has close contact with the ministry. COA can perform ex ante tests for policies to see if it can be implemented (respondent 9). Again, the respondent (9) emphasized the sensitivity of the task the organisation has to perform: they are an IAB but they work closely with the ministry to shape the challenges they encounter. This results in weekly meetings with policy advisors and the head of the official unit (respondent 9). The ministry, as has been illustrated previously, is using the expertise of COA. But the respondent (9) makes an important distinction in the usage of the expertise by the ministry and the autonomy COA has: the IAB delivers input but the ministry will put down the final stroke of the pen (respondent 9). Furthermore, according to the respondent (9), COA has many contacts with civil society such as VNG (Vereniging Nederlandse Gemeenten; Association of Dutch municipalities) and the Dutch Council for Refugees. However, COA seems to be aware of the ministerial accountability that exists: they need to handle their independence wisely to not harm this accountability relationship (respondent 9).

### **9.1.5 EU involvement – autonomy**

COA complies with many of the indicators of the concept autonomy; in particular they are able to contribute to the development of national policies. The respondent (9) emphasized how important their relation is with the ministry and how ‘good’ this relation is. However, according to the respondent (9) the autonomy of COA is a cause of the task it performs: it has to deal with a political sensitive task and therefore they have a certain degree of autonomy within the development of policies. EU involvement did not seem to have an effect on the autonomy of the organisation, even though COA is active at this level. This could also be explained by the fact that COA is active at the EU level in close collaboration with the ministry. The networks in which they participate are created to share expertise and knowledge amongst the member states, this is not to form a coalition for interest representation. This could explain the less significant relation between EU involvement and the autonomy of COA. The high degree of autonomy of COA could be a reason why this IAB is active at the EU level, this could implicate that the autonomy of the IAB has an effect on EU involvement instead of vice versa.

**IAB 6: Central Agency for the Reception of Asylum Seekers (between 14.000 and 19.000 employees) – Parent ministry: Security and Justice. Table completed on the basis of an interview with a strategic advisor.**

<i>Indicators EU involvement: sectoral logic</i>	<i>In practice</i>
Participation in meetings organised by the EC (e.g. expert committees and formal agency networks)	Yes, in cooperation with civil servants of the ministry.
Consultation with colleagues in EU member states	Yes, frequently.
Participation in formal agency networks	Yes, ENARO, EPRA and the European Silence Support
Participation in networks of sister agencies	Yes, also ENARO.
<hr/>	
<i>Indicators EU involvement: intergovernmental logic</i>	<i>In practice</i>
Contact with civil servants who are active in council committees or comitology committee	No
Preparation of the Dutch position for EU negotiations	Yes, concerning their areas of expertise.
Assisting the minister during EU negotiations	Yes, concerning their areas of expertise.
<hr/>	
<i>Indicators policy complexity</i>	<i>In practice</i>
Reason establishment IAB	The reception and supervision of asylum seekers.
Task IAB	Regulation
Policy specific qualifications employees	Medium
<hr/>	
<i>Indicators autonomy</i>	<i>In practice</i>
The agency has tasks within the area of policy development	Yes
The agency can develop proposals for policy development within its area of responsibility	Yes
The expertise of the agency is used by the ministry concerning the development of a national positions towards the EU position	Yes
The agency can independently negotiate with external actors (e.g. interest groups, stakeholders)	Yes
The agency has succeeded in getting its positions and requests accepted by the parent ministry concerning a national position on EU topics	/

## **9.2 The Dutch Institute for Physical Safety**

The Dutch Institute for Physical Safety (IFV) is established to support the official and administrative head of the ministry, to develop knowledge and provide education, training and courses and to manage the equipment for the safety regions<sup>6</sup> in the Netherlands. Their board consists of the twenty-five chairmen of the safety regions and they decide about the organizational matters, the budget, the multiyear policy of IFV and important organisation changes (IFV, n.d.).

### **9.2.1 Involvement through the European Commission**

The IFV does not seem to be involved through the EC. They only have contacts with education institutions from other countries (respondent 10).

### **9.2.2 Involvement through the Council**

The IFV is not involved at the EU level through the Council.

### **9.2.3 Policy complexity**

The IFV is established to assist the safety regions in the Netherlands (respondent 10). It has three main tasks: statutory duties such as education and the provision of information for the fire department and emergency response, the common tasks (the support of the safety regions) and the third task is market tasks (respondent 10). Besides that, the employees do not need to have policy specific qualifications. They need to be 'professionals'; specific knowledge of policies is only useful if an employee needs to support the board (respondent 10).

### **9.2.4 Autonomy IFV**

The IFV seems to have a medium degree of autonomy. IFV sometimes develops policy proposals for the ministry; this is mainly targeted at putting certain social issues higher on the agenda (respondent 10). However, the interests of the IFV need to match the interests of the ministry, otherwise the proposal will not be taken into account (respondent 10). The IFV has expertise that is also being used by the ministry: the IFV needs to conduct research on certain topics and the expertise is used to ensure common action on social issues (respondent 10). The following quote underlines the importance of the role of IFV in relation to the parent ministry. This could be an explanation for the degree of autonomy IFV has:

---

<sup>6</sup> The safety regions exist since 1 October 2010 and it provides the foundation for a common regulation where the execution of fire department tasks, medical care, population care and police care has been assigned to one regional organisation. The regional board has a coordinating role during the response to emergencies and the control of crises (Infopuntveiligheid, n.d.).

*‘Well see, the advantage might be, of the IFV is of course that we have an overview of what is going on in the different regions and what they need and that overview, that is only in one spot and that is the IFV. (..) but that in combination with knowledge in the area of the fire department and crisis management (..) Therefore you make yourself, well, unique within the area of physical safety.’ – Respondent 10*

Nevertheless, the respondent (10) emphasizes that it is important that the IFV performs its task well; otherwise the ministry can lose its trust in the organisation. Besides their contact with the parent ministry, the IFV has frequent contact with their ‘users’: the safety regions, the fire department and the police (respondent 10).

### 9.2.5 EU involvement – autonomy IFV

Since the IFV is not active at the EU level, a relation between EU involvement and the autonomy of IFV cannot be found. The respondent (10) emphasizes that the ‘accent’ is on the Dutch situation, the organisation does not have to achieve results in a European context. However, policy complexity does seem to make a difference in the autonomy of the IFV. The IFV is the only organisation responsible for this task and therefore the ministry has to consult the IFV on certain topics, this creates a certain degree of autonomy.

#### **IAB 7: Dutch institute for Physical Safety (250 employees) – Parent ministry: Safety and Justice. Table completed on the basis of an interview with a risk manager.**

<i>Indicators EU involvement: sectoral logic</i>	<i>In practice</i>
Participation in meetings organised by the EC (e.g. expert committees and formal agency networks)	Not present.
Consultation with colleagues in EU member states	Yes but not frequently.
Participation in formal agency networks	Not present.
Participation in networks of sister agencies	Not present.
<i>Indicators EU involvement: intergovernmental logic</i>	<i>In practice</i>
Contact with civil servants who are active in council committees or comitology committee	Not present.
Preparation of the Dutch position for EU	Not present.

negotiations	
Assisting the minister during EU negotiations	Not present.

<i>Indicators policy complexity</i>	<i>In practice</i>
Reason establishment IAB	It needs to ensure education, provide information for the fire department and emergency responses and it supports the safety regions.
Task IAB	Service delivery
Policy specific qualifications employees	Not necessary.

<i>Indicators autonomy</i>	<i>In practice</i>
The agency has tasks within the area of policy development	No
The agency can develop proposals for policy development within its area of responsibility	No
The expertise of the agency is used by the ministry concerning the development of a national positions towards the EU position	Yes
The agency can independently negotiate with external actors (e.g. interest groups, stakeholders)	Yes
The agency has succeeded in getting its positions and requests accepted by the parent ministry concerning a national position on EU topics	/

### 9.3 The Game of Chance Authority

The Game of Chance Authority (Ksa) is since 2012 an IAB and it is responsible for a well-regulated and reliable supply of games of chance. They have four main tasks: regulating a reliable supply of games of chance, combating gambling addictions, protecting and informing consumers and preventing illegality and criminality related to games of chance (Kansspelautoriteit, n.d.).

#### 9.3.1 Involvement through the European Commission

Ksa is not involved at the EU level through the EC; the IAB only has contacts with other countries, not per definition with EU member states (respondent 11). Contacts with other countries is important if organisations want to offer games of chance in multiple countries, coordination of permits then needs to take place between the countries (respondent 11).

### 9.3.2 Involvement through the Council

Ksa is not involved at the EU level through the Council.

### 9.3.3 Policy complexity

Ksa is established to supervise the games of chance that are offered by different organisations, they regulate the market in games of chance (respondent 11). The employees gain policy knowledge during working at the Ksa, an employee only needs to have professional knowledge, for example: a lawyer needs to have knowledge of the General Administrative Law Act (Algemene Wet Bestuursrecht) (respondent 11). This implies that Ksa has a medium degree of policy complexity; the task is specific but policy specific qualifications are not strongly present.

### 9.3.4 Autonomy Ksa

Ksa can, to a certain extent, develop proposals for policy development within its area of responsibility. The ministry is responsible for the system: they decide how many permits are being issued. The Ksa decides which organisations receive the permits (respondent 11). Moreover, the Ksa can approach the Second Chamber by a letter, this is always taken seriously: it means the issue is important. However, the Second Chamber decides if legislation will be made for this issue, not the Ksa (respondent 11). According to the respondent (11) the ministry gives Ksa a framework but Ksa has the end responsibility:

*‘The ministry can visit to drink coffee but we decide the flavour of the coffee’ – Respondent 11*

The ministry makes use of the expertise of the Ksa; contact between civil servants at different levels frequently takes place. However, the ministry decides what they are going to do with the expertise of Ksa, sometimes both actors ‘agree to disagree’ (respondent 11). The relation between the parent ministry and Ksa can therefore sometimes be tensed (respondent 11). Moreover, the Ksa has contact with many different actors including mental health services, branch organisations and the organisations that offer games of chance (respondent 11). This could indicate that Ksa has a small to medium amount of autonomy.

### 9.3.5 EU involvement – autonomy Ksa

A relation between EU involvement and the autonomy of Ksa does not exist because the IAB is not involved at this level. Nevertheless, the Ksa has a certain degree of autonomy because of the task it performs. The relation between the ministry and the Ksa seems to be informative and accountable by nature. However, the respondent (11) is very clear that Ksa can make its own decisions independently from the ministry.



