

THE ADMINISTRATIVE SYSTEM OF THE EUROPEAN UNION – FROM CONCEPT TO REALITY*

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Abstract

At the beginning of the 21st century, the European Union (EU) governance and administration are undergoing some significant transformations, not without obstacles, from concept to reality, revealing characteristics that aim both the European and national elements in a permanent interpenetration, whose complexity is superior to other processes and phenomena specific for the construction of a United Europe. The major objective of the current paper is to substantiate and describe systemically the process of affirmation and transformation of the EU administration as a core pillar of European governance. A doctrinal overview on the debated topic reveals an atypical concept in terms of the traditional approach in administrative sciences, thus leading in the specialized studies to controversies going to the conceptual negation of the EU administration. This time, the reality of EU construction anticipates traditional theories and doctrines, imposing even a change of vision, getting closer to the modern theories of public management and administration. The EU administration has developed simultaneously with the construction of the United Europe on a distinct area that overlaps with the EU area in its various enlargement stages. In a regulatory perspective, the EU administration has benefited due to the constitutive treaties, from a contextual ground containing relatively few direct and explicit assertions, but which valorize the European traditions and culture, mainly in the Member States, integrating creatively the international developments of public management.

In a developing relation, we witness a permanent adaptation of the EU administration to the needs arising from the achievement of the EU objectives. The attempt to institute an 'EU Constitution' got the doctrinal approach of the EU administration closer to the traditional approach specific for the European legal systems. The failure of that activity has created a new impetus to a different approach encompassing even features of a significant reform expressed in the Lisbon Treaty that entered into force on December 1st 2009. Taking into consideration the background of the European integration, the studies and researches highlight that the main processes of the EU administration construction consist of Europeanization, administrative convergence and dynamics. In a systemic approach they become mechanisms of adjustment and self-adjustment in a social dynamic system, with multi poles and mixed architecture, such as that of the EU administration.

1. Introduction

At the beginning of the 21st century, the European Union (EU) governance and administration are undergoing some significant transformations, not without obstacles, from concept to reality, revealing characteristics that aim both the European and national elements in a permanent interpenetration, whose complexity is superior to other processes and phenomena specific for the construction of a United Europe.

The major objective of the current paper is to substantiate and describe systemically the process of affirmation and transformation of the EU administration as a core pillar of European governance. A doctrinal overview on the debated topic reveals an atypical concept in terms of the traditional approach in administrative sciences, thus leading in the specialized studies to controversies going to the conceptual negation of the EU administration. This time, the reality of EU construction anticipates the traditional theories and doctrines, imposing even a change of vision, getting closer to the modern theories of public management and administration.

The EU administration has developed simultaneously with the construction of the United Europe on a distinct area that overlaps with the EU area in its various enlargement stages. In a regulatory perspective, the EU administration has benefited due to the constitutive treaties, from a contextual ground containing relatively few direct and explicit assertions, but which valorize the European traditions and culture, mainly in the Member States, integrating creatively the international developments of public management.

Among the scholars discussing the concept of 'European public administration' or 'European Union administration' or 'integrated administration' raises a new paradigm which derives, in our opinion, from the ratio between traditional and modern in researching public administration. In this context, to be refined, the EU administration is an 'atypical concept in a traditional approach of public administration that allows important developments closing it to the modern theories of public management' (Matei, 2005, p. 11), 'a political hybrid between a national and international administration' (Nedergaard, 2007, pp. 7-8).

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Taking into consideration the background of the European integration, the field studies and researches highlight that the main processes of the EU administration construction consist in Europeanization, administrative convergence and dynamics. In a systemic approach they become mechanisms of adjustment and self-adjustment in a social dynamic system, with multi poles and mixed architecture, such as that of the EU administration.

2. Sphere and content of the EU administration

The debates on the concept of EU administration are frequent and tend to trigger the attention towards the usual absence from the texts of the constitutive treaties of certain clear and direct provisions on administration.

2.1. A summary of the provisions in the constitutive treaties of the EU

The legal basis of the EU administration is to be found however, even if it disappeared, in the constitutive treaties of the European Union. Accepting those regulations as grounds of the EU administration takes into consideration a more profound philosophy of the European construction based on the drawing of inspiration ‘from the cultural, religious and humanist inheritance of Europe, from which have developed the universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and the rule of law’, as provided for in the Treaty on European Union (TEU) (TEU, 2008, p. 15). The same Treaty stipulates the will of the EU Member States ‘to enhance further the democratic and efficient functioning of the institutions so as to enable them better to carry out, within a single institutional framework, the tasks entrusted to them’, as well as ‘to continue the process of creating an ever closer union among the peoples of Europe, in which decisions are taken as closely as possible to the citizen in accordance with the principle of subsidiarity’ (TEU, 2008, p. 16).

If to these general administrative values to be found even in the Preamble of the Treaty on European Union we add those regarding the transparency: ‘the process of creating an ever closer Union among the peoples of Europe, in which decisions are taken as openly as possible’ (TEU, art 1, 2008, p. 16); the continuity and specificity: ‘The Union shall respect the equality of Member States before the Treaties as well as their national identities, inherent in their fundamental structures, political and constitutional, inclusive of regional and local self-government. It shall respect their essential State functions, including ensuring the territorial integrity of the State, maintaining law and order and safeguarding national security. In particular, national security remains the sole responsibility of each Member State’ (TEU, art 4(2), 2008, p. 18); as well as the principle of conferral, subsidiarity and proportionality: ‘The limits of Union competences are governed by the principle of conferral. The use of Union competences is governed by the principles of subsidiarity and proportionality’ (TEU, art 5(1), 2008, p. 18). We will discover the fundamentals of the European Administrative Space (EAS), representing a true ‘unformalized *acquis communautaire*’ of the EU administration.

To all these arguments that derive from the treaties, one should definitely add the provisions of the art 298 of TFEU which clearly speaks of the ‘EU administration’, as a transparent, efficient and independent support of the institutions, bodies, offices and agencies of the European Union in accomplishing their mission.

In the context of the creation of a single system of public administration, the process of construction of the European Union has been targeted towards two important

objectives (Matei and Matei, 2010, p. 4):

- Creation and consolidation of the European institutions and optimization of their functioning, in accordance to the European Union's objectives and mission;
- National public administration reform so as, in the absence of a model of EU administration, the Member States would assist each other in 'carrying out tasks which derive from the Treaties' and ensure 'the fulfillment of the obligations arising out of the Treaties or resulting from the acts of the institutions of the Union' (TEU, art 4(3), 2008, p. 18).

