Merit-based recruitment boosts good governance: How do European Union agencies recruit their personnel?

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Abstract

Studies show that public administrations that practice merit-based recruitment of their personnel are significantly less marked by corruption than administrations that do not recruit in this manner. While we know a lot about how EU member states score with regard to the degree of merit-based recruitment within their administrations, and also how the European Commission administration performs in this respect, recruitment practices within the increasing number of EU regulatory (decentralized) agencies seem to remain a white spot in the literature so far. In this paper, we make a first step in mapping recruitment practices within the secretariats of such agencies. We also investigate if it matters whether an EU agency is located in a country marked by a non-meritocratic administrative culture or not. The paper shows that EU agencies seem to overwhelmingly apply meritocratic instruments when hiring people, regardless of their location.

Practitioner points

This paper argues and shows that recruitment based on merit enhances good and non-corrupt governance. The case in point is European Union (EU) agencies. The data presented illuminates that these agencies generally apply meritocratic instruments when hiring administrative staff. The study also shows that recruitment practices are not affected by the geographical location of EU agencies. These agencies tend to practice the common merit-based EU standards regardless of their location, since agencies are components of the EU administration.

Keywords

EU agencies, good governance, institutional approach, meritocracy, organizational approach, recruitment,

1. Introduction

It has been shown that public administrations that practice merit-based recruitment of their personnel are significantly less marked by corruption than administrations that do not recruit in this manner (Dahlström et al. 2011). Civil servants who are recruited and promoted due to their skills and merits rather than on patronage - political party affiliation, friendship or kinship - tend to embrace values of integrity more than others (Pedersen and Johannsen 2015). Moreover, good living conditions and social well-being in general tend to characterize societies governed by 'impartial' public bureaucracies (Rothstein 2012). Against this backdrop, it is interesting to notice that the merit principle is perceived to be in crisis in a Western country such as the United States (Ingraham 1995; Kettl 2015). While we know a lot about how EU member states score with regard to the degree of merit-based recruitment within their administrations (Bach et al. 2015; Dahlström et al. 2015; Kopecky et al. 2012), and also how the European Commission (Commission) administration performs in this respect (Balint et al. 2008; Fusacchia 2009; Murdoch et al. 2014), recruitment practices within the increasing number of EU regulatory (decentralized) agencies remain a white spot in the literature (Busuioc et al. 2012; Egeberg and Trondal 2016). This paper makes a first step in mapping recruitment practices within the secretariats of such agencies, whilst also investigating if it makes a difference whether EU agencies are located in countries marked by a non-meritocratic administrative culture or not.

The administration of the Commission has from the start recruited its newcomers mainly through a merit-based system. The so-called *concours*, which consist of highly competitive exams based on written and oral tests, embody such a system. However, the appointment of top officials has historically been a rather contentious issue since it is inherently linked to the grand debate on a federal or an intergovernmental Europe (Coombes 1970). To federalists, an independent career civil service was regarded as an essential prerequisite to the evolution of a genuinely supranational executive. To intergovernmentalists, on the other hand, the notion of a self-contained, zealous body of ‘eurocrats’ was not particularly inviting. However, by imposing several strict procedural requirements on appointment processes, it seems as if appointments of top officials have become considerably ‘objectivized’ and depoliticized. The room for national governments, or commissioners and their *cabinets*, to actually intervene in order to ‘restore the geographical balance’ among senior posts, has thus been significantly curbed (Egeberg 2006: 37-40; Balint et al. 2008; Fusacchia 2009). But since the EU executive today also includes more than 30 regulatory agencies in addition to the Commission, it also becomes vital to map *their* recruitment practices in order to know more about the conditions for ‘good governance’ in the EU.

However, in the end, ‘good governance’ in the European Union does not only depend on the quality of the EU’s own administration. ‘Good governance’ also relies on how well member state bureaucracies perform. With regard to merit-based recruitment, probably then a key condition for non-corrupt behaviour, countries in the North-West of Europe tend to come closer to meritocracy than countries in the South-East (Dahlström et al. 2015). The EU has, however, employed several instruments to enhance meritocratization and, in general, professionalization,