**IAB 8: The Game of Chance Authority (65 employees) – Parent ministry: Safety and Justice.**
**Table completed on the basis of an interview with a risk manager.**

<i>Indicators EU involvement: sectoral logic</i>	<i>In practice</i>
Participation in meetings organised by the EC (e.g. expert committees and formal agency networks)	No
Consultation with colleagues in EU member states	Yes but not very frequently.
Participation in formal agency networks	No
Participation in networks of sister agencies	No
<i>Indicators EU involvement: intergovernmental logic</i>	<i>In practice</i>
Contact with civil servants who are active in council committees or comitology committee	No
Preparation of the Dutch position for EU negotiations	No
Assisting the minister during EU negotiations	No
<i>Indicators policy complexity</i>	<i>In practice</i>
Reason establishment IAB	Regulation of a reliable supply of games of chance, combating gambling addictions, protecting and informing consumers and preventing illegality and criminality related to games of chance.
Task IAB	Regulation
Policy specific qualifications employees	Not necessary.
<i>Indicators autonomy</i>	<i>In practice</i>
The agency has tasks within the area of policy development	No
The agency can develop proposals for policy development within its area of responsibility	Medium
The expertise of the agency is used by the ministry concerning the development of a national positions towards the EU position	Medium

The agency can independently negotiate with external actors (e.g. interest groups, stakeholders)	Yes
The agency has succeeded in getting its positions and requests accepted by the parent ministry concerning a national position on EU topics	/

## **10. FINDINGS: MINISTRY OF INFRASTRUCTURE AND THE ENVIRONMENT**

The final chapter that will present the findings of this research will discuss the IABs that fall under the responsibility of the Ministry of Infrastructure and the Environment: RDW, the Dutch Emissions Authority and Kadaster. First, the perspective of the ministry itself will be discussed, after that the findings of the IABs will be presented according to the following order: involvement through the EC, involvement through the Council, policy complexity and the autonomy of the IAB.

### **10.1 Ministry of Infrastructure and the Environment**

The respondents of the Ministry of Infrastructure and the Environment (16 & 17) have mainly given answers about the involvement of the RDW at the EU level. They indicated that the ministry is dependent on the RDW for its expertise during comitology meetings and other meetings organised by the EC (respondent 17). The ministry performs other checks like whether the decisions are politically acceptable. Moreover, the RDW is seen as a leader within the European networks (respondent 16). This amount of expertise is also very important during involvement through the Council. The minister (and the ministry) or the Permanent Representation is mostly responsible for the meetings of the Council but the RDW frequently participates in council committees (respondent 17). The ministry also 'needs' the RDW since the ministry itself does not have the capacity and time to attend every meeting in Brussels (respondent 17). Besides that, the RDW prepares the Dutch position for EU negotiations (respondent 17). The RDW can indicate what the point of view of the Netherlands is because of the contacts they have at the EU level, the RDW seems to be the most important advisor of the ministry for certain EU topics related to the tasks of RDW (respondent 17). However, a respondent (17) indicates that the Dutch position cannot be prepared completely autonomous by the RDW since this position needs to be harmonized between the positions and opinions of the stakeholders. The other respondent (16) indicates that this can still be seen as autonomy of the RDW since they are responsible for approaching the different stakeholders.

Concerning the autonomy of RDW, the respondents (16 & 17) indicate that the RDW can develop proposals for policy development within its area of responsibility but that they closely cooperate together. As has been mentioned in the previous paragraph, the expertise of the RDW is highly valued by the ministry. The RDW has a broad expertise on technical matters such as vehicle requirements (respondent 16), without the knowledge of the RDW the ministry would not be able to serve the Second Chamber as good as it takes places now (respondent 17). However, the dependency of the ministry on the expertise of the RDW seems to have a negative aspect as well: if the technical expertise of the RDW continues to increase it could lead to a gap between the ministry and the RDW:

*‘The Ministry of Infrastructure and the Environment, as the owner of RDW, will always be politically responsible for the actions of an IAB such as RDW. The expertise of RDW remains important especially if the technique becomes more complex. The tension comes from the fact that even though you do not understand the details of the technique, you remain responsible for the content.’ – Respondent 17*

Besides that, the RDW has contact with other stakeholders, such as other ministries but also with interest groups (respondent 16). This contact can be in the advantage of the ministry: RDW receives signals of the society if certain policies cannot be correctly implemented (respondent 16). Nevertheless, even though the RDW possesses a certain amount of autonomy they do need to realise Key Performance Indicators (KPI’s); this forces RDW to act transparently and accountable (respondent 16).

## 10.2 RDW

The RDW has four main tasks: the admission of vehicles on the Dutch and European market, supervision and control on companies and vehicles, registration and providing information and document release (drivers licenses et cetera). Since 1996 it is an IAB that is responsible for the execution of legislation and regulation (RDW, n.d.).

### 10.2.1 Involvement through the European Commission

The RDW actively participates in meetings of the EC: the respondent (12) indicated that employees are made available during these meetings and that they also participate in preparatory meetings. The respondent (12) values the active participation of the RDW during these committee meetings. The following quote also demonstrates the active role RDW fulfils during these meetings:

*‘(..) in general you see that only a limited amount of member states has an active role during these processes. The Netherlands is one of them, that translates into the fact that we are a chairman or secretary during these working groups or that we spend a lot of time on delivering input or commenting on papers.’ – Respondent 12*

They also personally know the ‘people of the EC’; this could indicate that the RDW has very close contact with the EC. Reports of these meetings are also sent to the ministry to inform them (respondent 12). However, consultation of colleagues in other member states does not really occur according to the respondent (12). This could be because the Netherlands has a leading role in this area of expertise, as being illustrated by the quote. They do participate in networks such as EReg and

Eucaris, from both networks the Netherlands, RDW, is a co-founder (respondent 12). Meetings do not take regularly place but it seems that the RDW has key positions within both networks as chairman or secretary (respondent 12).

### 10.2.2 Involvement through the Council

RDW frequently makes use of their contacts with the Permanent Representation; together they match their preferences on different topics (respondent 12). They also decide, together with the Permanent Representation, if RDW needs to attend certain meetings of the council committees or not. According to the respondent (12) this is especially important when the Permanent Representative does not manage a certain topic completely and if the expertise of RDW therefore is necessary. The RDW has multiple meetings during the year with the ministry to coordinate the preferences of both actors (respondent 12).

Development of the Dutch position also happens in coordination with the ministry on the expertise areas of the RDW. The respondent (12) indicated that this is mostly dependent upon the topic and the type of meeting; their role is subordinate to this. RDW is an executive organisation instead of a legislator. Together with the ministry they need to coordinate their preferences, the prioritization of both actors needs to be the same according to the respondent (12):

*'So we have, we are still an executive organisation. It is not about having as much work as possible, it is about reaching the objectives of our organisation as good as possible.'* – Respondent 12

### 10.2.3 Policy complexity

RDW has been established to control the complete process from the production of a vehicle until the sale of a vehicle by companies and it is responsible for the registration of license numbers and drivers licences (respondent 12). This means that RDW delivers a service. The policy specific qualifications of the employees of RDW seem to be medium: the employees do not receive an internal training but most of the employees of RDW do have a certain education background that is necessary for performing their job (respondent 12).

### 10.2.4 Autonomy RDW

The respondent of RDW (12) sees a decrease in knowledge and capacity taking place at the Ministry of Infrastructure and the Environment; this results in a greater involvement of RDW during the formulation of policies within their area of responsibility. The ministry has to become more efficient and therefore reserves more tasks for RDW. Nevertheless, the respondent (12) does not know how this will affect RDW because they also need to economize. Moreover, in case of any mistakes, the threat of

the ministry withdrawing tasks of the RDW is present and this complicates their task (respondent 12). However by gaining more tasks, the respondent (12) also indicated that this could serve the long-term objectives of legislation:

*‘For a reliable position, especially in international meetings it helps if you have stable objectives, so the less dependent on politics, the more you can serve the long term objectives.’ – Respondent 12*

But the respondent (12) also emphasized that RDW does not want to function completely loose from the ministry. They want to provide services to the government instead of bypassing the government. To fulfil this task it does seem to be convenient to have clear frameworks where RDW can decide how to manoeuvre in. Moreover, RDW is frequently in contact with departments of other ministries and with branch organisations such as fabricants and importers (respondent 12). This could indicate an independence of RDW considering their ability to have contact with external actors.

#### 10.2.5 EU involvement – autonomy

RDW seems to have a certain amount of autonomy that could be related to their EU involvement. Based on the interview, it can be stated that this IAB has regular contact with the EC, the Permanent Representation and the ministry. Coordination of the preferences of both actors, the ministry and the RDW, seems to be the most important aspect of this relation. This frequent contact could result in a certain trust of the ministry in the RDW and this could form the reason for the transfer of several tasks of the ministry to RDW. Therefore, the frequent contact and participation at the EU level could form a motive for the independence of the RDW. It seems to increase their room to manoeuvre in the Netherlands because they effectively assist the ministry at the EU level; therefore RDW also receives more trust from the ministry.

#### **IAB 9: RDW (1400 employees) – Parent ministry: Infrastructure and the Environment.**

**Table completed on the basis of an interview with the manager Vehicle Standards**

##### **Development.**

<i>Indicators EU involvement: sectoral logic</i>	<i>In practice</i>
Participation in meetings organised by the EC (e.g. expert committees and formal agency networks)	Yes, frequently.
Consultation with colleagues in EU member states	No
Participation in formal agency networks	Yes, EReg and Eucaris. Not very frequent.

Participation in networks of sister agencies	Yes, EReg and Eucaris. Not very frequent.
--	---

<i>Indicators EU involvement: intergovernmental logic</i>	<i>In practice</i>
Contact with civil servants who are active in council committees or comitology committee	Yes, very frequently.
Preparation of the Dutch position for EU negotiations	Yes, highly involved concerning their areas of expertise.
Assisting the minister during EU negotiations	Yes, regularly.

<i>Indicators policy complexity</i>	<i>In practice</i>
Reason establishment IAB	Responsible for the market of vehicles
Task IAB	Service delivery
Policy specific qualifications employees	Medium

<i>Indicators autonomy</i>	<i>In practice</i>
The agency has tasks within the area of policy development	No
The agency can develop proposals for policy development within its area of responsibility	Yes
The expertise of the agency is used by the ministry concerning the development of a national positions towards the EU position	Yes
The agency can independently negotiate with external actors (e.g. interest groups, stakeholders)	Yes
The agency has succeeded in getting its positions and requests accepted by the parent ministry concerning a national position on EU topics	/

### 10.3 Dutch Emissions Authority

Since 2012 the Dutch Emissions Authority (NEa) has a board that is an IAB, the organisation that the board supervises, is an agency. The board has to make decisions for the agency and it is responsible for the complete agency. The NEa has five main tasks: monitoring and allocation of emission permits, registers and market integrity, supervision and enforcement, operations management and project and process support (NEa, n.d.).