Fulfilling these objectives is to be traced both in the constitutive treaties of the European Union, other acts of the European Union and in the legislation of the Member States. The legal foundations of the EU administration have developed with those of the European administrative law. For the latter, during the debates on the European Constitution, several researchers have fostered discussions around 'the constitutional bases of European administrative law' (Ziller, 2005, p. 4; Auby, 2005, p. 18; Sierra, 2005, p. 29).

Even if the trends that followed did change the approach (although not drastically), the European law remained 'one of the pillars of European administrative law' (Sierra, 2005, p. 29) and consequently, one of the EU administration.

However the debate on the possibility to define the European administrative law, respectively the EU administration remains open in the absence of the EU Constitution.

Going back to one of the relevant objectives regarding the creation of a system of public administration in the European Union, one must consider art. 13(1) of the Treaty on the European Union, as well the content of the 6th Part 'Institutional and financial Provisions' of the Treaty on the Functioning of the European Union (TFEU) which establishes the institutional framework of the European Union. In the same time, these articles represent the legal foundations for the administrative institutions of the European Union. Article 17(1) of TEU sustains the administrative character of several institutions; among them, the most important is the European Commission which 'exercises coordinating, executive and administration functions, as laid down in the Treaties.'

If corroborating the above mentioned regulations with those of art 249(2) of TFEU according to which 'the Commission publishes annually a general report on the activities of the Union', as well as with other complementary provisions of the treaties, one can note another role, of synthesis that the European Commission plays when managing the affairs of the European Union.

As a conclusion, we can state that there is an institutional system at the level of the European Union, one holding also administrative functions and competences. The most important institution of this system is the European Commission.

2.2. Founding premises and recent working hypotheses

In the context of approaching the link between governance and administration in the EU, Nickel (2008) synthesizes some conclusions:

- The EU administration and governance are not legal concepts. The specific terminology of these concepts has been rapidly accepted by the social and political sciences both as an empirical category for new forms and modes of power exercise, as well as an analysis category that would point towards the specific difference between the classical concepts of governance and administration. The afore-mentioned create a rather new situation – lacking in legal consistency and rigueur – in the exercise of public powers in the European Union: creation of administrative mechanisms – the open method of coordination, comitology, intertwined public-private regulatory mechanisms – in the absence of parliament’s legal acts controlled by the judiciary. This creates an attitude of openness and flexibility in approaching the EU administration and governance.
- The important role of the secondary norms for the EU administration is a result of the fact that the ‘European administrative law consists of a patchwork of scattered EC treaty provisions, general principles of European law shaped by the ECJ and its case law, and secondary norms within special fields of regulation’ (Nickel, 2008, p. 129). It should be noted however that the Lisbon Treaty (art. 290, TFEU) brings significant changes by introducing the system of ‘delegated acts’ which will delegate the Commission the competence of adopting acts of no legislative character but general application. In fact, these provisions modify the old existing comitology procedure and include acts of delegation and implementation.
- The restrained attitude, even on behalf of theorists and specialists, recognized in the field of administrative law to use the concepts of administration and governance (Craig, 2005; Schwarze, 2005). This happens when, in other areas, the sphere of administrative and regulatory activities was enlarged: the re-regulation of the European internal market in the 1980s, of the education, health, social, radio and public transport services in the 1990s, as well as of the public order, presently. The attitude in question denotes a certain attachment of several authors to the traditional legal domain, and to a different reality which derives from the evolution of important administrative processes such as the one of decentralization. In this context we need to observe that the ‘administrative actions in the European realm are increasingly ‘decentered’ in the sense that they are neither rooted in a single legal source or structure, nor are they formed or implemented by a single administrative entity, be it the European Commission, or the administrations of the Member States, respectively (Nickel, 2008, p. 132). These processes were called ‘integration décentralisée’ (Chiti, 2004, p. 402) and ‘decentralisation intégrée’ (Azoulay, 2005, p. 44).

We also find complementary opinions in Nedergaard’s (2007) works, approaching the ‘European Union Administration’ from the point of view of two concepts: efficiency and legitimacy. We find the characteristics emphasized by the mentioned author in the beginning of his book (Nedergaard, 2007, pp. 1-2).

- The unique character of the EU administration, the way in which it is organized, is a result of the special character of the European Union.
- In some regards, it is similar to an ordinary international organization while, in others, it resembles a federal state.
- The fact that the European Union has both intergovernmental and federal characteristics influences the framework for the Union and the workings of the administration.
- In the EU administration, the national civil servants are in a system that encompasses a range of federal characteristics and, at the same time, are superior in some areas to the national administration or civil service.
- The game of power politics in the EU administration in many ways resembles what is usually seen in a national administration.

Another approach is offered by Pollack, Rieckmann and Puntcher (2008, p. 771) who underline:

- The necessity and imminence of an unified administrative space as an integrant part of any building process of a political system;
- The accelerated agentification of the European Union has created a complex administrative space characterized by simultaneous centralization and fragmentation which may lead towards a crossing point for the European Union; and
- The administrative cooperation inside and outside the primary legislation as well as establishing a higher number of agencies with less divergent powers offer the arguments for the above assertions.

2.3. Specific bureaucratic models

From a normative point of view, Wessels (1985) formulates four series of models on the mode the EU administration may be conceptualized and operationalized. Following the descriptions provided by Nedergaard, (2007, pp. 40-42), the four models may be described as below:

- *Supranational bureaucracy*, which assumes the creation, at European level, of an administration similar to the national one. The impossibility in grounding it constitutionally, the complexity of such a system leads, even in the author's opinion, to a major deficit of societal legitimacy and a low level of theoretical pertinence.
- *Brokerage bureaucracy*, as a new form of administration, whose important mission is to reduce the conflicts emerging from the EU policy-making processes, by facilitating the necessary compromises.
- *Secretariat bureaucracy*, whose functions are limited to the traditional administrative. The functions of negotiation, control and strategic planning are left to politicians.
- *Political bureaucracy*, which reflects and incorporates the hybrid character of the EU. Its organizational form is placed between that of a federal state and

that of an international organization. This last model corresponds, in Wessels' opinion, to the model of EU administration, understood as an 'active, open, integrated and collaborative bureaucracy'.