of national administrations, where needed: Firstly, during accession negotiations, the Commission may have claimed administrative reforms in such a direction as a condition for membership in the Union. The sustainability and effectiveness of such reforms subsequent to accession have been seriously questioned though (Dimitrova 2010). Secondly, as part of the EU's regulatory policy, EU legislation may have contained rather concrete requirements concerning the organization of national agencies. Research has shown that such measures have made national agencies more professional over time. Such specific (acquis) rules seem to result in a stronger and more enduring impact compared to the much weaker influence of the EU's political conditionality (Nakrosis and Bankauskaite-Grigaliuniene 2014). Thirdly, the Commission has built networks for benchmarking and learning composed of member state officials in charge of administrative policy and human resource management (Demmke 2015). In addition to the above-mentioned instruments, it could be that EU agencies, given that they themselves practice merit-based recruitment, might contribute to spreading good governance through exemplary behaviour. After all, they constitute nodes within more than 30 regulatory networks, each composed of agencies from 28 member states (Busuioc et al. 2012; Ossege 2016).

Although it seems well documented that merit-based recruitment in general benefits public governance, parts of the literature on bureaucratic recruitment have nevertheless pointed to an inherent tension between meritocracy on the one hand and ensuring a proper balance in terms of social, ethnic or gender composition on the other hand (Meier and Capers 2012). The tension between meritocracy and democracy also come to the fore when the well-educated dominates political venues (Bovens and Wille 2009). With regard to the EU administration in particular, a recurring issue has been how to reconcile a merit-based recruitment system with an overall

geographical representativity; an issue that has come to the fore at every enlargement of the EU (Ban 2013).

EU regulatory agencies are all located outside Brussels. Most are situated in member states which score relatively high on merit-based recruitment, but some find themselves within countries that score low in this respect (see section 4). Section 2 outlines two theoretical arguments from which we derive two partly competing expectations concerning the extent to which merit-based recruitment actually takes place: Seen from a closed organizational perspective, EU agencies will (as EU bodies) practice merit-based recruitment according to the EU's administrative policy regardless of their geographical location. Seen from an open institutional perspective, on the other hand, recruitment processes may become affected by the prevailing administrative culture of the country within which an EU agency is embedded. Thus, in EU agencies placed in countries marked by a non-meritocratic administrative culture, merit-based recruitment might come under pressure (e.g. Verheijen 2012: 599). To shed light on actual recruitment processes, we draw on EU agency documents, complemented by interviews (cf. section 3 on method). The empirical findings are presented in section 4, before we draw a preliminary conclusion in section 5.

2. Theory: two arguments

Few, if any, organization analysts would claim that organizations operate without connections to its environment (Scott and Davis 2007). However, the extent to which environmental forces shape organizational behaviour and the degree to which organizations are a function of their location in the environment remains contested. One position would claim that organizational

action is relatively insulated from external pressures giving explanatory precedence to internal structural characteristics over external factors. From an open system approach one would argue that organizations are likely to not only to be affected but also penetrated by their environment. Below we spell out how these two main arguments can be made relevant for explaining recruitment practices in EU agencies as supranational bureaucracies.

An organizational perspective on bureaucracies assumes that they are constructed to achieve goals and that the formal structure of organizations shapes how organization members act. Consequently, by establishing rules of conduct and attach organizational capacity to uphold them the formal structure of organizations provide participants with the behavioural cues on how they are expected to act in given situations in order to achieve organizational goals. Rationality in decision making is bounded and formal organizational structures are a key selection mechanism that enables decision makers to cope with of problems of capacity and understanding (Simon 1997[1945]). Through specifying the formal structures organizational behaviour can be designed and processes within an organization can be coordinated in relatively predictable ways (Egeberg et al. 2016). “Bureaucratic structure determines what authority and resources can be legitimately used, how, when, and by whom. Commands and rules are followed because they are given by office holders as trustees of an impersonal rational-legal order” (Olsen 2006: 3). The designers of new organizations and, once established, the authoritative centre of an organization or system of organizations can then be expected to control decision making behaviour through specifying formal rules and organizational roles. Organizational practices follow formal structure based on hierarchical control, incentive systems or/and a sense of moral obligation among organizational participants (Egeberg et al. 2016: 158).