### 10.3.1 Involvement through the European Commission

NEa is medium involved through the EC route: they participate and have the lead in so-called 'implementation committees' of the EC even though the ministry formally has the lead in these committees (respondent 13). Besides that, they occasionally have contact with colleagues of other EU member states to form coalitions (respondent 13). Furthermore, they participate in three different agency networks. One formal network consists of register authorities, the second formal network is the compliance forum and the third network is the Fuels Regulators Club. The last network is an initiative from the United Kingdom (UK) and its basis is more informal compared to the other two networks (respondent 13). Participation in all three of the networks takes place in different degrees: the network of register authorities has many meetings while the other two networks are less intensive (respondent 13).

### 10.3.2 Involvement through the Council

NEa mainly advises the Ministry of Infrastructure and the Environment, especially during the formulation of a response to proposals of the EC. Besides that, they also help during the preparation of the Dutch position for EU negotiations (respondent 13). However, this involvement through the Council is especially focused on topics NEa has knowledge of. Even though the ministry does not consult NEa, NEa itself determines if they do want to be heard by the ministry:

*'The NEa would like to promote their knowledge more actively and the Ministry of Infrastructure and the Environment also indicates that it wants to build on this knowledge'* – Respondent 13

The relationship between the parent ministry and NEa seems to have become strengthened in the next years because the ministry will be more reliant on the expertise of NEa (respondent 13).

### 10.3.3 Policy complexity

NEa is an IAB that has clear tasks: it is an executive organisation for the trade of emissions, it manages a register of emission rights, it gives permits to companies for the emissions trade and it monitors the companies (respondent 13). NEa has been made responsible for these tasks because it had to be performed by an independent organisation, regardless of the politics. This seems to be an important reason for the existence of NEa:

*'Companies have major financial interests in emission rights and therefore maintaining these rights is placed at a distance from the ministry since the ministry itself is a player at the emission market.'* – Respondent 13



The employees of NEa do not need to have policy specific qualifications. They do need to be aware of the background information of certain regulations and legislation but during the recruitment of new employees, this does not form a condition (respondent 13).

#### 10.3.4 Autonomy NEa

NEa cannot develop proposals for policy development within its area of responsibility itself but it is involved during the development of policies in general by the Secretary-General (SG) of the parent ministry. The SG appreciates the advice of NEa, especially the advice of NEa on the transition between the formulation of legislation and the actual implementation (respondent 13). What seems to be most important within the autonomy of NEa is its expertise. The respondent (13) emphasizes that the ministry is the policymaker but NEa is an important advisor. NEa assists the SG during the questioning of the Second Chamber. Besides that, the respondent (13) indicates that the board of NEa, which is an IAB, has more room to manoeuvre: it can point out the limitations of certain legislation to the minister. The organisation of NEa itself does not have this space.

Furthermore, NEa can independently negotiate with external actors. Their main contacts in the field are with companies who receive the emissions of NEa. It is very important for NEa to independently negotiate with these companies because politics should not be involved (respondent 13). They also have contact with interest groups and local governments. However, the ministry is informed about these specific contacts, since the ministry also has contacts with these actors. The following quote illustrates the relation between the ministry and NEa according to the respondent (13). They need to have respect for each other roles and NEa can therefore also introduce its positions and requests at the ministry, precisely because of their mutual respect:

*'Autonomy of an IAB does not mean working on an island. If implementation issues are being discussed it means, for example, that you enable the ministry to think along on these issues if important choices are being proposed. Choices that might have consequences for policies that the ministry has to figure out in the next decade.'* – Respondent 13

However, the respondent (13) seems to be aware that the autonomy of NEa does not mean that the IAB can act completely on itself. Besides that, the ministry and NEa work more closely together the past years to improve the transition of legislation into implementation (respondent 13).

#### 10.3.5 EU involvement – autonomy NEa

The respondent (13) seemed to be convinced about the relationship between EU involvement and the autonomy of NEa:

*‘Having the right expertise as far as the substance of the issues is concerned is important. So we use the NEa experience and knowledge in the EU. It strengthens your position at the table. And bringing together and jointly developing best practices based on such experience, will give you more voice. Also, knowledge how to operate in an EU context, know-how in building a network is important. But that does not only apply to NEa, but to other institutions as well.’ – Respondent 13*

However, in the field of emissions trading, politics seem to play a large role because the industry can gain much of it. Therefore the respondent (13) indicates that ministries of other EU member states rather implement the policies their selves instead of delegating it to agencies. This could decrease EU involvement of executive organisations.

NEa seems to have a certain degree of autonomy but this seems to be due to the political issue in which they are involved. Moreover, the expertise of NEa seems to contribute greatly to the independence they have within their area. Therefore a causal relationship between EU involvement and the autonomy of NEa cannot be established.

**IAB 10: Dutch Emissions Authority (60 employees) – Parent ministry: Infrastructure and the Environment. Table completed on the basis of an interview with a risk manager.**

<i>Indicators EU involvement: sectoral logic</i>	<i>In practice</i>
Participation in meetings organised by the EC (e.g. expert committees and formal agency networks)	Yes, but not very frequently.
Consultation with colleagues in EU member states	Yes, but not very frequently.
Participation in formal agency networks	Yes, a network of the register authorities and the Compliance Forum.
Participation in networks of sister agencies	Yes, the Fuels Regulators Club.
<i>Indicators EU involvement: intergovernmental logic</i>	<i>In practice</i>
Contact with civil servants who are active in council committees or comitology committee	Yes
Preparation of the Dutch position for EU negotiations	Yes, on topics the NEa has knowledge of.
Assisting the minister during EU negotiations	Yes, not very frequently.

<i>Indicators policy complexity</i>	<i>In practice</i>
Reason establishment IAB	NEa is established for the trade of emissions, it manages a register of emission rights, it gives permits to companies for the emissions trade and it monitors the companies
Task IAB	Regulation
Policy specific qualifications employees	Not necessary

<i>Indicators autonomy</i>	<i>In practice</i>
The agency has tasks within the area of policy development	No
The agency can develop proposals for policy development within its area of responsibility	No
The expertise of the agency is used by the ministry concerning the development of a national positions towards the EU position	Yes
The agency can independently negotiate with external actors (e.g. interest groups, stakeholders)	Yes
The agency has succeeded in getting its positions and requests accepted by the parent ministry concerning a national position on EU topics	Yes

## 10.4 Kadaster

Kadaster's main task is to maintain a number of registrations such as the registration of real estate, topography, ships and aircraft. It also provides information from registrations of other parties; Kadaster provides access to this data. For example, the facility for addresses and buildings, cables and pipelines, and energy labels. Since 2013 Kadaster has an Executive Board, which includes two board members and four directors (Kadaster, n.d.).

### 10.4.1 Involvement through the European Commission

Kadaster is to a certain extent involved at the European level by the EC. It sometimes participates in meetings organised by the EC in which they assist their parent ministry. However, the respondents (14 & 15) see this participation as a dilemma: their parent ministry is responsible for EU regulations but the ministry gives Kadaster the responsibility to monitor the European developments. The respondent (14) elaborates on this by emphasizing that the policy area of Kadaster is not very technical and there does not exist much EU legislation in the policy area of Kadaster (respondent 14). Kadaster frequently

has contact with colleagues in EU member states in which they for example discuss the future of certain EU directives. However, Kadaster would like to intensify their contact with actors on a national level as well. Therefore they can act as one national actor at the European level (respondent 14).

Kadaster is active in several networks: EuroGeographics – which is the most important network for Kadaster even though it is not a EU network, it is a broad European network –, ELRA, Eulis and the Permanent Committee on Cadastre. These networks are meant to exchange knowledge and expertise and to participate in projects that are partially financed by the EC (respondent 15). Kadaster frequently participates in these projects (respondent 15). Besides that, the meetings of these networks frequently take place at different levels (respondent 14). The networks are a highly valuable method to be active at the EU level. Furthermore, the EC needs input of these networks to create legislation and policies. Therefore it seems to be important to especially be involved during the making of policies instead of during the later phases of the legislation trajectory (respondent 15). The networks are important for their input because they represent several actors of the EU:

*‘Well, I compare it with a pizza, you have to start at the bottom, that means during the policymaking and many times through such a club you see, it is the easiest to get in.’ – Respondent 15*

The other respondent (14) explains that these networks are also important because these networks receive the first signals of new regulation at the EU level. These networks are appreciated for the large amount of actors they represent and their knowledge of the developments at the EU level. The EC will sooner accept input of such a network because the EC can then rely on the support of all the actors in the network (respondent 15). For Kadaster this is a more effective form of interest representation at the EU level. Nevertheless, the European level seems to be a relative new level for the Kadaster and therefore they are still trying to find a approach towards national coordination (respondent 14).

#### **10.4.2 Involvement through the Council**

Kadaster is not involved at the EU level through the Council. Kadaster only discusses the possible consequences of European legislation for the national legislation with the Ministry of Infrastructure and the Environment (respondent 15).

#### **10.4.3 Policy complexity**

Kadaster is inter alia responsible for tracing the plots and its owners and it is responsible for topographical services (respondent 14). Due to the task of Kadaster, the IAB has never been interesting for politics. This seems to contribute to their room to manoeuvre at the national level (respondent 14).

The employees of Kadaster need different qualifications; this depends on the function they perform. The land surveyors receive an internal training; other employees do not receive this training. Specific knowledge of policies is present at certain departments such as the department ‘Strategy and Policy’ (respondent 14). Nevertheless, the policy expertise of the employees of Kadaster concerning the content of policies cannot be compared to the policymakers of the ministry in The Hague (respondent 14).

#### **10.4.4 Autonomy Kadaster**

Kadaster is confronted with a dilemma concerning the possibility to develop policy proposals within its area of responsibility. Besides their parent ministry, the Ministry of Infrastructure and the Environment, others ministries also need to transpose EU legislation into national policies that can affect Kadaster (respondent 14). The parent ministry sees this as the responsibility of Kadaster itself to stay updated about these developments. This ensures more independency for Kadaster but the IAB needs to be aware of the developments (respondent 14). In collaboration with RDW and the Chamber of Commerce, Kadaster provides their common point of view to several ministries. The ministries use this input to adjust legislation to the implementation (respondent 14 & 15). However, respondent 14 emphasizes that Kadaster does not develop policies: Kadaster is a different type of organisation that is stronger focused at the execution of their task.