According to this model, the EU administration needs to perform the following functions (Nedergaard, 2007, pp. 41-42):

- *Administrative functions*: the EU administration must be able to manage the normal functions in considering cases, ensuring continuity in the administration, preparing for meetings etc.
- *Technical expertise*: the EU administration must be able to advice politicians on the content of different policies and possible implications hereof in order to help give basic political goals a concrete form.
- *Programmatic functions*: the Commission, the Secretariat of the European Parliament and the European Economic and Social Committee must contribute actively to identifying and analyzing problem-areas, proposing innovative methods within the framework of the existing policies and developing programs with medium and long term perspectives.
- *Mediating functions*: the EU administration must contribute in gathering and integrating different national negotiating positions. This must take place both in the single units of the EU administration and in cooperation between the European Commission, the Secretariat of the European Parliament, and the Secretariat of the Council. Additionally, diplomatic and political skills are needed to work with the influence of the different players.
- *Crisis management*: a special mediating function consists of crisis management inside the EU and in relation to the external challenges where mediating requires quick and well-considered initiatives.
- *Implementation and control functions*: in light of the expanded activities of the EU, the importance of implementation and control of the EU policies will be strengthened. Until now, the EU administration has had very few implementation powers. This makes control functions even more important to find out if the policies have the intended effects.
- *A self-adjusting function*: to exercise all of the above-mentioned functions, the EU administration must be able to reform itself continuously. This 'para-bureaucratic' function demands an ability of self-criticism.

'The political bureaucracy' proposed by Wessels (1985) creatively valorizes the classical bureaucratic models, adding to these the functions that derive from the specificity of the EU construction.

Increasing the efficiency of the EU administration devolves in an activation of politicians and Eurocrats, and Wessels (1985, p. 31) states that his proposed model 'does not assume the fact that Eurocrats are substituting politicians, but that their cooperation is broader and more intense than normally accepted in the traditional Weberian image of bureaucrats'. Nedergaard (2007, p. 42) summarizes that 'the model

of ‘political bureaucracy’ that Wessels develops is an attempt to construct an EU administration with both a high degree of efficiency and legitimacy’.

2.4. Revelation and criticism of the models

In our view, we will consider that the EU administration may be defined in a broader and narrower sense. In the first instance, the EU administration ‘may be regarded as all administrations that participate in the decision-making process of the European Union, i.e. national and all supranational administrative units of the EU’, while in the second, it is seen as ‘the EU administration in Brussels that is permanently employed by the Commission’ (Nedergaard, 2007, p. 3).

We should however say that even if the European Commission is the main European institution with administrative competences defined by the treaties, one should not ignore the administrative influences exercised by other European institutions, such as: the Secretariat General, the Council, the European Parliament, the Court of Justice etc.

Continuing his analysis, Nedergaard (2007, p. 7) concludes that the EU administration is ‘a political hybrid between a national and international administration’. His argument for this mixed character ‘is that European cooperation clearly has federalist as well as intergovernmental traits. The mixed traits reflect the basic contrast in the EU between the desire for some degree of supranational governance and the Members States perceived need for control’.

Hofmann and Türk (2006) consider that this ‘classical’ model of the EU administration, also named ‘executive federalism’ (Laenaerts, 1991, p. 21) with a distribution of administrative functions on two distinct levels, does not reflect the reality of the administrative action inside the European Union.

True enough, while the existent legal framework up to the Lisbon Treaty sees the Member States as executives of European inputs, currently one can observe ‘an intense cooperation between administrative actors of Member States in all the phases of the practical cycle, meaning: agenda setting, decision-making and implementation’ (Hofmann and Türk, 2006, p. 107).

Acknowledging the persistency of the inputs the European Union provided, the authors noticed the reality through which the Member States produce inputs. Here, the European Union is involved, thanks to a composite administrative procedure, increasingly more in implementing administrative programs which are nationally defined. The theoretical academic model, as formulated by the political scientists, is that of the ‘multilevel governance’. Both Hofmann and Türk (2006) and Nickel (2008) ask themselves if that is a correct metaphor. The answer can be traced if we analyze several relevant states and processes of the EU administration. Thus, in certain important areas, such as that of European Union’s committees – the comitology – theoretically distinct levels ‘melt together into a Verbund, a compound operation in which the roles of the controllers and the controlled seem to have become twisted and entangled’ (Nickel, 2008, p. 134).

The analysis continues by showing that the most remarkable feature of this Verbund is the fact that it largely functions outside the borders of the treaties; the European committees and the European agencies which are not institutions clearly defined by the EU treaties. However, the legal framework that allows them to work (from an administrative point of view) is of secondary nature. Similar issues are raised for the case law of ECJ and its interpretations and interventions that are highly targeted.

In this context, Hofmann and Türk (2006) use the concept of 'integrated administration' which defines the administration 'with the result that it comprises any activity by actors from the EU or Member States, which fulfill public duties and are not directly elected legislators, members of Member States governments (such as Ministers in the Council) or members of the judiciary' (Nickel, 2008, p. 135). This definition denotes that each action of the European public officials, with the notable exceptions already mentioned, is an administrative action. The definition includes, also, the preparation of the legal acts and of the regulatory activities under the generous umbrella of the Commission.

Such a large definition implies a very large sphere of administrative law that includes all the legal relations between civil servants and between civil servants and the European citizens. 'As a consequence, administrative rules and principles are rules which regulate the functioning of the EU and the interaction between its institutions as well as the relations between individual and public bodies in the implementation of EU policies [...] if read in this way, the whole legal structure of the EU would add up to 'administration', a definition upon which the strongest critics of the EU and its democratic deficit could easily and happily agree' (Nickel, 2008, p. 136).

The above-mentioned definition cannot generate a clear delimitation between 'legislative' and 'administrative', which often appears in the case of national administrations. A better understanding of the concept of 'integrated administration' may be achieved by connecting it with what Nickel (2008, p. 129) names 'a modern understanding of European governance'. With the assistance of several valuable contributions (Ladeur, 1997, p. 41; Somek, 2003, p. 704; Dehouse, 2002, p. 207; Nickel, 2008, p. 129), the European governance is defined like an 'heterarchical compound of Eurocrats who act as policy-planners and makers, organizers, network coordinators and supervisors in countless policy networks and does not pre-empt a description of the EU in administrative or bureaucratic terms, at least from a legal point of view'.

The integrated administration will thus be increasingly dominated by something Hofmann and Türk (2006, pp. 108-111) name as 'homogeneous organization phenomenon', generated by the different patterns of administrative interactions. As such, the EU administration moves further away from being the administration of a federal state or of an international organization, for that matter. All the authors above quoted conclude that this heterarchical and homogenous governing structure is a normative model desired by the EU administration under the condition of a larger and more intensive participation of the Member States administrations.

The model presented above avoids the creation of a highly hierarchical administrative structure that might threaten the sovereignty of the European Union Member States and creates the image of unity in an area where diversity prevails (Hofmann and Türk, 2006, p. 4).

Hoek (2005) describes the 'European Union public administration' as an European reality, based upon the European law that represents the synergy of the European institutional development, the creation and functioning of the internal market, of the financial and budgetary policies, and of the external, security and judicial cooperation policies and, last but not least, of the relations between the European Union and the national, regional and local administrations. Practically, this vision represents one of the most complex ones existent, and extends the national idea of a public administration being a social 'resonance box' that synthesizes and exteriorizes the effects of different social, political, or economical mechanisms and processes, towards the European level (Matei and Matei, 2010, p. 15).