This implies that organizational action is impervious to changing circumstances and to changing composition of personnel in the organization. Practices are from such a perspective also relatively invariant to the environment within which the organization is located since formal structures, supported by internal administrative identities, are inculcated into organizational practices shielding them from external pressures. From this it follows that where organizations are located and what kind of organizational environment that surrounds them is far less important for explaining practices than the formal structures that standardize practices *within* organizations and *between* organizations that are coupled in a system. In the case of recruitment practices this simple argument is relevant in the following way: For bureaucracies modes of recruitment are key processes in substantive terms, i.e. determining the quality and capacity of their personnel, and are also part of what defines them as organizations. Hence, given how central such processes are for bureaucracies and that EU agencies are parts of an EU administrative system, we expect that recruitment of personnel to EU agencies are formalized and standardized as well as part of a universal EU recruitment system. EU agencies may have varying organizational structures and be 'at varying arm's length' from the European Commission as the supranational executive centre of the EU (Busuioc 2009), but when it comes to recruitment we expect little room for local adaptation of the key meritocratic principles specified in the common recruitment policy. For EU agencies this implies that organizational practices in general are likely to be in line with system-wide policies and universal rule sets for the EU administration. We expect to observe this as the main pattern despite the fact that EU agencies are located outside Brussels at a considerable physical distance to the European Commission and are partly located in local non-meritocratic administrative cultures.

An *institutional perspective* (the sociological version) on the other hand relaxes the assumption of within-system coordination and control through formal structuration. Institutional scholarship has pointed to how organizational practices are under certain conditions less likely to take the blue print of formal structure. Once established, organizations tend to acquire a life of their own. Ambiguities of formal rules leave room for interpretations and local adaptations as they tend to be reproductively unreliable (March 1994). An open institutional perspective assumes that the behaviour of organizations is explained "not by their internal attributes but by their location in some physically or socially defined space" (Scott 2014: 220). We can expect that the *local* environment of organizations is a source of divergence in organizational practices. As organizations institutionalize, exposure to competing interpretations of what constitutes good and effective practices will penetrate the practices of the focal organization (D'Aunno et al. 1991).. Organizations evolve as living, social organisms and in doing so they are constrained and shaped by their local environment. As evidenced by Selznick's iconic study of the TVA (Selznick 1949), original structures are transformed over time and adjusted to and aligned with the local constituents with which the focal organization interacts. Applied to the case of EU agencies' recruitment practices, we would expect the recruitment practices of the individual EU agencies to adapt to the local administrative cultures in the country that hosts the Agency. Strong local pressures will shape the actual practices of the Agency potentially creating a discrepancy between EU official administrative policy and EU agency recruitment practices. Hence, if located in an environment marked by non-meritocratic recruitment practices embedded in robust national administrative cultures, the EU agency will develop practices in line with these even if there are clearly articulated recruitment policies based on meritocratic principles at the centre

for the EU's executive order. Pressure for local assimilation will trump the latter and agencies are more likely to take their behavioral cues from their host countries' recruitment practices than from Brussels.

3. Data and method

The Commission requests each EU agency to regularly make a so-called 'Staff Policy Plan' that has to be submitted to the Commission's human resources department. This document should contain information on, *inter alia*, how the agency copes with various requirements concerning the hiring of personnel; such as publication of vacancies, the use of selection committee and its composition, the use of interviews and written tests, and applicants' access to information and appeal procedures (see below). In order to map actual recruitment practices within EU agencies, our point of departure was exactly these documents. The staff policy plans of 31 EU agencies were in 2015 content-analyzed along 21 variables describing the fulfilment or not of process requirements as outlined above. Where such plans happened to be unavailable or incomplete, agencies were contacted by e-mail or phone. 17 such contacts, plus documents informing applicants about the application process, resulted in an exhaustive data matrix. These data are used below to reveal the proportion of the agencies which applies the various recruitment instruments, and also the extent to which the location of EU agencies correlates with recruitment *practices*. The tau-b correlation is used since this measurement is less sensitive to a

low N than for example Pearson's r . Additional documents used to map recruitment *procedures* consist of the Commission's so-called 'analytical fiches'¹.

Thus, we have not measured the weight assigned to merit concerns in each appointment decision directly. Instead, we have observed the extent to which various constraining factors are activated in the recruitment process: Arguably, meritocratic recruitment behaviour is thought to be more likely if vacancies are properly published, if a selection committee includes officials from more than one unit as well as staff representatives, if interviews and written tests are applied, and if applicants have access to information and appeal procedures. This indirect way of operationalizing the extent to which merit-based recruitment actually takes place might raise concerns about the validity of the data. Thus, in order to remedy some of these concerns, we have complemented our data with phone or e-mail interviews with staff committee members (i.e. staff representatives) from 19 agencies. They were asked about the actual role played by merit and non-merit concerns in recruitment decisions within their respective agencies. Staff representatives were chosen as our informants since they, although members on selection committees, are not supposed to speak on behalf of the agency. One can therefore expect these people to express more neutral, and possibly critical, views, compared to their colleagues acting in their capacity as agency officials. In addition, the Quality of Government Dataset served to categorize EU member states hosting EU agencies (except for Luxembourg) according to how they in general score with regard to merit-based recruitment (cf. Table 1) (Dahlström et al. 2015).