The policy area of Kadaster does not seem to be dominated by EU legislation, according to respondent 14 this creates room to manoeuvre for Kadaster. Moreover, as has been mentioned in the previous paragraph, the area of Kadaster does not gain much interest of politics. Therefore the expertise of Kadaster does not seem to be used very often by the parent ministry. In addition, Kadaster would like to intensify contact with other IABs to create common ground (respondent 14). Besides that, Kadaster has many contacts with its stakeholders since they have a so-called ‘user council’ which consists of consumer organisations, real estate and the ministry (respondent 15). In this user council developments within their field of expertise are being discussed. The respondent (15) seems to value these contacts and it seems important for Kadaster to stay updated about the developments in their area of expertise and the signals that might occur:

*‘Yes and it is very important to stay proactive, and I also think that we are, we have the user council, that is one of well, an important source to hear what is going on from direct stakeholders but we also have contacts with TU Delft, TU Twente’ – Respondent 15*

#### **10.4.5 EU involvement – autonomy Kadaster**

The following statement of respondent 14 clearly indicates that there exists a relation between EU involvement and the autonomy of Kadaster:

*‘(..) Politically seen we are not that interesting because there are a small amount of incidents, what I said before. Besides, you don’t have large policy areas where you have a large stake. And that means that you can operate out of the political, policy lee of the Hague, moreover we also operate in a technical field where not many civil servants in the Hague think oh, I know something about that. And that leads to a certain independency also because of the international and European contacts you have.’ – Respondent 14*

This indicates that EU involvement does not seem to be the only reason for the autonomy of Kadaster. This also depends on their field of expertise, which is not of interest for the politicians in The Hague and because their expertise is technical. Moreover, Kadaster is not to such an extent involved at the EU that this can be the only reason for the degree of autonomy of Kadaster. It seems that the legal base is important for the degree of autonomy of Kadaster; this gives the IAB a certain room to manoeuvre (respondent 15).

**IAB 11: Kadaster (2000 employees) – Parent ministry: Infrastructure and the Environment.**

**Table completed on the basis of an interview with two advisors on administrative matters.**

<i>Indicators EU involvement: sectoral logic</i>	<i>In practice</i>
Participation in meetings organised by the EC (e.g. expert committees and formal agency networks)	Yes, regularly.
Consultation with colleagues in EU member states	Yes, frequently.
Participation in formal agency networks	Yes, frequently. In EuroGeographics, ELRA and Eulis.
Participation in networks of sister agencies	Yes, the Permanent Committee on Kadasters.
<hr/>	
<i>Indicators EU involvement: intergovernmental logic</i>	<i>In practice</i>
Contact with civil servants who are active in council committees or comitology committee	No
Preparation of the Dutch position for EU negotiations	No
Assisting the minister during EU negotiations	No

<i>Indicators policy complexity</i>	<i>In practice</i>
Reason establishment IAB	Responsible for tracing the plots and the owners of these plots and responsible for topographical services.
Task IAB	Service delivery
Policy specific qualifications employees	Differs between the different functions in the IAB. Overall, this is not required.

<i>Indicators autonomy</i>	<i>In practice</i>
The agency has tasks within the area of policy development	Medium
The agency can develop proposals for policy development within its area of responsibility	Yes
The expertise of the agency is used by the ministry concerning the development of a national positions towards the EU position	No
The agency can independently negotiate with external actors (e.g. interest groups, stakeholders)	Yes
The agency has succeeded in getting its positions and requests accepted by the parent ministry concerning a national position on EU topics	/

## **11. CROSS-SECTIONAL ANALYSIS**

The previous chapters explained how the different IABs are involved at the EU level and it explained how complex the policy task of the different IABs is. This chapter will discuss the underlying patterns and dilemmas of the data presented in the previous chapters. Since there are many different cases, a comprehensive analysis will be given on the dependent and the independent variables. This cross-sectional analysis will explain the patterns behind the several variables. In the next chapter (the discussion) the hypotheses will be tested at their reliability.

### **11.1 Autonomy IABs**

The autonomy of the several IABs has briefly been discussed in the previous chapter. Nevertheless, the following paragraphs will give a general analysis of the several indicators of autonomy. Therefore it can be established, in the discussion, if other factors besides EU involvement can influence the autonomy of an agency.

Several IABs in this research can develop proposals for policy development within its area of responsibility according to the respondents of AFM, SBB, CBS, COA, RDW and Kadaster. This can also be explained by the fact that ministries have to economize; this makes them more dependent on IABs for their expertise and information (respondent 7, 12, 16 & 17). Nevertheless, this only has an effect on the area of responsibility of an IAB; IABs do not seem to become stronger involved in the development of policies on topics outside their area of responsibility. This could be because IABs have knowledge on a very specific topic and therefore they can only contribute to policy proposals in their area of responsibility. In addition, a respondent (6) indicated that it is a general desire of IABs in the Netherlands to become stronger involved in the development of policies. Moreover, a stronger involvement of IABs during the formulation of policies can also contribute to an improved transition from legislation to the implementation of policies (respondent 9, 12, 13, 14). But it is also important to be involved during the development of policy proposals within the area of expertise of the IABs, because the IABs represent a certain interest group (respondent 1, 6, 12). In general it seems that the involvement of IABs during policy development will have advantages for the implementation of policies. It can give IABs the impression that they have also been responsible for policy development and it could therefore result in a better implementation of those policies. Especially because the interest groups that benefit from a strong interest representation by 'their IABs' might be more obedient towards those policies. A stronger cooperation also seems to be more likely if the trust amongst both actors, the parent ministry and the IAB, is present (respondent 4, 13, 17). To conclude, it seems that the respondents find it important that IABs are involved during the development of policies in their area of responsibility, therefore coordination between the legislator and the executor will contribute to a better performance of the IAB.



Besides that, the amount of expertise of the IABs seems to be important for the development of policies and for the development of a national position as well. Political sensitive tasks that are being performed by for example COA and NEa have led to a strong involvement of these IABs because of their expertise and because of the necessity to use this expertise to contribute to more effective policies (respondent 9, 13). According to the respondent of COA (9) the ministry and COA closely cooperate on the development of policies. NEa has a strong advisory role towards the parent ministry during the development of policies because it is political sensitive (respondent 13).

Moreover, the expertise of IABs in general seems to be very important for the respondents; this does not seem to differ amongst the different sizes of IABs. The parent ministry frequently uses the expertise of IABs to develop policies, to assist the ministries during the questioning of the Second Chamber and to represent the Netherlands during the comitology committees (respondent 1, 4, 6, 7, 9, 11, 12, 13, 16 & 17). The indicator 'expertise' seems to be strongly valued by the respondents because it seems to strengthen the relation between the ministry and the IAB. This expertise is also strongly recognised by the respondents of the ministries: IABs can perform ex ante implementation tests to see whether policies are possible to implement (respondent 2, 8 & 16). Respondents of the Ministry of Infrastructure and the Environment (16 & 17) indicate that they 'really need' the knowledge of IABs. Some topics that are the responsibility of an IAB are very technical; the ministry does not have the ability to stay informed and does not have as much technical expertise as an IAB (respondent 16 & 17). The ministry does not have enough employees and time. This makes the ministry strongly dependent upon the IAB (respondent 17). To conclude, the expertise of the IABs seems to be one of the reasons why these organisations have been established. The ministries do not possess the same resources that IABs have for the implementation of those policies.

Most of the respondents in this research have indicated that they represent a certain group of external actors and therefore they all seem to have contact with these actors (respondent 1, 4, 5, 6, 9, 12, 13, 15, 16 & 17). Most common examples of external actors are private actors such as companies (in case of KCB, KvK, Ksa and NEa) or a specific market such as the financial and vehicle market (in case of AFM and RDW). It even seems to be important to have a proactive role in the contact with external actors, to generate information and knowledge (respondent 15). Contact with external actors seems to be 'given'. The respondents see this contact as a necessity for the performance of their task. This could be because of the public task IABs perform: transparent contact with external actors is a must in the public sector. However, several times it has been emphasized in the interviews that the ministry needs to be informed about the external contacts of the IAB (respondent 4, 8 & 9). The ministerial responsibility seems to be an important reason for this necessity. Moreover, this should prevent the ministry of being confronted with any surprises. The respondents indicated that the ministry could constrain the independence of the IAB in case the information would not be given by the IAB (respondent 4, 8 & 9). Within this indicator it can be recognised that the IAB has to perform in line

with the ministry while this is not always acknowledged within the other indicators of the variable autonomy. This can conflict with the fact that IABs see the contact with interest groups as a representation of the interests. However, this contrasts with the initial task of IABs: representing the government. Interest representation of external actors seems to have become more important in contrary to the representation of the government.

The indicator 'positions and requests accepted by the ministry' did not seem to play a significant role for the respondents. This could be because the respondents did not recognise this indicator in practice because they do not submit any requests to their parent ministries. The position an IAB takes in seems to be demarcated by the law and the directive through which they are established. Therefore they do not seem to discuss different positions and requests with their parent ministry since the IABs need to comply with these statutes. In conclusion, the independence of the IABs seems to be an important aspect for the respondents even though this independence is merely guaranteed by being transparent to their parent ministry. The IABs need to be accountable towards their parent ministry: independence does not mean operating individually. The minister and the IAB need to accept each other's roles to be able to cooperate with each other (respondent 1 & 13).

#### **11.1.1 Summary autonomy**

IABs have a certain degree of autonomy: most of the indicators have positively been recognised by the respondents. Nevertheless, the relation between the parent ministries and the IABs has a strong accountability character. The respondents seem to be aware of this relation especially because the ministry has the possibility to constrain the independence of the IABs. And it is precisely that independence that is being valued by the respondents of the IABs. On the next page a table has been constructed on the basis of the interviews that gives an overview of the autonomy of the IABs.

**Table 13: Scores on autonomy per IAB based on the interviews.**

	<b>AFM</b>	<b>SBB</b>	<b>KCB</b>	<b>KvK</b>	<b>CBS</b>	<b>COA</b>	<b>IFV</b>	<b>Ksa</b>	<b>RDW</b>	<b>NEa</b>	<b>Kadaster</b>
Amount of employees	540	1000	157	2200	2000	14.000 – 19.000	250	65	1400	60	2000
Tasks within area of policy development	No	No	No	No	No	Yes	No	No	No	No	Medium
Develop proposals for policy development in area of responsibility	Yes	Yes	No	No	Yes	Yes	No	Medium	Yes	No	Yes
Expertise of the IAB is used by the ministry concerning the development of a national position towards the EU position	Medium	Yes	No	Yes	Yes	Yes	Yes	Medium	Yes	Yes	No
Independently negotiate with external actors	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Acceptation of positions and requests of IAB by parent ministry concerning a national position on EU topics	Medium	/	/	/	/	/	/	/	/	Yes	/

## 11.2 EU involvement

EU involvement seemed to be an important topic for the IABs: most of the IABs are active at this relative new level of involvement. However, for some IABs it is a level that they still have to 'discover' while other IABs already have intensive contacts at this level. This different experience of the IABs can be explained by several factors. The factors that contribute to this high or low EU involvement will be discussed in the next paragraphs. First the reasons behind no or little involvement will be discussed, after that the involvement through the EC and the involvement through the Council will be discussed.