Placing these reflections on the role and influence of national administrations and their relationships with the European institutions, and the policy-making process in the political scientists area, Colina and Molina (2005, p. 341) speak of 'the rapid growth of studies explicitly seeking to examine the domestic dimension of the integration process, and the impact of membership on national political systems'.

'From an analytical or conceptual standpoint, national governments position, influence, and interaction with the EU have been the main leitmotifs preoccupying all those who aim at determining the organizational nature of the Union, or at explaining the pace and outcomes of the integration process' (Colina and Molina, 2005, p. 342).

Reviewing the different types of approaches regarding the 'organizational nature' of the EU, the authors formulate, for their analysis, a series of premises:

- The EU as a multilevel polity that produces multiple interactions and historically determined constellations of power between national and supranational institutions.
- The latter have acquired their own logic and a certain autonomy, Member States seem to retain the capacity to reform supranational institutions and to some extent to control the pace and scope of integration.
- For under national governments, the political and bureaucratic officials or representatives both at the executive and the legislative branch that aggregate Member States interests at home and represent them at the supranational level.
- National governments are not considered unitary actors, or the only gatekeepers between supranational and domestic levels (Colina and Molina, 2005, pp. 343-344).

3. Towards a systemic model of the EU administration

Concluding on the sphere and content of the EU administration, the contributions presented above reconfirm the difficulty of such an argument. The attempts so far diverge from the traditional (national) approach of the public administration, but make use of the mechanisms offered by the so- called 'blank concepts' (OECD, 1999,

p. 91). As such, in the first instance, we can consider that the EU administration is a 'blank concept', whose content has the significance of a 'European administrative norm', derived from the administrative realities of the national public administrations, having the capacity to adapt itself according to the evolutions of the social values promoted by the European Union.

In this context, the concept of the European Administrative Space remains a metaphor that describes the 'developing process of convergence of the national administrative laws and the administrative practices of Member States' (OECD, 1999, p. 6). In this developing process, principles of public administration legal framework are commonly found in Member States. As such, the relevant literature speaks of a possible administrative law as a 'set of principles and rules that refer to the organization and management of public administrations and to the relationships between the administrations and the citizens' (Ziller, 1993, p. 18).

A clear definition for the public administration area remains however a difficult problem which may occasionally generate confusion or degenerate in injustice, inconsistency or even contradiction. For that matter, 'from a legal point of view, using 'blank concepts' may seem appropriate due to their flexibility in divergent situations' (OECD, 1999, p. 9).

The systemic approach should valorize the presented contributions and points of view, partially and briefly, in this section. In this context, the EU administration includes European and national elements that design it as a system with a mixed architecture, multi-polar in nature, and conceptually and normatively traceable in the constitutive treaties of the European Union and the national laws, the practice of the national administrations and the literature. The attempt for such architecture is achieved by Peristeras and Tarabanis (2004), who use the conceptual inter-operability of public services at European level for generating the Unitary European Network.

This characterization is necessary but not sufficient, as the EU administration appears to several authors as a 'curious hybrid, resulted from the continuous interaction between the supranational and national levels' (Kassim, 2003, p. 142).

To these points, the same author adds several other arguments which consist of:

- The existence of connection between the administration and the political system of the European Union. Here, the administration is determined by the nature of the European Union, seen as a political system and by the impact of the EU administration on the political system of the European Union.
- Consolidation of the national administrations in the bureaucratic system of the European Union which had major consequences for its functioning.
- National administrations were influenced, yet not transformed by the European Union development.

At the end of this section we point towards the integrated vision of the sphere and content of the EU administration, a vision which we support. Thus, in line with the previous analyses, we will consider several hypotheses that will substantiate the

systemic approach of the EU administration. The EU administration may be considered from a formally or organizational standing point and a material or functional one:

- From the organizational point of view, the EU administration may be sketched so as to largely bring together all the European and national institutions and structures that are involved in the organization and execution of the provisions set forward in both the European treaties, as well as in other European legal acts and the national legal frameworks. *Stricto sensu*, the EU administration would name all the European institutions and structures that bear administrative competences. These two spheres of EU administration are complementary linked in a body-part relationship, one that suggests systemic interactions, including hierarchical ones. The two spheres are to be added to the ones of national administrations of Member States, and are to be considered as parts of the EU administration (*lato sensu* defined) and quasi-hierarchical situated in relation to the EU administration (*stricto sensu* defined). The two spheres are administratively cooperating with other public administrations of the Member States.
- From a material, functional point of view, the EU administration comprises those activities through which legal norms are organized and executed in the European Union.

Following the idea of a systemic integration of administrative actions in the context of a social environment, and deriving from Mehl (1966), Chevalier (1994) and Timsit (1986) arguments on the EU administration, we will distinguish between:

- *Axiological activities*, with executive and/or management character, which determine the values of EU administration system and their finality. These activities are, essentially, political in nature and belong to the EU institutions, mainly, and the Parliament and the Council.
- *Guiding activities*, with roles in counseling, regulation and control, meant to establish the normative, institutional and executive mechanisms necessary to achieving the values of the EU administration system. These activities belong mainly to the European Commission as well as to other European or national structures such as the European agencies or the different levels of central national administrations.
- *Executive activities* which assure the accomplishment of the effective aims of the EU administration system. According to the desired aim and the social level at which that is achieved, most European agencies and other administrative bodies as well as the national administrations become involved.

An image on the complexity of the EU administration offers the simple emphasis on the administrative structures gathered presently by the European Union. Grouped mainly on statistic reasons, in territorial units (NUTS – 3 levels) and local administrative units (LAU – 2 levels), most of them correspond to the current administrative units from the EU Member States, which have exercised and exercise their attributes of

public power. Thus, on January 1st 2008, the European Union comprised 97 regions at NUTS level 1, 271 regions at NUTS level 2, 1,303 regions at NUTS level 3, 8,398 at LAU level 1 and 121,601 at LAU level 2.

Annex 1 presents both the development of the EU administrative structure in the three stages of its enlargement – EU 15, EU 25 and EU 27 – and the latest developments and changes in the national administrative structures in view to meet compliance with NUTS Regulation criteria. Synthetically, Table 1 presents those changes.