¹ A series of analytical papers published at the Commission's website, available at: http://europa.eu/about-eu/agencies/overhaul/index_en.htm [last accessed 13 May 2014].

4. Recruitment procedures and practices

This section is presented in two steps. The first step outlines the main recruitment procedures available to EU agencies. The second step shows how EU agencies use these procedures in practice.

Recruitment procedures

EU regulatory agencies share some generic organizational features: they are specialized bodies outside the Union institutions, they have limited mandates and formal powers, and they are led by a director and a management board. The management board's main functions are usually to decide on the agency's budget, the work programme, and the appointment of its executive director, subsequent to the Commission's nomination of a candidate. Regulatory agencies are independent legal entities and have individual appointing authority taking autonomous decisions (Analytical Fiche No. 15: 2). In most cases, the Commission is involved in selecting agency heads by preparing a short-list of candidates (Analytical Fiche No. 7: 2).

EU agency staff is employed under the common EU Staff Regulations (officials) or the Conditions of Employment of Other Servants (temporary and contract agents) (Analytical Fiche No. 12).

'Thanks to the single set of rules, agencies' staff has the feeling of belonging ... to a unified European Civil Service' (Analytical Fiche No. 15: 2). In addition to this general set of rules, each agency must adopt its own rules on recruitment of the different types of staff. The standard procedure is that after publication of a vacancy notice, a selection committee is supposed to determine which of the candidates comply with the established eligibility criteria. Out of these, those who best fulfil the selection criteria should be invited for a written test and an interview.

The selection committee then is supposed to propose a list of suitable candidates to the appointing authority which is typically the agency director.

The 'White Paper on Governance' (2001) called for the Commission to control and monitor EU agencies. As one illustration, the White Paper emphasized that agency staff should fall under the same staff regulations as ordinary Commission Administrators. The White Paper appealed for Commission control of EU agencies by arguing that this would 'reinforce [...] the capacity of the European executive as a whole [...]' (Secretariat General 2001: 3). Yet, the Commission recognized that it lacked sufficient capacities to control EU agencies (Secretariat General 2001: 24). This experience triggered the Secretariat General (2001: 25) to call for the creation of 'appropriate infrastructure' in the Commission for steering and monitoring EU agencies.

Following this, the Commission 'has favored a consistent application of the Staff Regulations ... across all decentralized agencies' (Analytical Fiche No. 15: 1). This recruitment policy signifies that the Commission has placed evermore emphasis on developing a *coherent* recruitment policy vis-à-vis EU agencies (Szapiro 2005: 4; Schout and Pereyra 2011). The first initiative in this regard was the 'Interinstitutional Agreement' proposed in 2005, followed up with 'The way forward' in 2008. The next step was the launch of a 'detailed *Roadmap* for setting up agencies issued by the Commission in the autumn 2009 (Analytical Fiche Nr. 2: 5). Indicative of a common recruitment approach is the parent DG's role in the creation and staffing of EU agencies: 'Before the adoption of the founding regulation by the legislator, certain elements of the selection of the core administrative staff may be initiated by the parent Directorate General of the Commission [...]' (Analytical Fiche No. 12: 2). The set-up process may be facilitated when experienced Commission personnel is seconded to the newly created agency (Analytical Fiche Nr.2: 5). Moreover, 'the basic

regulation normally foresees that a Commission official may be appointed as an interim director to facilitate the start-up of an agency' (Analytical Fiche No. 12: 1-2).

Recruitment practices

New data presented in this section reveal actual recruitment behaviour among EU agencies.

Knowing that EU agencies are located in EU member-states with varying degrees of meritocratic recruitment traditions, this section in addition shows if location affects recruitment behaviour in EU agencies. Based on the QoG Expert Survey Dataset II (Dahlström et al. 2015) EU member-states are rank-ordered as regards their degree of meritocratic recruitment practice. Based on the QoG data, countries may be grouped into three equally sizable categories, ranked by degree of meritocracy (Table 1): Group 1 (high degree): Ireland to France; Group 2 (medium degree): Poland to Portugal; and Group 3 (low degree): Romania to Slovakia. Table 1 also displays the corresponding geographical location of EU agencies.