The smaller IABs are less active at the EU level compared to the larger IABs. Smaller IABs are KCB, IFV, Ksa and NEa (respondent 5, 10, 11, 13), the latter being an exception to this rule compared to the other IABs. NEa is active through the EC and the Council even though it is a small organisation (respondent 13). SBB is an exception for the larger IABs: they are not very active at the EU level even though they are a large organisation (respondent 4). The pattern behind this lower EU involvement seems to be that EU involvement is experienced as a luxury segment for smaller IABs (respondent 4). It is only possible if an IAB has enough employees to perform the task (respondent 4). Moreover, the smaller IABs do not seem to think that the EU is of importance for the performance of their tasks. The IABs seem to assume that their topics are a national matter and therefore they are not convinced that participation through the institutions of the EU can contribute to a better accomplishment of their tasks. The question remains if this is because of the ignorance of the IABs of the possibilities that are present at the EU level or that the institutions of the EU are not active on these topics and therefore do not organise any meetings or formal agency networks. According to the respondent of KCB (5) the latter seems to be the case: the EC does not want to have extensive legislation on their topic and therefore EC meetings are not organised.

Involvement through the EC seems to take place frequently. And contrary to the smaller IABs, the larger IABs are responsible for tasks that are of interest at the EU level. These tasks, such as the regulation of financial markets (ACM), entrepreneurship (KvK), research on statistics (CBS) and the development of European vehicle standards (RDW), are well-organised at the EU level through several formal agency networks and meetings organised by the EC. The EC seems to find EU legislation more important for these topics compared to the topics that smaller IABs are taking responsibility for. Most important with involvement through the EC seems to be that it is important to have a common point of view on EU matters by cooperating with agencies from other member states. This contributes to a stronger credibility towards the EC (respondent 1, 6, 12 & 13). Besides that, it is often explained by the respondents that the EC needs the expertise and knowledge of the IABs to make EU legislation. This is mainly due to their small civil service and because the EC wants to create common ground amongst the member states and its institutions (respondent 1, 6, 13 & 15). A

respondent (6) even indicated that involvement at the EU level through the EC is an 'easy lobby route' since the EC is convinced of the input of actors such as IABs. The above-explained form of EU involvement can be seen as a well-known route for most of the IABs in this research (respondent 1, 6, 9, 12, 13 & 15). A surprising aspect of this involvement seems to be that the EC is also dependent upon the IABs; the relation between both actors seems to be reciprocal.

Involvement through the Council is not taking place as often as involvement through the EC. Nevertheless, again the task of the IAB seems to be of importance for this type of involvement. Most large IABs have contact with civil servants of comitology and council committees (or the Permanent Representation) and are involved during the preparation of the Dutch position. However, a difference between the EC and the Council route can be distinguished as well by the respondents of COA and NEa: these organisations have to cope with a political sensitive task and therefore they experience a greater involvement through the Council (respondent 9 & 13). It seems that the ministry wants to stay involved during this trajectory because important national interests are at stake. Moreover, the larger IABs fulfil important tasks for their ministries and if the ministry would not control them during this type of involvement, this could lead to drifting of the IABs. The IABs that fall under the responsibility of the Ministry of Safety and Justice, COA, IFV and Ksa, also experience that their tasks have a stronger national than EU interest. Except for COA the other two IABs are not involved at the EU level, they are merely focused on the national route of involvement. The Ministry of Finance, in comparison with the other ministries, seems to be on its guard in guaranteeing a high Council involvement of the AFM (respondent 1). This may be due to the task of AFM: regulation of the financial market in the Netherlands. The AFM has contact with important stakeholders and this could mean that the ministry wants to keep control over the IAB to ensure that it is not operating completely independent.

Besides the fact that the IABs of the Ministry of Safety and Justice have a stronger national focus compared to the other IABs there are other differences between the ministries. The three IABs that fall under the Ministry of Infrastructure and the Environment seem to experience the 'highest EU involvement' compared to the IABs of the other ministries. They are involved through the EC and the Council route (except for Kadaster). The respondents of the Ministry of Infrastructure and Environment (16 & 17) seem to appreciate the involvement of their IABs: the ministry does not have the capabilities of being very active at this level on these topics because they are very technical. Besides this difference there do not seem to be other significant differences between the IABs of the different ministries.

The differences between the ministries can be explained by the relation IABs have with their parent ministry. Trust between the parent ministry and the IABs seems to be highly valued by some of the respondents (respondent 4, 12, 13 & 14). This trust also contributes to an increased room to

manoeuvre and therefore some of the IABs have more possibilities to operate at the EU level. In addition to that, some of the respondents indicate that many informal contacts frequently take place between the parent ministry and the IAB at every level (respondent 5, 9, 12, 14, 16 & 17). This frequent contact needs to take place for an effective coordination of the topics between the parent ministry and the IAB (respondent 12 & 13). This makes participation at the EU level easier: the ministry seems to give its permission through the coordination of the topics.

### **11.2.1 Summary EU involvement**

Involvement through the EC or through the Council does not seem to take place in the same frequency amongst the IABs. Involvement through the EC seems to take place more often compared to involvement through the Council. The IABs can operate more independently during the route of the EC since they do not need to represent the Netherlands and therefore coordination with the ministry does not seem to be necessary. Therefore this route seems to appeal more to IABs. Moreover, during involvement through the Council, IABs seem to have a stronger advisory and supportive role compared to EC involvement.

**Table 14: Scores on EU involvement per IAB based on the interviews**

	<b>AFM</b>	<b>SBB</b>	<b>KCB</b>	<b>KvK</b>	<b>CBS</b>	<b>COA</b>	<b>IFV</b>	<b>Ksa</b>	<b>RDW</b>	<b>NEa</b>	<b>Kadaster</b>
Participation EC meetings	Yes, not frequently	No	No	Yes	No	Yes	No	No	Yes	Yes, not frequently	Yes, not frequently
Contact colleagues member states	Yes	No	Yes	Yes	Yes	Yes	Yes, not frequently	Yes, not frequently	No	Yes	Yes
Participation formal agency networks	Yes	Yes	No	Yes	Yes	Yes	No	No	Yes	Yes	Yes
Participation networks sister agencies	No	Yes	No	No	No	No	No	No	Yes	Yes	Yes
Contact civil servants active in comitology/council meetings	No	No	No	Yes	Yes	No	No	No	Yes	Yes	No
Preparation Dutch position for EU negotiations	Yes, not frequently	Only during exceptions	No	Yes	Yes	Yes	No	No	Yes	Yes	No
Assisting minister during EU negotiations	No	Only during exceptions	No	No	No	Yes	No	No	Yes	Yes	No
Degree of EU involvement	Medium	Low	Low	High	High	High	Low	Low	High	Medium - High	Medium

### 11.3 Policy complexity

The indicators of the independent variable policy complexity were easily recognised by all the respondents. The next paragraphs will discuss these indicators and the reasons why these indicators were easily being recognised.

The task of an IAB is formally established through law or a directive, and the policy specific qualifications strongly depend on the job and the task of an IAB, this made it easy for respondents to recognise the indicators. The reason why the IABs have been established are diverse, the IABs are responsible for different tasks that cannot easily be compared. However, the main task of most of the IABs seems to be delivering a service. The IABs with this task have a different degree of autonomy, this is the same for the other tasks: policy advice and regulation.

IABs seem to be established to perform a specific task, for which a high level of expertise is necessary. Therefore the expertise of the employees seems to be highly valued as well. The policy specific qualifications of the employees were very diverse amongst the IABs: different requirements, such as different educational backgrounds and internal trainings, were necessary for the performance of the task within an IAB. The type of policy specific qualifications is specifically dependent on the task of the IAB. Besides that, the amount of people that work on EU related topics, and thus need to have policy specific qualifications focused on EU related topics, seems to be experienced as a luxury segment which only the larger IABs possess (respondent 1, 4, 6). Remarkable was the fact that affinity with politics and to be aware of the developments in The Hague was not a necessary requirement for the employees of IABs even though IABs fall under the responsibility of a ministry. This could indicate that politics do not seem to influence the policy task of an IAB.



**Table 15: Scores on policy complexity based on the interviews**

	<b>AFM</b>	<b>SBB</b>	<b>KCB</b>	<b>KvK</b>	<b>CBS</b>	<b>COA</b>	<b>IFV</b>	<b>Ksa</b>	<b>RDW</b>	<b>NEa</b>	<b>Kadaster</b>
Reason establishment IAB	Supervision financial markets	Maintain Dutch landscapes	Inspection of fruit and vegetables	Registration companies and legal persons	Conducting research and provide statistics	Reception, supervision and departure asylum seekers	Support of safety regions	A regulated supply of games of chance	Responsible for the market on vehicles	Allocation and monitoring of emission permits	Maintaining registrations on real estate and topography
Main task IAB	Regulation	Service delivery	Service delivery	Service delivery / Policy advice	Service delivery / Policy advice	Service delivery / Policy advice	Service delivery	Regulation	Service delivery	Regulation	Service delivery
Policy specific qualifications employees	Medium	Medium	Medium - High	Medium	Medium - High	Medium	Low	Medium	Medium	Medium	Medium

## **12. DISCUSSION**

In the previous chapters a description has been given about the autonomy, the EU involvement and policy complexity of the IABs that are part of this research. This chapter will explain the relation between the dependent and the independent variables: do the independent variables make a difference for the dependent variable? This will be discussed by testing the several hypotheses that have been introduced at the beginning of this research.

### **12.1 Involvement through the European Commission**

The first hypothesis, concerning the involvement through the EC (the sectoral logic), was stated as following: *'The more an IAB is active in EC expert committees and formal agency networks at the EU level, the higher its autonomy during the policymaking process'*. This hypothesis needs to be assessed at its reliability. It was expected that an IAB gained more autonomy during the policymaking process because the IABs can be seen as gatekeepers of information. The policy preferences of the IABs and the parent ministries were therefore expected to be inconsistent because IABs consult other experts and they develop policy preferences together with international colleagues. Moreover, the EC is dependent on reliable partners for expertise, such as IABs, for drafting new policy proposals. This process contributes to a greater autonomy for the IABs during the national policymaking process since the ministry becomes dependent on the IAB for expertise and information (Bach & Ruffing, 2013).