Table 1: Development of the administrative structures according to the EU enlargements

EU enlargements	NUTS 1	NUTS 2	NUTS 3	LAU 1	LAU 2
EU 15	74	215	1089	7253	96128
EU 25	91	257	1233	8134	113098
EU 27	97	271	1303	8398	121601

Source: Data Processing from Eurostat, NUTS, 2007

It is worth to mention the fact that, according to the results of Annex 1, especially in the categories NUTS 1 and NUTS 2, there are a series of structures with non-administrative character. In our view, their number do not change the characteristics of complexity of the EU administration, as supported by the above arguments,

4. Theoretical pertinence of the model

The theoretical pertinence of the approach on the EU administration is up to date, taking into consideration its uniqueness and specificity as well as the controversies and different positions from the field literature. When speaking about the theoretical pertinence, we refer to how a certain scientific topic is inserted within the fundamental theories and approaches specific for that field and how that topic develops the scientific field, respecting the scientific rigour and set of axioms and values.

The systemic approach of the EU administration means among others, the conjugation of different types of approaches. Herewith, we refer to what we shall call the legal, administrative or socio-political pertinence and obviously the systemic one.

4.1. Legal-administrative pertinence

Several authors recognized in the administrative and legal literature (Ziller, 1993; Schwarze, 1992; Alexandru, 2010; Luis, 1989) have approached the concept of administration in the European Union, using the mutual determination between that concept and the European administrative law, even asserting that: ‘the European public administration represents the object of scientific research of the science of the European administrative law’ (Alexandru, 2010, p. 183).

Rephrasing a series of controversies on the existence of the EU administration, several authors of administrative law, quoted by Alexandru (2001, p. 601) raise the question if after the creation of the European Communities we are witnessing at the

birth of a new administration or only a mechanism targeting to ensure the cooperation among the national administrations. The dilemma has more profound roots and may be solved only when taking into consideration Constantinesco's statement (1980): 'the European Union is an integrant organization with developing character'. Today the European Union is at a stage where we cannot say that the old sovereign states still exist in their classical form; neither can we talk about a real integration.

A system in progress has been created, situated from legal view, between an international organization and a federal state. The occurrence of new concepts, such as that of 'sovereignty exercised jointly' as basis of the Community order will also have a specific impact on the concept of the EU administration.

The conception on sovereignty, previously to the creation of the European Communities, found at Duguit (1923), Poulopol (1929), Kelsen (1920) *et al.* will be rephrased by Luis (1989) based on the idea of its divisibility. 'The idea of divisible sovereignty is perfectly convenient in view to describe the functioning of a mechanism of integration evoked through terms as 'merger' or 'joint exercise' of sovereignty, key elements for the operation of that integrationist mechanism' (Popescu and Jinga, 2001, pp. 87-88).

The debates evoked, non-finalized in a text with constitutive character in treaties, trigger the observation about an incomplete construction of the Community system, fact that will be also reflected on the EU administration that may be rephrased as a deficit of its legitimacy (Nedergaard, 2007, p. 8; Timsit, 2010, pp. 17-22; Matei and Matei, 2010, pp. 18-21).

The so-called 'deficit of legitimacy of the EU administration' may be compensated by the fact that at their origin, many European institutions have been organized according to the models at the national level. Thus, as stated by Alexandru (2010, p. 186), the European Coal and Steel Community was organized according to the French model ('Commisariat au Plan'), the structures and attributes of Euratom were borrowed from the French Commissariat of atomic energy and the European Office of Audit undertook the German model from Bundesrechnungshaf. At the same time, the European Commission was created on the basis of several national institutions, the organization and working style combining the French model with the German one from Bundeswirtschaftsministerium. The General Secretariat of the Commission followed closely the model of the General Secretariat of the French Government and the status of the European civil servants derives from the so-called French 'civil service'.

Once created, the European institutions have transformed but the values, action modalities, hierarchies and structures have respected the spirit and values of robust administrative systems of the EU founding Member States. Thus, the mentioned deficit of formal legitimacy is compensated by the societal legitimacy, as described by Nedergaard (2007).

4.2. EU administration – unity in diversity

In the above conditions, the analysis on the theoretical pertinence of the EU administration triggers the fact that the EU administration should be approached not as a unitary model with a pre-established structure and hierarchy but similar to the European Union as ‘unity in diversity’, understanding it as a complex system, with multiple loops of feedback, incorporating the national administrations in its structure, respecting their identities and values.

The finality of the EU administration system derives from the constitutive treaties and it takes into consideration a specific contribution to achieving the EU mission and objectives. That finality means internal mechanisms in view to bring into line the national efforts and attitudes and to reduce ‘the varieties and disparities between the national administrative systems’ (Olsen, 2002, p. 16).

We find that process in the field literature as administrative convergence. Some determinations of the administrative convergence are internal, as result of the national administration reforms and some are external. The external ones, as synthesized by Reichard (2002) are as follows:

- the unified economic area becomes a crucial factor for the emergence of the common administrative structures;
- a common legal structure developed by the European Court of Justice;
- continuous interaction between bureaucrats and politicians; and
- a clear doctrine in most European states favouring a public action of better quality and the administrative reform (Alexandru, 2010, p. 244).

Michalopoulos (2003) approaches broadly ‘the dialectical coexistence between convergence and diversity’. Based on a broad variety of references, the author’s argumentation emphasizes:

- The administrative reform, that is the induced systematic improvement of public operational performance, comes of age in the 1980s.
- The administrative reforms represent responses to challenges of globalization, competition, demographic trends etc., having mutual determinations with the reforms in health, education, public order etc., which are achieved simultaneously.
- Is more than one national reform strategy or the styles of reform are varying among the Member States of the European Union. Although, it appears a kind of convergence in terms of the goals of reform, the means and the measures designed to achieve the states goals are depending on the history, the political forces, the culture of administration, the bureaucratic-political relations and the constitutional-legal framework of the countries.
- In theory, the reality of administration at the European level lies between a spectrum, whose one pole is the idea of convergence and the other one is described by the notion of administrative diversity. But, in practice, the administrative reality lies between these rather extreme explanations.

‘These changes have been interpreted in terms of a distinctive shift from Weberian public administration as institutionalized in the bureau-professionalism of the past 1945 welfare state, to a new managerialism’ (Michalopoulos, 2003, p. 4). ‘The ideas of the New Public Management have become the gold standard for administrative reform around the world (Peters, 1997, p. 71). The logic of managerialism is extremely known to anyone interested in the public sector and it constitutes a rather global and not only European trend toward a structural convergence. The re-invention of government or the New Public Management is considered as an inevitable convergence, as the only one left opinion. The entrepreneurial government is an inevitable shift’ (Osborne and Gaebler, 1993, p. 331).

Thus, the EU administrative system will be the result of a developing process, based on an inductive method, turning into account and bringing into line the values, best practices from the national administrative systems. That assertion gets us far away from the traditional legal-administrative doctrines, substantiating the study on the public administration and gets us closer to the social-political, post-Weberian or neo-Weberian, even post-modern doctrines.