Table 1 EU agencies' location according to host country's degree of public administration meritocracy.

Host country	Host country group*	Country's mean score meritocracy*	EU agency
Ireland	1	6,64	European Foundation for the Improvement of Living and Working Conditions (EUROFUND)
Denmark	1	6,29	European Environment Agency (EEA)
Netherlands	1	6,08	European Police Office (EUROPOL), The European Union's Judicial Cooperation Unit (EUROJUST)
Finland	1	6,00	European Chemicals Agency (ECHA)
Sweden	1	5,92	European Centre for Disease Prevention and Control (ECDC)

Germany	1	5,89	European Aviation Safety Agency (EASA), European Insurance and Occupational Pensions Authority (EIOPA)
United Kingdom	1	5,79	European Banking Authority (EBA), European Medicines Agency (EMA)
Belgium	1	5,71	European GNSS Agency (GSA)
France	1	5,67	Community Plant Variety Office (CVPO), European Railway Agency (ERA), European Securities and Markets Authority (ESMA)
Poland	2	5,50	European Agency for the Management of Operational Cooperation at the External Borders (FRONTEX)
Spain	2	5,04	European Agency for Safety and Health at Work (EU-OSHA), European Fisheries Control Agency (EFCA), Office for Harmonisation in the Internal Market (OHIM)
Austria	2	5,00	European Union Agency for Fundamental Rights (FRA)
Czech Republic	2	5,00	
Lithuania	2	4,88	European Institute for Gender Equality (EIGE)
Estonia	2	4,67	European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (EU-LISA)
Latvia	2	4,60	Body of European Regulators for Electronic Communications (BEREC)
Slovenia	2	4,38	Agency for the Cooperation of Energy Regulators (ACER)
Portugal	2	4,25	European Maritime Safety Agency (EMSA), European Monitoring Centre for Drugs and Drug Addiction (EMCDDA)
Romania	3	4,24	
Croatia	3	4,20	
Greece	3	4,13	European Centre for the Development of Vocational Training (CEDEFOP), European Network and Information Security Agency (ENISA)
Malta	3	3,75	European Asylum Support Office (EASO)
Hungary	3	3,67	European Police College (CEPOL)
Italy	3	3,25	European Food Safety Authority (EFSA), European Training Foundation (ETF)
Bulgaria	3	3,23	
Cyprus	3	3,20	
Slovakia	3	2,67	

**Degree of public sector meritocracy: Group 1: high degree, Group 2: medium degree, Group 3: low*

degree. Categorization based on scores from 1 to 7 on the following question: 'When recruiting public sector employees, the skills and merits of the applicants decide who gets the job...?' where 1= 'hardly ever' and 7='almost always'.

Source: the QoG Expert Survey Dataset II (Dahlström et al. 2015)

Recruitment behaviour is measured by three main items: The extent to which EU agencies make use of (i) vacancy notes, (ii) selection committees, and/or (iii) how EU agencies organize their internal selection process. Each of these items is operationalized as follows:

- *Vacancy note*: The extent to which EU agencies publish vacancies (i) externally, (ii) on their own web site, (iii) on the EPSO web site, (iv) on other agencies' web sites, (v) on the web sites of the permanent representations, (vi) through task specific outlets within their area of activity, and/or (vii) to the wider environment.
- *Selection committee*: The extent to which EU agencies (i) use selection committees for recruitment, (ii) the head of the recruiting unit participates in such committees and/or other members from the recruiting unit participate in such committees, (iii) external actors outside the agency participate, (iv) the HR or other administrative unit of the agency participates; (v) employees' organizations (staff committees), (vi) the HR or other administrative units and/or staff committees combined, (vii) the executive director takes the final decision, and/or (viii) whether the selection committee is trained by the European Commission.
- *Selection process*: The extent to which EU agencies use (i) interviews during the selection process, (ii) written tests, (iii) interviews/written tests are organized by the HR/other administrative unit, (iv) provide applicants access to relevant information, (v) have a formal

appeal procedure for applicants, (vi) offer infinite contracts, and/or (vii) draw candidates from the EPSO list.