The IABs that score high on autonomy within the national policymaking process, CBS, COA, RDW and NEa, are also actively, although not through every form, involved at the EU level through the EC. It is remarkable to see that CBS is not involved in meetings organised by the EC while this is an important part of involvement through the EC. According to the theory, the EC is dependent upon reliable partners for expertise. However, CBS fulfils their expertise role mostly through the participation in formal networks. These networks seem to be of extreme importance for the EC and the IABs; the majority of the IABs are active in it. This was also recognised by some respondents: the respondents of the Ministry of Infrastructure and the Environment (respondent 16 & 17) also find it useful that RDW is aware of the positions of the other member states. This helps the ministry during EU meetings. The other ministries were not aware of the fact that IABs can possess information on EU negotiations or information on the national stance of other member states. The IABs that experience a medium degree of autonomy, AFM, SBB, KvK and Kadaster, are all in different ways involved through this route. AFM is very active through participation in formal agency networks and by frequently contacting colleagues in other member states. KvK is very active in lobbying civil servants of the EC. While SBB and Kadaster are more biding at this level of involvement: their participation in formal agency networks is not as active compared to the involvement of AFM and KvK. It is therefore difficult to distinguish a specific pattern for these IABs who experience a medium degree of

autonomy. Furthermore, it is remarkable that the IABs who experience a lower degree of autonomy, KCB, IFV and Ksa, are also not active at the EU level through the EC. These IABs merely have contact with colleagues of EU member states; the other possibilities for involvement remain disregarded. Moreover, it is noticeable that these IABs are the only IABs that do not participate in formal agency networks while all the other IABs do participate in this type of networks.

It can be concluded that this hypothesis can be accepted, even though this relation has not been recognised by most of the respondents in the interviews. An explanation could be that respondents are not aware of the fact that EU involvement can have implications for the functioning of IABs. Most of the respondents see this involvement as given and therefore are not completely aware that the IAB is actually involved through the EC.

## 12.2 Involvement through the Council

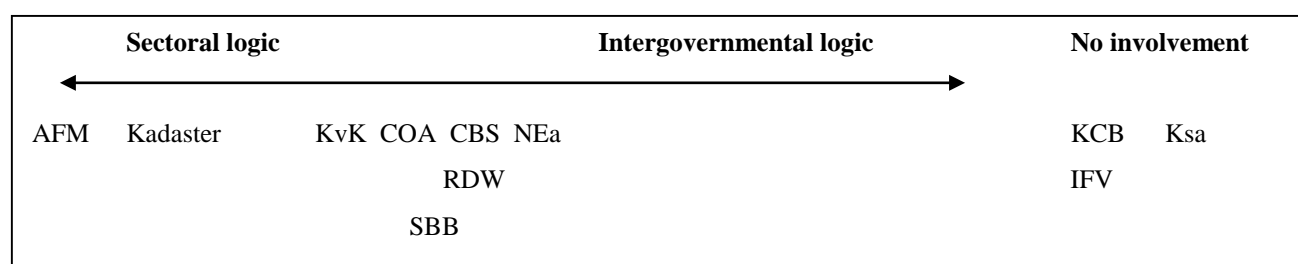
For involvement through the Council (intergovernmental logic) the hypothesis was as following: *'The lesser an IAB is exposed to council and comitology committees and involved in the preparation of the Dutch position for EU negotiations, the higher its autonomy during the policymaking process'*. The assumption behind this hypothesis was that IABs have a subordinate position towards their parent ministries during this type of involvement. The member states stay in control during the participation in council and comitology committees and through the preparation of a national stance on EU topics. The IABs are therefore not directly involved at the EU level: they can only advice the civil servants who are involved in the several committees. Because the ministry stays in the lead it contributes to a lower autonomy of the IABs during the national policymaking process (Bach & Ruffing, 2013).

The IABs that score higher on autonomy, CBS, COA, RDW and NEa, are also highly involved through the Council route. The RDW and NEa are active through all types of Council involvement; CBS and COA are active through two from the three types of Council involvement. CBS is active through the Council by contacting civil servants in the council and comitology meetings and by preparing the Dutch position for EU negotiations. COA is active through the Council by preparing the Dutch position for EU negotiations and by assisting the minister during EU negotiations. This indicates the opposite of the hypothesis since the IABs all have a high score on autonomy. The medium scoring IABs, AFM, SBB, KvK and Kadaster, score, except for KvK, low on Council involvement. Therefore it becomes difficult to establish a relation between these two variables since most of these IABs are not involved through the Council. KvK is an exception: it has contact with civil servants who are active in council and comitology committees and it assists during the preparation of the Dutch position. Nevertheless, KvK is not an IAB that has a low degree of autonomy: it has a medium score on autonomy. This finding also states the opposite of the hypothesis. IABs with a low amount of autonomy, KCB, IFV and Ksa, are not involved at the EU level through the Council. The respondents of these IABs also emphasized in the previous chapters in which the

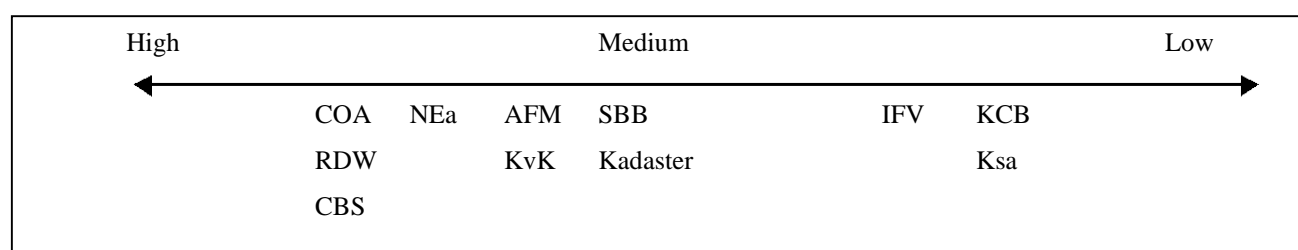
findings have been presented, that it is not necessary to support the ministry during EU negotiations: it was very clear that the ministry and the minister itself had the lead during these negotiations or in the council and comitology meetings. Some respondents of IABs did not completely understand the leading role of their parent ministry during comitology committees since the topics in these meetings are mostly very technical. Therefore the expertise of the IAB would be useful (respondent 5, 13). Moreover, the fact that these IABs have a low score on autonomy while these IABs are not even involved through the Council could also state the opposite of the hypothesis. But this is not a very reliable finding since this has not specifically been studied.

Finally, this hypothesis can only be rejected on the basis of the results of the IABs that have a high degree of autonomy since the other IABs are not active through this type of involvement. The hypothesis can therefore not be rejected with complete certainty. In the next figures the autonomy of the IABs and the EU involvement of the IABs have been constructed to demonstrate the possible relationship between both variables.

**Figure 1: EU involvement of IABs constructed on the basis of the findings**



**Figure 2: Autonomy of IABs constructed on the basis of the findings**



### 12.3 Policy Complexity

The hypothesis for policy complexity is as follows: *'The more an IAB is involved in complex national policy issues, the higher its autonomy during the policymaking process'*. This hypothesis is based on the policy complexity of an IAB and this finds it logic in the task of the IAB and the policy specific qualifications of the employees of the IAB. The task of the IAB can indicate how independent an agency is: to reduce the informational transaction costs, regulatory agencies are guaranteed with higher independency and professional expertise (Wonka & Rittberger, 2010: 736). Therefore

regulatory IABs are involved in more complex policy tasks compared to, for example, executive IABs. Moreover, the policy specific qualifications of the employees can indicate the complexity of the policy task of an IAB. Political actors do not have the resources or the incentive to develop such expertise for themselves (Elgie & McMenamin, 2005). The political actors have outsourced certain tasks to the IABs; this could indicate that the employees of IABs have more policy specific qualifications. These qualifications can be a specific educational background or internal trainings.

The AFM, Ksa and NEA are responsible for regulation but these IABs all score differently at autonomy. Ksa has a low score, AFM a medium score and NEa a high score. SBB, KCB, IFV, RDW, Kadaster and also KvK and COA have service delivery as their main task. These IABs all seem to have different scores on autonomy as well. Finally, CBS and also KvK and COA are IABs that are responsible for policy advice. These IABs have a somewhat similar score on the autonomy: KvK has a medium score while CBS and COA have a high score on autonomy. Nevertheless, there does not seem to be a significant relation between the task of the IAB and the autonomy the IAB has. Only the IABs that also have policy advice as their task experience a higher amount of autonomy. An explanation could be that these IABs are stronger involved during the development of policies and that their expertise is highly appreciated by their parent ministry. This could result in an increase in the autonomy of these IABs. Concerning the policy specific qualifications of the employees, it is hard to draw any conclusions on the influence of this control variable on the autonomy of the IABs. The outcome of this indicator is mostly the same amongst the IABs. Therefore it cannot be established whether this has an effect on the autonomy of an IAB.

The third hypothesis can therefore be rejected.

#### **12.4 Summary: implications for the autonomy of IABs**

It remains difficult to completely confirm or reject a hypothesis in this research since it is based on the interpretation of the respondents and the researcher. A strong significant relation can therefore not be established between the dependent and the independent variables. Nevertheless, based on the findings and the previous analysis only the first hypothesis can be accepted in the light of this research while the other two hypotheses can be rejected. Both types of involvement, through the EC and the Council, seem to be important for IABs because they gain information about EU legislation and information about best practices through their participation. Nevertheless, a strong relation between EU involvement and the autonomy of IABs cannot be proven although it seems to be that involvement through the EC is seen as most valuable. Policy complexity does not seem to be a cause for the increase of the autonomy of an IAB. It should be taken into account that IABs in general seem to have been established to implement specific and mostly technical policies. Therefore it could be that all the IABs experience a certain degree of policy complexity and this does not influence the autonomy.

## **13. CONCLUSION**

As has been outlined in the introduction, agencies can assist officials in responding to pressures and problems and they can deal with international institutions (Maggetti, 2009; Thatcher, 2011). International institutions can for example be the EC and the Council. In recent years the possibilities of participation within these EU institutions have increased and national agencies seem to make use of it. This thesis has focused on this involvement and the implications it has on the autonomy of national IABs during the policymaking process in the Netherlands. This research has been conducted by evaluating the EU involvement and the autonomy of eleven Dutch IABs through a co-variational analysis; it has appeared that this involvement has several consequences for the IABs.

### **13.1 Comparison literature and empirical data**

In the previous chapter, the discussion, it is found that IABs who are actively involved at the EU level through the EC also experienced a higher amount of autonomy even though the respondents themselves were not completely aware of it. The IABs with a lower degree of autonomy were also not active at the EU level through the EC. Bach & Ruffing (2013) discovered in their research that the formal dimension of the sectoral logic, participation through EC meetings and formal agency networks, was stronger positively correlated to an increase in the autonomy of an agency. This did not occur in this research since CBS and NEa, IABs with a high amount of autonomy, do not actively participate in EC meetings. Formal agency networks, on the other hand, do seem to contribute to a higher amount of autonomy. It seemed to be a very important type of involvement. The informal dimension, participation in networks of sister agencies, seems to have a smaller effect on the autonomy of IABs since CBS and COA are not even involved in these networks while their expertise is highly valued by their parent ministry.