Complementary to the above assertions, we may add other facts sustaining the pertinence of such a profound approach as that of the EU administration. Based on the existence of similarities between the strategies of administrative reform as well as on the fact that generally, in the latest decades the governments have faced the same challenges concerning the development of the public sector, Metcalfe (1994, p. 272) speaks about ‘an internationalization of the public management reform’. In the author’s opinion, the explanation of this phenomenon consists in the fast growth of the transfer of policies among different fields of public management and ‘apparent contagiousness of managerialization of public administration’.

In European view, the global forces in combination with the international organizations (OECD, EU, World Bank, IMF) ‘which act as forum of policy transmissions are the main but not the only reasons that have an impact on the wide spread of managerialization’ (Michalopoulos, 2003, p. 5).

The administrative convergence, as fundamental process of the EU administration progress seems an effect of globalization. We also find arguments adjacent to those conclusions at Parsons (1996) or Reinicke (1998).

Rather placing the administrative convergence in the world of ideas, Pollitt (2001) states that it is too early to sustain firmly an institutional isomorphism in public administration. Therefore, we may situate simultaneously the debate on the administrative convergence on two levels, a theoretical and a practical one. Even if for the time being, ‘convergence is maybe a myth and not a reality’, the evolutions show a complex interdependence between the two levels, the former representing maybe the finality for the process of administrative convergence, called the EU administration.

4.3. *Enabling factors of the EU administration*

In the context of ‘unity in diversity’ of the EU administration, the analysis on diversity and convergence reveals the fact that (Alexandru, 2010, p. 288):

- In the EU there is no support for imposing a unitary solution that should lead to a single form of administration. The internal actors and the internal structural diversity persist in spite of the intense interactions among the national administrations and the competition among the national models.
- However, we should remark a trend of institutional and decisional approach, expressed in a ‘common content’ of the processes of institutional and decisional evolution in the national administrations.

That common content refers on one hand to processes such as local autonomy, multiplication of the structures of decision and coordination or emergence of independent administrative authorities, and on the other hand, internalization of the principles of the European Administrative Space (EAS) by the national administrations.

The tradition of local autonomy, more precisely the re-launch of local autonomy represents an important factor, characteristic for the functioning of the EU administration. The main founding element of autonomy consists in the principle of subsidiarity, of German tradition, undertaken in the European primary legislation both by the Single European Act in 1986 and Treaty of Maastricht. We also find that principle in national laws even before the Union creation. We may say that ‘in quasi-totality of the European states, the local democracy represents a corollary of the political democracy (Alexandru, 2010, p. 288). However, Olsen (2002) draws attention to the fact that the preferences of the EU Member States for the administrative autonomy should be in consensus with the effective and uniform implementation of *acquis communautaire*.

The multiplication of the structures of decision and coordination represents a consequence of increased complexity of the administrative matters in certain areas: European integration, local economy, environment protection etc., simultaneously with a segmentation of the administrative structures of decision at central level related to the technical specializations or actual political considerations.

Emergence of independent administrative authorities. The most eloquent examples refer to authorities that politicize the citizen related to the action of administration. However, Dehouse (2002) considers that an increase of the European autonomous agencies is combined with an unwished discretionary power, by dispersing the administrative forces and losing coordination and coherence of the administrative act.

Internalization of the principles of the European Administrative Space. Developed two decades ago, the European Administrative Space (EAS) has been used as an unformalized *acquis communautaire* in view of evaluating the progresses of the public administrations of the acceding or recently accessed countries in the EU.

Under the bidirectional pressure of the EU officials and national authorities, the national administrations have profoundly acquired EAS principles. In a systemic conception, extending the analysis, *lato sensu*, on the EU administration, the

EAS principles have become the principles of the EU administration. The EU administration may be considered a product/output of EAS but simultaneously as an internal process of EAS with a powerful impact in view of its evolution and enlargement. In the perspective proposed by us, we find relevant analyses in the works achieved by Goetz (2006), Olsen (2003), Matei and Savulescu (2010), Matei and Matei (2010) etc.

The analysis performed by Goetz (2006) points toward the territorial and functional dimensions of the EAS: 'the territorial dimension has been addressed, in particular, with reference to, firstly, degrees of spatial cross-country variation in administrative arrangements. Topics discussed in this connection include, e.g., commonalities and differences in national and regional administration and state traditions; convergence and divergence across space or discussions of center-periphery [...]. A second major concern has been administrative co-operation across space'. On the other hand, 'the fundamental dimension of the EAS relates primarily to the evolution of different types of administrative authority within this space' (Goetz, 2006, pp. 2-3). The second dimension relates to the EU administration that may be considered a subsystem of the EAS.

The conceptualization and transformation of the 'European Administrative Space' (EAS) into an instrument for evaluating the public administration reforms in the CEE countries was developed by SIGMA with the support of the PHARE projects, in response to the European Council's requests regarding the process of accession to the EU, formulated at Copenhagen, Madrid or Luxembourg.

Can one talk of the EAS when there is a European Legal Space (ELS)? In this case, the EAS appears as a specific part of the ELS, territorially limited at being 'a geographic region where the administrative law is uniformly implemented' (OECD, 1999, p. 9).

It is obvious that until recently, this administrative space was limited by the national borders of the sovereign states and was the product of the national legislations. The evolutions that followed (gravely marked by the creation and enlargement of the European Union that determined the development of the national administrative spaces towards supranational dimensions) lead to the dissolution of the traditional boundaries of sovereignty.

In conclusion, the EAS 'is a metaphor with practical implications for Member States and embodying, *inter alia*, administrative law principles as a set of criteria to be applied by candidate countries in their efforts to attain the administrative capacity required for EU Membership' (OECD, 1999, p. 9).

The existence of a European Administrative Space implies that the national public administrations are ruled based on common European principles, norms and regulations, uniformly implemented within a relevant territory (Cardona, 1999, p. 15).

The evolution towards the European Administrative Space understands convergence on a common European model and may be seen as a normative program, an accomplished fact, or a hypothesis. Another important question is to be raised: What is 'convergence' and what criteria can be used to decide whether an EAS exists (Olsen, 2003, p. 1)?

The development in question is not a simple process. Rather recent analyses show some other possible contradictory evolutions. Thus, it is stated that 'a development of the EAS may be in contrast to the national administrative systems, where the structure of the public administration reflects the identity, history and the specific states of the societies' (Nizzo, 2001, p. 2).