Table 2 shows the distribution of recruitment behaviour among 31 EU agencies. The table displays the proportion (in percent) of the agencies in each group which applies the various instruments, and also the extent to which the variable 'agency group' (and thus location) correlates with recruitment practices.

Table 2 Distribution of recruitment practices among EU agencies, by agency group (percent and Kendall's tau-b)

	<i>Group 1</i> <i>(N=14</i> <i>agencies)</i>	<i>Group 2</i> <i>(N=11</i> <i>agencies)</i>	<i>Group 3</i> <i>(N=6</i> <i>agencies)</i>	<i>Tau-</i> <i>b</i>
<i>Vacancy note:</i>				
- (i) External publication	100	100	100	.00
- (ii) Agency web-site	100	100	100	.00
- (iii) EPSO web-site	100	100	100	.00
- (iv) Other agencies	56	75	100	-.34
- (v) Perm. representations	50	88	100	-.43
- (vi) Task/specific environment	90	57	100	.07
- (vii) General environment	100	100	100	.00
<i>Selection committee:</i>				
- (i) Use	100	100	100	.00

- (ii) HoU/unit members	100	100	80	.29
- (iii) External members	88	71	67	.20
- (iv) HR/other administrative units	100	89	100	.12
- (v) Staff committee repr.	100	100	100	.0
- (vi) Executive director	100	87	100	.07
- (vii) Trained by Commission	38	57	100	-.28
<i>Selection process:</i>				
- (i) Interviews	100	100	100	.00
- (ii) Written test	100	100	100	.00
- (iii) Organized by				
HR/administrative units	100	100	100	.00
- (iv) Access to information	92	71	100	.02
- (v) Appeal procedure	100	100	100	.00
- (vi) Indefinite contracts	100	78	33	.51*
- (vii) EPSO list	60	100	75	-.26

*) $p = 0.05$

1) Kendall's tau-b is run between 'agency group' acting as independent variable having the following values: 'Group 1 agencies' (value 1), 'group 2 agencies' (value 2), 'group 3 agencies' (value 3); and the full list of 'recruitment practices' acting as dependent variables having the following values: 'yes' (value 1), 'no' (value 2), 'missing' (value 9).

Having the low N in mind when interpreting the findings, two observations derive from Table 2. The various recruitment instruments seem to be practiced quite extensively by EU agencies, both as regards vacancy notes, selection committees and the selection process. The table discloses only minor variation both between groups of agencies and between different types of meritocratic items. Location has fairly weak influence on EU agencies' use of recruitment procedures. When unpacking each cluster of recruitment items, we see the use of almost all recruitment items among nearly all EU agencies. What EU agencies report somewhat less is being trained by the Commission's HR department. However, we notice that most agencies that are located in non-meritocratic administrative cultures have had their selection committees trained by the Commission. The only significant correlation discerned is on the use of indefinite contracts which is used significantly more among 'group 1 agencies' than among 'group 3 agencies'. However, in practice contracts are often renewable (cf. interviewee in Agency G3 beneath). A couple of observations may be particularly relevant concerning the role of meritocratic recruitment behaviour: Firstly, we notice that officials from more than one unit usually take part, i.e., in addition to officials from the recruiting unit we normally find representatives from the HR unit or its equivalent. This may serve to make 'biased action' less likely. Secondly, the presence of staff representatives in most cases may further contribute to transparency and control since these people are not acting in their capacity as agency officials. And thirdly, the fact that the executive director takes the final decision probably also ensures more impartiality. As said, he or she has usually already been 'authorized' through the Commission's selection procedure, which seems to strongly underpin the actual use of merit-based criteria (Fusacchia 2009).

Data from our interviews with staff representatives confirm the monitoring role of such representatives. As one of them said: ‘The aim is to guarantee, or to ensure, that the procedure is fair and transparent’.

Interviews substantiate both the high presence of meritocratic recruitment behaviour among EU agencies and fairly little variation in such behaviour between our three groups of EU agencies. Interviewees, even those in ‘group 3’ (the ‘least likely’ agencies as regards meritocracy), share the view that recruitment is actually based on meritocratic procedures. The following quote from a ‘group 3’ agency interview (hereafter ‘Agency G3’) is indicative:

‘Vacancies are published on our website and intranet and the information is then sent to all other EU agencies and institutions, the EU permanent representations and Agency G3’s Governing Board members. Profile-specific dissemination is also used for some vacancies. Agency G3’s Appointing Authority (Director) nominates the selection board for each selection procedure before the publication of the vacancy. ... The SC [staff committee] is also invited to nominate a representative. External experts may be invited to serve on the selection board The Commission does not offer training but HR provides guidance and training in house... Our selection procedures are organized by the HR and include a written test and an interview with the pre-selected candidates. Agency G3’s written tests are specifically designed to examine the competences mentioned in each vacancy notice. ... Details on the appeals procedure are given in every vacancy we publish. Agency G3 does not use the EPSO reserve lists for recruitment. Our posts are usually published with a very specific work-related job description and the duration of

the contracts is limited (but often renewable) and always mentioned in the respective vacancy.'