Moreover, it has been found that IABs with a high amount of autonomy are also actively involved at the EU through the Council. Even though it was difficult to reject the hypothesis with certainty, this finding does not correspond with the theory. The empirical data of Bach & Ruffing (2013) revealed that the expertise of an agency and participation through the Council did not positively correlate. However, in this research, the expertise of an IAB is extremely valued during the participation through the Council. IABs with a large amount of autonomy are all being consulted for their expertise and are being active through the Council while other IABs with a lower amount of autonomy are in some cases also less consulted for their expertise and in addition they are not active through the Council. This could also indicate that IABs with a high degree of autonomy are active at the EU through the Council. This means that the dependent variable, autonomy, would affect the independent variable, involvement through the Council instead of vice versa.

The final hypothesis, the more an IAB is involved in complex policy issues, the higher its autonomy cannot be confirmed with certainty. The task of an IAB seemed to have an influence on the autonomy of an IAB: if an IAB is involved in policy advice, the IAB also enjoys a higher degree of autonomy. This could be because the IAB will therefore need to have more contact with the ministry to give policy advice. This intensified contact could result in a higher autonomy of an IAB during the policymaking process. To conclude, policy complexity has not distinctively been recognised by the respondents and the size of the staff does not seem to be a clear indicator for this variable. Policy complexity seems to be stronger related to the task IABs perform and the expertise they possess within the IAB for the performance of the task instead of the size of the IAB. This is an important finding related to the theory of Wonka and Rittberger (2010) since they believe that the size of an organisation indicates the complexity of the policy issues. In the context of this research it can be stated that this is not correct.

### **13.2 Answering research question**

The question that has been raised at the beginning of this research was as following: *‘Does EU involvement of Independent Administrative Bodies increase their autonomy during the formulation of policies?’*.

It seems that a different relation is present within the findings: a high degree of autonomy of an IAB leads to a stronger EU involvement. IABs that enjoy a high amount of autonomy during the policymaking process are active through both types of involvement: through the EC and the Council. Most important seems to be to participate in EC meetings, in formal agency networks and to prepare the Dutch position for EU negotiations. But this involvement is especially important for IABs that have a large degree of autonomy. IABs with a small degree of autonomy are not active at the European level; this could mean that not being active at the European level also leads to less autonomy. In conclusion, the main question cannot positively be answered: the relation that is stated in the question occurs vice versa in the empirical data.

### **13.3 Type of research**

The previous answers have been found by using a qualitative research design: a co-variational analysis. Even though this method has its limitations, as will be explained in the last paragraph of this chapter, it also has its advantages. By conducting interviews the researcher could interact with the respondents and that led to new information. Moreover, the researcher was able to use quotes of the respondents that have led to a nuanced presentation of the context in which IABs are active. Any surprising answers of the respondents could also be included through this type of research: it gave the researcher the opportunity to focus on the details of the several cases. Therefore this method has

proven its importance: it has given a rich description of the IABs that have stood central in this research.

### **13.4 Broader implications**

During this research it came across that there were underlying factors of importance for IABs and the parent ministries for the execution of their work:

#### *Involvement during development of policies*

Even though agencies are seen as a solution for the government to offload controversy by giving agencies the authority to decide about difficult implementation issues (Thatcher, 2011), the decisions about implementation will serve the government better if these agencies are involved during the development of policies. The transition from policymaking to implementation will then be better facilitated since the IAB can indicate during the development of policies whether it can be implemented or not. IABs that experience such a change in the relation with the ministry have indicated that this contributes to effective policies that can easily be implemented.

#### *Support of IABs for ministries at EU level*

As has been shown throughout this research, IABs possess a high amount of expertise due to the complex and specific task they have to perform. As respondents in this research indicated, this expertise should also be exploited at the EU level. The ministry does not only need to make use of this expertise during the development of policies but also during involvement at the EU level. IABs can gain information on the position of other member states by participating in formal agency networks and the IABs can gain information on and influence EU legislation through participating in meetings of the EC. This information can assist the ministry during EU negotiations as well. It can help the ministry to identify the positions of the other member states and it can help in formulating legislation through the Council route that could have a positive result for the Netherlands.

### **13.5 Limitations of the research**

The previous stated conclusions and recommendations should also be considered in the light of the limitations of this research. First of all, this has been a small case study and therefore it cannot represent all the IABs in the Netherlands. It can serve as an initiator for larger studies. Besides that, interviews have been used as the main source of information. This means that the interpretation of the respondents and the researcher have given a decisive result for the final outcomes of the research. A different researcher can interpret the interviews differently and therefore one has to be aware of this while reading the thesis. Finally, it has been difficult to establish a relation between involvement through the Council and the autonomy of an IAB and policy complexity and the autonomy of an IAB. This is the result of choosing for a qualitative research: it cannot be calculated whether there exists a



clear relation between both variables. Again, the interpretation of the researcher formed an important role during the confirmation or rejection of the hypotheses.

Nevertheless, this research could serve as a starting point for future research directions. A similar research but then through a quantitative method can be conducted in which all the IABs in the Netherlands should be involved. It can then be assessed whether the findings in this research can apply to all the IABs in the Netherlands and whether the parent ministry of the IAB also has an effect on the autonomy of the IAB. Furthermore, a more detailed research could be designed which stronger focuses on the policy complexity of the task of IABs. This could especially be important for IABs with a low degree of autonomy.

## **REFERENCES**

- Autoriteit Financiële Markten, *Annual report 2013*, Autoriteit Financiële Markten, Amsterdam.
- Bach, T., Niklasson, B. & Painter, M. 2012, 'The Role of Agencies in Policy-making', *Policy and Society*, vol. 31, pp. 183-193.
- Bach, T. & Ruffing, E. 2013, 'Networking for Autonomy? National Agencies in European Networks', *Public Administration*, vol. 91, no. 3, pp. 712-726.
- Blatter, J. & Haverland, M. 2012, *Designing Case Studies. Explanatory Approaches in Small-N Research*, Palgrave Macmillan, Hampshire.
- Buttolph Johnson, J. & Reynolds, H.T. 2007, 'The Building Blocks of Social Scientific Research: Hypotheses, Concepts, and Variables', in Buttolph Johnson, J. & Reynolds, H.T. (Eds.), *Political Science Research Methods*, CQ Press, Washington D.C., pp. 60-87.
- Centraal Orgaan opvang Asielzoekers, *Internationaal*, Viewed 14 June 2014, <<http://coa.nl/nl/over-coa/internationaal>>.
- Centraal Orgaan opvang Asielzoekers, *Over COA*, Viewed 14 June 2014, <<http://www.coa.nl/nl/over-coa>>.
- Centraal Bureau voor de Statistiek, *Centrale Commissie voor de Statistiek*, Viewed 15 June 2014, <<http://www.cbs.nl/nl-NL/menu/organisatie/organisatie/centrale-commissie-voor-de-statistiek/default.htm>>.
- Centraal Bureau voor de Statistiek, *CBS in internationaal perspectief*, Viewed 15 June 2014, <<http://www.cbs.nl/nl-NL/menu/organisatie/organisatie/internationale-samenwerking/int-perspectief.htm>>.
- Egeberg, M. & Trondal, J. 2009, 'National Agencies in the European Administrative Space: Government Driven, EC Driven or Networked?', *Public Administration*, vol. 87, no. 4, pp. 779 -790.
- Elgie, R. & McMenamin, I. 2005, 'Credible Commitment, Political Uncertainty or Policy Complexity? Explaining the Variations of Independence of Non-majoritarian Institutions in France', *British Journal of Political Science*, vol. 35, no. 3, pp. 531-548.
- Emissieautoriteit, *Organisatie en Structuur*, viewed 28 June 2014, <<https://www.emissieautoriteit.nl/emissiehandel/over-de-nea/organigram>>.
- Gschwend, T. & Schimmelfennig, F. 2007, 'Introduction: Designing Research in Political Science – A Dialogue between Theory and Data', in Gschwend, T. & Schimmelfennig, F. (Eds.), *Research Design in Political Science*, Palgrave Macmillan, Hampshire, pp. 1-14.
- Hood, C. 1991, 'A Public Management for all Seasons?', *Public Administration*, vol. 69, pp. 3-19.
- Horton, J., Macve, R. & Struyven, G. 2004, 'Qualitative Research: Experiences in Using Semi-Structured Interviews', in Humphrey, C. & Lee, B. (Eds.), *The Real Life Guide to Accounting Research*, Elsevier B.V., Amsterdam, pp. 339–358.
- Infopunt Veiligheid 2014, *Wet Veiligheidsregio's (Wvr)*, viewed 27 June 2014, <<http://www.infopuntveiligheid.nl/Publicatie/Dossier/89/wet-veiligheidsregios-wvr.html>>.