Still, as the processes of European integration deepen and enlarge, the EAS develops and evolves pointing out the values expressed by standards and good practices specific to public administrations situated closer to the citizens. In essence, EAS represents a global standard for the development of national administrative spaces that will represent the basis of the EU administration.

The current analyses and studies operate, in different national systems, with distinct concepts of the administrative law. Still, 'it is possible to agree upon a common definition of administrative law as being the set of principles and rules applying to the organization and management of public administration and to the relations between administration and citizens' (Ziller, 1993, p. 11).

4.4. Principles of the EU administration

The principles of the EU administration, in a brief approach may be presented as follows:

a) *Reliability and predictability*. These attributes derive from the essence of the rule of law which affirms the law supremacy as 'multi-sided mechanism for reliability and predictability' (OECD, 1999, p. 12). As an EAS principle, it may be rephrased as 'administration through law', a principle meant to assure the legal certainty or juridical security of the public administration actions and public decisions.

Other connotations of this principle may be observed when we refer to the opposition of the law supremacy in regard to the arbitrary power, cronyism or other deviations of the latter that should not be seen as similar to the discretionary power applicable in cases when, within the legal framework, a certain degree of decisional freedom is allowed.

Exercising the discretionary power is limited by the principles of administrative law by means of which the public administration is forced into acting in good trust, follow the public interest, use fair procedures for equal and non-discriminatory treatment and respect the legal principle of proportionality.

b) *Openness and transparency* draw from the reality that public administration is the resonator of the society, assuring the interface with the citizen, the user of its services. The development of different social phenomena, such as the corruption or mal-administration, must be controlled by the society. This urges the administration to become available and to offer sufficient information to the exterior. As such, the openness and transparency refer to these exact attitudes and constitute the necessary instruments for achieving the supremacy of law and the equality before the law and its representatives. Assuring the openness and transparency, we protect both the public and individual interests.

We refer here to practices imposed by the administrative principles, like in the case of administrative actions being accompanied by statements of reasons etc. To this, we may add the necessity to grant the access to public recordings, the restrictions placed for the civil servants and the necessity for the chosen authorities to exactly represent the public interest. The Lisbon Treaty sets out a more stable institutional system, and advocates in this respect for a more democratic, responsible and transparent governance.

It should be noted that openness gained new characteristics once the public administration was considered to be a public service. In this context, openness becomes acquisitiveness to the citizens or other authorities' initiatives regarding the improvement of public services and their getting closer to the citizen. A new concept emerged, largely described by OECD (1996) that of the open administration.

c) *Accountability*. It is one of the instruments showing that principles like the rule of law, openness, transparency, impartiality, and equality before the law are respected; it is essential to ensuring values such as efficiency, effectiveness, reliability, and predictability of public administration. As it is described by the authors of the EAS, accountability means that any administrative authority or institution as well as civil servants or public employees should be liable for their actions to other administrative, legislative or judicial authorities.

Furthermore, accountability also requires that no authority should be exempt from scrutiny or review by others, which means that, simultaneously or priory, mechanisms for implementation are created.

These mechanisms contain a complex of formal procedures that give a concrete form to the accountability act, as well as supervision procedures that aim to ensure the administrative principle of 'administration through law', as it is essential to protect both the public interest and the rights of individuals as well.

d) *Efficiency and effectiveness*. The introduction for the public sector and public administration of the efficiency and effectiveness as important values is relatively recent. This is to be understood since today, when serious fiscal constraints and development of the goods and services are in place, talking of an economic optimum for the public sector that is possible (Matei, 2004a).

In this context, efficiency becomes a managerial value that points towards maintaining the optimum equilibrium between the allocated resources and the obtained results, while effectiveness – a connected value that makes sure that the activity of the public administration achieves the intended objectives and solves the public problems recognized by law and the governance process as in its duties.

The analyses in the field show that it is possible to discuss of contradictory developments between assuring efficiency and the rule of law. The European Commission has already intervened, by creating legal institutional solutions – directives to prevent these developments. European Community law also calls for efficient administration, particularly with regard to the application of Community directives

and regulations. Relevant to this end, we may note the reinforcement, under the Lisbon Treaty, of the Protocol on the application of the principles of subsidiarity and proportionality, where for the Commission, it is stated that ‘any legislative proposal should contain a detailed statement [...] which [...] should contain some assessment of the proposal’s financial impact and, in the case of a framework law, of its implications for the rules to be put in place by Member States, including, where necessary, the regional legislation’ (art. 4).

The above principles are not only theoretical in value. They constitute the base for a unitary application of the principles of the administrative law within the national administrations and the construction and enlargement of the EAS. These principles may not function on the basis of a simple knowledge; in turn, they assume a gradual, daily effort for interiorizing the EAS principles as inherent to the administration, by means of institutional and legal mechanisms. The European Administrative Space appears as the closure for a large process that implies convergence, Europeanization and administrative dynamics.

4.5. EU administration and contemporary doctrines

Obviously, the topic proposed in this section is quite broad and therefore we aim to respond or argument answers to questions such as ‘May be the EU administration framed within the contemporary administrative or managerial theories?’ or ‘How it looks like a comparative situation among the characteristics of the EU administration and those of New Public Management (NPM) or New Public Administration (NPA)?’

If we approach retrospectively, the EU administration has been and it is contemporary with NPM or NPA affirmation but a more detailed analysis will show both similarities and differences concerning its characteristics.

We find a more synthetically and relevant situation for our study if we use the examples of analysis achieved by Frederickson and Smith (2003, pp. 111-113) on the administrative doctrines. The adapted and condensed versions of those doctrines represent the ground of analysis used by the authors mentioned (Hood and Jackson, 1991, pp. 34-35).

Based on the matrix of comparative analysis described by Frederickson and Smith (2003), Table 2 will emphasize, in our view, the main doctrinaire characteristics of the EU administration related to the traditional or contemporary approaches of the administrative doctrines.

The comparative situation describes for the EU administration a novel situation derived from the building mode and structure, substantiated on the Member States national administrations in conjunction with the own administration of a large international organization – the European Union. The synergy of multiple subsystems of the EU administration will foster other authors’ assertions, a hybrid administration which does not integrate totally in certain trends or theories.