The chair of the staff committee in a 'Group 2' agency supports this observation by claiming that the selection procedure in the agency secures that '[a]ll candidates are treated equally regardless of their nationality, religion, sexual orientation, etc. Panel members who conduct the assessment of the applicants, are required to fill out a non-conflict of interest declaration, which aim at excluding from panels those members, who have personal links to any of the applicants in order to ensure panel's impartiality.' Similarly, one member of the staff committee of another 'Group 2' agency confirms that '[t]he agency follows procedure very diligently. ... People are rigorously excluded if they do not fulfil the requirements. ... All members of the selection board are reminded about their need for neutrality, and sign a declaration on the absence of a conflict of interest. I've never witnessed or heard about any problem with that.'

There are overall insignificant deviances in the interview material with regard to the use of the various recruitment tools. In order to try to tap possible deviances, we asked if nationality might play a role when hiring personnel. The chair of the staff committee in another 'Group 2' agency reports that '[n]ationality sometimes plays a role, but rather with regard to positive than negative discrimination.' One staff committee member at a 'Group 1' agency says that one might end up hiring people one already knows:

'We have also implemented the Commission's rules regarding conflict of interests plus general guidelines on conflict of interests. They give an overview of all the procedures we have put in order to avoid conflict of interest and to avoid that people hire people

they already know. However, I have some doubts about whether it works like this in practice. There are examples that it has not worked like that, people hiring people they already know. *Concrete example?* I am sorry, but I feel that I cannot talk about it.'

However, an informant in another 'Group 1' agency reminds us that '...in this sector there is a small European family and you tend to meet the same experts in different contexts.'

There are also other factors that might challenge the ability to handle all the procedural requirements: It has, for example, been pointed out that some agencies are lacking officials with a working background in the Commission. Also, some agencies may be too small and thus without the necessary administrative capacity (Evaluation 2009).

By and large, however, our data suggests that the recruitment behaviour of EU agencies is for the most part based on the application of meritocratic instruments and not really influenced by their geographical site.

5. Conclusion

Previous studies have demonstrated a statistically significant negative association between merit-based recruitment and corruption in public administration. While we know that the Commission's administration seems to mainly practice merit-based recruitment at all levels, little is known about the growing number of EU regulatory (decentralized) agencies in this respect. Since they make up an increasingly important part of the EU's executive branch, and given that such recruitment behaviour is so vital for the quality of governance, it should be of

utmost importance to investigate how EU agencies perform in this area. Since EU agencies are all located outside Brussels and find themselves placed in member states that score rather differently with regard to having a meritocratic administrative culture, this gives us an opportunity to find out whether recruitment practices in EU agencies vary contingent upon their location. Seen from what we call an organizational perspective, we expect EU agencies to practice the common merit-based EU standards regardless of their location, since agencies are components of the EU administration. Seen from an open institutional perspective, on the other hand, the national administrative culture within which agencies are situated might affect their actual recruitment behaviour. Thus, we expect to find that the application of meritocratic recruitment tools may come under pressure in agencies placed in countries marked by a non-meritocratic administrative culture.

Overall, the results point in the direction of extensive application of merit-based recruitment measures regardless of agency location, thus very much in line with the expectation drawn from the organization perspective. Potential obstacles to the full use of all procedural requirements are found in the limited administrative capacity of some agencies, a lack of officials with a background in the Commission in some agencies, and the ‘small family’ of already known experts that some highly specialized agencies have to draw on when looking for candidates.

Underpinning meritocratic recruitment behaviour, on the other hand, is the fact that representatives from *different* units of the agency, staff representatives with their own representational basis, as well as the executive director (usually ‘licensed’ by the Commission) all tend to take part. Thus, since EU agencies constitute nodes in EU regulatory networks, they

may contribute to spreading 'good governance' among national agencies through exemplary behaviour.

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