- Instituut Fysieke Veiligheid, *Organisatie*, Viewed 27 June 2014, <<http://www.ifv.nl/Paginas/Over-IFV.aspx#tab3>>.
- Instituut Fysieke Veiligheid 2014, *Over het IFV*, Viewed 27 June 2014, <<http://ifv.nl/Paginas/Over-IFV.aspx#tab2>>.
- Kadaster, *Wat doen we?*, Viewed 27 June 2014, <<http://www.kadaster.nl/web/english/About-Kadaster.htm>>.
- Kadaster, *De internationale activiteiten van het Kadaster*, Viewed 27 June 2014, <<http://www.kadaster.nl/web/over-kadaster/Wat-doen-we/Internationale-activiteiten.htm>>.
- Kamer van Koophandel, *De nieuwe Kamer van Koophandel*, Viewed 15 June 2014, <<http://www.kvk.nl/over-de-kvk/de-nieuwe-kamer-van-koophandel/>>.
- Kansspelautoriteit, *Kerntaken*, Viewed 28 June 2014, <<http://www.kansspelautoriteit.nl/organisatie/kerntaken/>>.
- Kansspelautoriteit, *Missie en Visie*, Viewed 28 June 2014, <<http://www.kansspelautoriteit.nl/organisatie/missie-visie/>>.
- Kellstedt, P.M. & Whitten, G.D. 2013, 'The Scientific Study of Politics', in Kellstedt, P.M. & Whitten, G.D. (eds.), *The Fundamentals of Political Science Research*, Cambridge University Press, New York, pp. 1-23.
- Kwaliteitscontrole bureau 2013, *Jaarverslag 2013*, Kwaliteitscontrole bureau, Den Haag.
- Leeuw de, J. 2013, *Onderzoek naar de herpositionering van ZBO's*, Algemene Bestuursdienst, Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, Den Haag.
- Maggetti, M. 2009, 'The role of independent regulatory agencies in policy-making: a comparative analysis', *Journal of European Public Policy*, vol. 16, no. 3, pp. 450-470.
- Ministry of the Interior and Kingdom Relations 2014, *Kamerbrief over het beleid ten aanzien van Zelfstandige Bestuursorganen*, Ministry of the Interior and Kingdom Relations, Den Haag.
- Moravcsik, A. 1994, 'Why the European Union Strengthens the State: Domestic Politics and International Cooperation', *Centre for European Studies Harvard University*, Working Paper Series #52, paper presented at the Annual Meeting of the American Political Science Association, New York.
- Pollitt, C., Bathgate, K., Caulfield, J., Smullen, A. & Talbot, C. 2001, 'Agency Fever? Analysis of an International Policy Fashion', *Journal of Comparative Policy Analysis: Research and Practice*, vol. 3, pp. 271-290.
- RDW, *De RDW als ZBO*, viewed 15 June 2014, <<http://www.rdw.nl/overrdw/Paginas/De-RDW-als-ZBO.aspx?path=Portal/Over RDW/Profiel>>.
- RDW, *Missie en Kerntaken*, viewed 15 June 2014, <<http://www.rdw.nl/overrdw/Paginas/Missie-en-kerntaken.aspx?path=Portal/Over RDW/Profiel>>.
- Rommel, J. & Christiaens, J. 2009, 'Steering from Ministers and Departments', *Public Management Review*, vol. 11. No. 1, pp. 79-100.
- Staatsbosbeheer mei 2014, *Jaarstukken 2013*, Staatsbosbeheer, Driebergen-Zeist.
- Staatsbosbeheer, *Visie en Missie Staatsbosbeheer*, Viewed 14 June 2014, <<http://www.staatsbosbeheer.nl/Over%20Staatsbosbeheer/Visie%20en%20missie.aspx>>.

- Thatcher, M. 2011, 'Delegation to Independent Regulatory Agencies: Pressures, Functions and Contextual Mediation', *West European Politics*, vol. 25, no. 1, pp. 125-147.
- Thiel van, S. 2001, 'Kaderwet Zelfstandige Bestuursorganen; uniformiteit of verscheidenheid?', *Bestuurswetenschappen*, vol.2, pp. 189-193.
- Thiel van, S. 2010, *Bestuurskundig onderzoek: een methodologische inleiding*. Uitgeverij Coutinho, Bussum.
- Trondal, J. 2011, 'Domestic Agencies in an Emergent European Executive Order', *Journal of European Integration*, vol. 33, no. 1, pp. 55-74.
- Verschuere, B & Bach, T. 2012, 'Executive Agencies, Ministers, and Departments: Can Policy and Management Ever be Separated?', *Administration & Society*, vol. 44, no. 2, pp. 183-206.
- Wilson, J.Q. 1989, *Bureaucracy: what government agencies do and why they do it*, Basic Books: New York.
- Wonka, A. & Rittberger, B. 2010, 'Credibility, Complexity and Uncertainty: Explaining the Institutional Independence of 29 EU Agencies', *West European Politics*, vol. 33, no. 4, pp.730-752.
- Yesilkagit, K. 2011, 'Institutional Compliance, European Networks of Regulation and the Bureaucratic Autonomy of National Regulatory Authorities', *Journal of European Public Policy*, vol.18, no. 7, pp. 962-979.
- Yesilkagit, K. & Thiel van, S. 2008, 'Political Influence and Bureaucratic Autonomy', *Public Organization Review*, vol. 8, pp. 137-153.
- Yin, R.K. 2003, 'Conducting Case Studies: Collecting the Evidence', in Yin, R.K. (Ed.), *Case Study Research: Design and Methods*, Sage Publications, Boston, pp. 83-108.

#### Personal communication

All the respondents in this research have given permission to use the name of the IAB or the ministry in this research. The official interview transcripts are available on request.

## **APPENDICES**

### **Appendix 1. Interview questions IABs**

#### **General questions**

1. Could you explain more about your profession?  
*Kunt u uitleg geven over uw beroep?*
2. Could you explain more about the IAB? What kind of tasks does this IAB perform?  
*Kunt u uitleg geven over de ZBO? Wat voor taken voert de ZBO uit?*

#### **Policy complexity**

3. How large is the IAB?  
*Hoe groot is de ZBO gezien de hoeveelheid staf?*
4. Do the employees of this IAB need to have policy specific qualifications?  
*Moeten de medewerkers van uw organisatie specifieke beleidskennis hebben om hier werkzaam te zijn?*
5. Does this IAB provide information to its parent ministry or does this occur vice versa?  
*Levert uw organisatie informatie aan het ministerie of gebeurt dit andersom?*

#### **Sectoral logic**

6. Is the IAB involved in meetings that are organised by the European EC?  
*Is uw organisatie betrokken bij vergaderingen die georganiseerd zijn vanuit de Europese Commissie?*
7. What kind of meetings are these (how are they organised, what kind of purpose?)?  
*Wat voor vergaderingen zijn dit zoal (hoe zijn ze georganiseerd, wat voor doel hebben ze?)?*
8. Do you consult colleagues of other EU member states (how and why)?  
*Raadpleegt u collega's uit andere EU lidstaten (hoe en waarom)?*
9. Do you participate in formal agency networks?  
*Participeert uw organisatie in formele netwerken van agentschappen?*
10. Do you consult sister agencies in other countries?  
*Raadpleegt uw organisatie andere agentschappen buiten het formele netwerk om?*

#### **Intergovernmental logic**

11. Does the IAB assist the parent ministry in formulating the Dutch position in EU negotiations (how and why)?

*Assisteert uw organisatie het ministerie tijdens het formuleren van de Nederlandse positie voor EU onderhandelingen (hoe en waarom)?*

12. Does the IAB assist the minister during EU negotiations (how and why)?

*Assisteert uw organisatie de minister tijdens EU onderhandelingen (hoe en waarom)?*

13. What kind of role does the IAB have in relation to the ministry / the minister?

*Wat voor een rol heeft uw organisatie in relatie tot het ministerie / de minister?*

### **Autonomy**

14. Does the IAB have tasks within the area of policy development within the Netherlands?

*Heeft uw organisatie taken op het gebied van beleidsontwikkeling binnen Nederland?*

15. Can the IAB develop proposals for policy development within the area of responsibility?

*Kan uw organisatie voorstellen voor beleid inbrengen binnen uw vakgebied?*

16. Does the ministry use the expertise of the IAB?

*Wordt er gebruik gemaakt van de kennis en expertise van uw organisatie?*

17. Can the IAB independently negotiate with external actors, such as interest groups or European institutions?

*Is het mogelijk om onafhankelijk contact op te nemen met externe actoren zoals belangengroepen en/of Europese instituties?*

18. Is it possible for the IAB to get its positions and requests accepted by the parent ministry? If yes, what are the reasons for that?

*Is het mogelijk dat het ministerie bepaalde posities en verzoeken accepteert van uw organisatie? Zo ja, wat zijn de redenen hiervoor?*

### **EU involvement and autonomy**

19. Does the IAB have EU knowledge and negotiation expertise?

*Heeft uw organisatie (veel) EU kennis en onderhandelings expertise?*

## Appendix 2. Interview questions ministries

1. With which Independent Administrative Bodies (IABs) has your department contact?  
*Met welke Zelfstandige Bestuursorganen (ZBO's) heeft uw departement contact?*
2. How is this contact? (How frequent/intensive, with which employees of the IAB)  
*Hoe verloopt dit contact? (Hoe frequent/intensief, met welke medewerkers van de ZBO)*
3. How would you characterize the contact between the IABs and your ministry?  
*Hoe zou u de relatie tussen de ZBO's en uw ministerie typeren?*
4. Does your ministry make use of the knowledge and expertise of the IABs?  
*Maakt uw ministerie gebruik van de kennis en expertise van ZBO's?*
5. Do IABs have the possibility to propose policies at the ministry of .. ?  
*Kunnen ZBO's voorstellen voor beleid inbrengen bij het ministerie .. ?*
6. Can IABs submit certain proposals at the ministry .. ? (How and why?)  
*Kunnen ZBO's bepaalde verzoeken indienen bij het ministerie .. ? (Hoe, waarom?)*
7. Can IAB independently contact external actors such as interest groups?  
*Kunnen ZBO's onafhankelijk contact opnemen met externe actoren zoals belangengroepen?*
8. Is your ministry supported by IABs during the formulation of a Dutch position for EU negotiations? (How and why?)  
*Wordt uw ministerie ondersteund door ZBO's tijdens het formuleren van een Nederlandse positie voor EU onderhandelingen? (Hoe en waarom?)*
9. Is you minister being supported by IABs during EU negotiations?  
*Wordt uw minister door ZBO's geassisteerd tijdens EU onderhandelingen?*
10. Do IABs have much EU knowledge and negotiation expertise?  
*Hebben ZBO's veel EU kennis en onderhandelingsexpertise?*
11. Are IABs also active at the EU level (by, for example, EC meetings, participation in networks of other IABs/agencies from different member states)?  
*Zijn ZBO's daarnaast nog actief op EU niveau (zoals tijdens vergaderingen die georganiseerd worden vanuit de Europese Commissie, participatie in netwerken van andere ZBO's/agencies uit andere lidstaten e.d.)?*
12. Is there, according to you, a relation between EU involvement of an IAB and the autonomy of an IAB?  
*Bestaat er volgens u een relatie tussen de betrokkenheid op Europees niveau van een ZBO en de autonomie van een ZBO?*

### **Appendix 3. List of respondents**

Respondent 1: Netherlands Authority for the Financial Markets, manager team Public International Affairs

Respondent 2: Ministry of Finance, policy advisor

Respondent 3: Ministry of Finance, policy advisor

Respondent 4: National Forest Service, employee of Public Affairs

Respondent 5: Quality Control Bureau, technical director

Respondent 6: Chamber of Commerce, senior advisor EU Public Affairs

Respondent 7: Statistics Netherlands, head Central Policy Staff

Respondent 8: Ministry of Economic Affairs, policy advisor

Respondent 9: Central Agency for the Reception of Asylum Seekers, strategic advisor

Respondent 10: The Dutch Institute for Physical Safety, Management Assistant

Respondent 11: The Games of Chance Authority, Senior Communications Advisor and Spokesman

Respondent 12: RDW, manager Vehicle Standards Development

Respondent 13: Dutch Emissions Authority, Risk manager

Respondent 14: Kadaster, advisor Administrative Affairs

Respondent 15: Kadaster, advisor Administrative Affairs

Respondent 16: Ministry of Infrastructure and the Environment, policy advisor

Respondent 17: Ministry of Infrastructure and the Environment, policy advisor