Table 2: Comparisons of traditional on contemporary principles of public administration and EU administration principles*

Doctrine	Traditional Principles	Contemporary Principles	EU Administration Principles
Scale	Large – centralized	Small – decentralized	Large – decentralized
Service provision	Direct government service Compel costs and benefits	Contract out Choices in costs and benefits	Privatize/Contract out Choices in costs and benefits
Specialization	By characteristics of work By work processes and purpose	By characteristics of clientele By location	By characteristics of clientele By work processes and purpose
Control	By professional practice standards By inputs (budgets, staff, size) By outputs processes Direct administrative	By competition By outcomes Direct administrative	By competition By outcomes By standards of professional practice Direct administrative
Discretion	By laws, regulations By professional attitude	By deregulation By risk taking	By laws, regulations By professional attitude
Employment	By merit, affirmative action, technical skills	By merit, affirmative action, technical skills	By merit, administrative and technical skills
Leadership	Based on neutral competence Professional expertise	Based on entrepreneurial/advocating	Direct administrative leadership Entrepreneurial/advocacy
Purpose	To carry out the law To manage orderly and reliable institutions	To facilitate change To create public value	To carry out the law To create public value

Source: Adapted and completed after Frederickson and Smith (2003, p. 113)

5. Conclusions

The paper achieves a brief analysis of ‘EU administration’ or ‘European administration’. The approach of this topic attempts to exceed, in depth, the previous analyses, which were dominated either by traditional approaches deriving from the national doctrines or the reality of the EU construction. The latter is providing scholars and practitioners with a complex administrative ensemble that does not benefit explicitly from the normative and procedural grounds as most national public administrations.

In our view as well as in other authors’ view, the apparent conceptual deadlock has been overcome by cutting the administrative reality and placing it in the managerial context of the European governance. It is worth to add the profound philosophy deriving from the EU Treaties which is influencing strongly the new administrative doctrine, originating from the analysis of the European administration.

The current scientific approach makes progress in building a systemic model of the European administration. From this prospect, the debates are far to be finalized. It becomes clearer the complexity, diversity and architecture of the system. The adjustment and self-adjustment systems within this multi-polar system may trigger a better understanding of the system operation. Obvious, the theoretical characteristics

of the model remain dominant. It is worth to add the impressive literature revealing various situations holding indisputable analytical value. Reordering and using those situations in accordance with a better defined target becomes a mandatory approach for all those aiming to analyze and understand the European administration.

We should also reveal the importance of the external environment asserting the European administrative system. In fact, from this view, the actual paper incorporates the European administrative system in a broader social, political and administrative area, such as that of the European Administrative Space. Thus it is obvious a transfer of principles and good practices between the two entities. The emergent interaction will lead to the simultaneous development of the concept and it will contribute to the assertion of the European administration in the complex reality of the European Union.

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Appendix

The administrative structure of the EU 27

State	NUTS 1	NUTS 2	NUTS 3	LAU 1	LAU 2	Comparative developments with 2003/2004
Belgium	3	11	44*	-	589	^{*)} Arr. Verviers will be split by making the German-speaking community a separate region.
Bulgaria	2*	6*	28	264	5329	^{*)} Changes have been made for the regions with NUTS levels 1 and 2 in view to comply with NUTS Regulation.
Czech Republic	1	8	14*	77	6249	^{*)} A number of small municipalities were transferred between the regions Vysocina and Jihomoravkykraj.
Denmark	1	5*	11**	99	2148	^{*)} Following an extensive regional reform, where new administrative regions were created, Denmark will be divided into NUTS level 2 regions. ^{**)} The previous 15 administrative regions have been abolished and in their place, 11 new non-administrative regions have been created by combining municipalities. (Only two NUTS level 3 regions remain intact).
Germany	16	39*	429**	1457	12379	^{*)} 3 regions have been merged into one (Land Sachsen-Anhalt). 6 NUTS level 2 regions are non-administrative, but their territorial extent is unchanged. (Land Niedersachsen). ^{**)} 24 regions have been reorganized to constitute 14 NUTS level 3 regions (Land Sachsen-Anhalt).
Estonia	1	1	5	15	227	
Ireland	1	2	8	34	3441	
Greece	4	13	51	1034	6130	
Spain	7	19	59*	-	8111	^{*)} Every island in the Canarias and the Illes Balears will constitute a separate NUTS level 3 region, with the exception of Eivissa and Formentera, which together form one NUTS level 3 region.
France	9	26	100	3787	36683	
Italy	5	21	107*	-	8101	^{*)} The regions on the island of Sardegna have been reorganized, so that instead of four regions, there will now be eight at NUTS level 3.
Cyprus	1	1	1	6	613	
Latvia	1	1	6	33	527	
Lithuania	1	1	10	60	518	
Hungary	3	7	20	168	3152	
Malta	1	1	2	6	68	
The Netherlands	4	12	40*		443	^{*)} A minor boundary shift affects the regions Achterhoek and Arnhem/Nijmegen due to the merger of municipalities straddling the border of these non-administrative NUTS level 3 regions.

State	NUTS 1	NUTS 2	NUTS 3	LAU 1	LAU 2	Comparative developments with 2003/2004
Austria	3	9	35	-	2357	
Poland	6	16	66**	379	2478	*) Half of the non-administrative NUTS level 3 regions will be reorganized where necessary to comply with the NUTS Regulation criteria. A total of 23 regions are being split up and reorganized to form 44 new regions, i.e. a net increase of 21 NUTS level 3 regions. 22 NUTS level 3 regions remain intact.
Portugal	3	7	30	308	4260	
Romania	4*	8**	42	-	3174	*) Due to the size of the country, it was necessary to introduce regions at NUTS level 1 to coincide with accession to EU. There are four non-administrative NUTS level 1 regions **) At NUTS level 2, there are no territorial changes, but there are a few modifications of names of existing regions.
Slovenia	1	2*	12	58	210	*) Slovenia will be split into two regions at NUTS level 2.
Slovakia	1	4	8	79	2928	
Finland	2	5	20*	77	416	*) A minor boundary shift affects the regions Satakunta and Pirkanmaa. One municipality only has been transferred between these NUTS level 3 regions.
Sweden	3*	8	21**	-	290	*) 3 new non-administrative regions will be created in order to comply with the size criteria in the NUTS Regulation. **) A broader shift is taking place by moving one municipality from Västmanlands län to Uppsala län. As all NUTS level 3 regions will receive new codes with the introduction of NUTS level 1, this border shift will not be very visible in the coding structure.
United Kingdom	12	37*	133*	443	10664	*) In Scotland the border between North Eastern Scotland and Highlands and Islands will be shifted by moving east Moray to the latter region. A number of regions names are being changed or corrected at all NUTS levels, in various parts of the United Kingdom.
EU 27	97***	271**	1303*	8398	121601	*) Most territorial changes are at NUTS level 3, affecting 11 countries. **) The most important changes at NUTS level 2 occur in four countries ***) Only one country has changes to NUTS level 1.
EU 25	91	257	1233	8134	113098	
EU 15	74	215	1089	7253	96128	

Source: Eurostat, Regions in the European Union – Nomenclature of Territorial Units for Statistics
– NUTS 2006/EU 27, <http://epp.eurostat.ec.europa.eu>