

Building European Union capacity to manage transboundary crises: Network or lead-agency model?

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Abstract

In recent years, the European continent has witnessed a substantial number of “transboundary crises” – crises that cross geographical borders and affect multiple policy domains. Nation states find it hard to deal with such crises by themselves. International cooperation, thus, becomes increasingly important, but it is not clear what shape or form that cooperation should take. This article explores the growing role of the European Union (EU) in managing transboundary crises. More specifically, it reflects on the different ways in which the expanding contours of the EU’s emerging crisis capacity can be organized. Using three “performative dimensions” – sense-making, coordination, and legitimacy – the article discusses the possible advantages and disadvantages of a decentralized, network model and compares it with a more centralized, lead-agency model. It concludes that the current network model is a logical outcome of the punctuated and fragmentary process through which EU crisis management capacities have been created. It also notes that the shortcomings of this model may necessitate elements of a lead-agency model. Such “agencification” of networks for transboundary crisis management may well lead to a hybrid model that is uniquely suited for the peculiar organizational and political creature that the EU is.

Keywords: coordination, (de)centralization, EU crisis management, European Union agencies, network governance, transboundary crises.

1. Introduction: The rise of transboundary crises

Contemporary crises and disasters increasingly have the potential to reach across geographical borders and traditional policy boundaries. These so-called “transboundary crises” pose an urgent threat to the multiple life-sustaining systems that span borders and connect states (OECD 2003, 2011; Beck 2008; Boin 2009; Rhinard & Sundelius 2010).

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Poignant examples include the 9/11 attacks, the Asian tsunami, Hurricane Katrina, SARS and Avian flu, the global financial crisis, and the Fukushima nuclear disaster (Helsloot *et al.* 2012; 't Hart 2013).

As the impact of these crises is distributed across (international) regions and multiple policy sectors, they require cross-boundary and often novel response modes (Ansell *et al.* 2010). Over the past two decades, the European Union (EU) has developed an array of crisis management mechanisms that facilitate transboundary coordination and cooperation. We might say that the EU has become a “policy laboratory” for transboundary crisis management.

The EU is no stranger to transboundary crises. The BSE crisis in 1996 and the Dioxin scandal in 1999 led to widespread food scares, health concerns, and seriously disrupted the Internal Market; the running aground of the *Erika* tanker in 1999 and the sinking of the *Prestige* tanker in 2002 had a devastating environmental, social, and economic impact on the Spanish and French coasts; and the severe floods in central and eastern Europe in 2002, and the forest fires in southern Europe in 2003, resulted in high economic and social costs for urban as well as rural areas.

More recently, the volcanic ash crisis left hundreds of thousands of passengers stranded and reportedly cost the airline industry well over one billion euro in lost revenue (Alemanno 2011); an E-coli/EHEC food contamination in Germany exposed the vulnerability of food regulatory systems across Europe; and, as we write, the EU is struggling to contain the effects of the global financial crisis and its challenges to the survival of the euro and to the EU political project more broadly. Other transboundary crises loom on the horizon: the EU is facing the possible consequences of climate change and the prospect of cyber terrorism.

In response, the EU and its member states have begun to develop “European” capacity to deal with these threats (Boin & Rhinard 2008; Olsson 2009; Boin *et al.* 2013; Busuioc 2013a). Ambitious policy statements, strategy papers, action plans, and legislation packages have seen the light of day, existing institutional structures, and arrangements have been transformed, and new instruments and mechanisms have been put in place.

What is more, multiple agencies with specific crisis-related tasks have emerged, such as the European Food Safety Authority, the European Maritime Safety Agency, and, most recently, three European financial supervisory authorities. These agencies were created in the wake of transboundary crises and are supposed to play a key role in preventing and responding to future crises (Groenleer 2009; Busuioc 2013a).

The EU developed all of this capacity in a punctuated and fragmentary manner: with each crisis, member states invested additional authority in the Union’s budding crisis management apparatus. There is, in other words, no institutional blueprint. This makes sense, as the design of international crisis management capacity has to negotiate deep tensions (Hutter 2010): between government and governance, between prevention and resilience, and between member state interests and crisis management requirements (such as speed and unity of command).

This article explores if and how the expanding contours of the EU’s emerging crisis management capacity reflect institutional choices between governance and government models. The EU has long adhered to what academics refer to as a “network” or governance approach, which fits, both organizationally and politically, with the EU’s traditional *modus operandi* (Dehousse 1997; Ansell 2000; Eberlein & Grande 2005; Coen & Thatcher 2008; Sabel & Zeitlin 2008, 2010). More recently, however, one can observe

institutional tendencies that appear closer to a “government” or lead-agency model (cf. Thatcher & Coen 2008; Egeberg & Trondal 2011; Groenleer 2011; Levi-Faur 2011): several types of crisis management capacity are being concentrated in selected Brussels institutions or EU-level agencies (the reactions to the financial crisis provide telling illustrations). Both models have advantages and disadvantages (e.g. Jordan & Schout 2006; Kelemen & Tarrant 2011; McGuire & Agranoff 2011), which we reprise and reappraise here in terms of transboundary crisis management.

The article first introduces the administrative challenges of transboundary crises and proceeds to discuss the generic and sectoral capacities that have been developed at the EU level. It subsequently discusses the advantages and disadvantages of the network model, comparing it with the alternative of a more traditional “government” or lead-agency model. To facilitate such a discussion, we introduce three “performative dimensions” along which both models are compared.

We illustrate the discussion with real-life examples, drawing on data gathered through document analysis (websites, constituent documents, news reports, etc.) and/or semi-structured interviewing (with agency staff, European Commission officials, and national experts) in the course of recent research on EU crisis management and EU agencies conducted by the authors (Groenleer 2009; Boin *et al.* 2013; Busuioc 2013a,b). Our discussion suggests that the current model, in which competences for crisis management are dispersed over a variety of EU agencies and institutions, nicely fits traditional ways of working in the EU. The question remains, however, whether the current model is most effective in light of a transboundary crisis.

2. Transboundary crisis management in the European Union

Transboundary crises require transboundary crisis management capacity. In this section, we explore what those capacities might look like. We survey the emergence of EU capacities. We describe two ideal-typical models of administration and introduce “performative dimensions” along which the models can be compared.

2.1. Managing crises across borders

The defining characteristic of a transboundary crisis or disaster is its potential to jump geographical borders and policy boundaries.¹ These crises can easily snowball into a disaster of international proportions, affecting multiple industries and critical infrastructures (Quarantelli *et al.* 2006; Wachtendorf 2009; Ansell *et al.* 2010). A small incident can race through the tightly connected systems that define modern society, gaining momentum and changing shape as it spreads. These crises are impossible to predict, hard to detect, difficult to stop, and costly to recover from (Perrow 1999; Boin & McConnell 2007).

Scholars predict these types of emergencies will gain prominence in the near future. They point to modern society’s ever-increasing complexity and the close links between life-sustaining systems, all of which provide minor glitches with plenty of potential to develop into full-blown emergencies. They also point to the rise of catastrophic transboundary threats to societal security, such as biological and cyber terrorism, climate change, and bioengineering (Posner 2004; Clarke 2005; Beck 2008).

It is not clear how these transboundary emergencies are best managed. Some do not believe that such events can be managed at all (Perrow 2011). This school of thought tends to suggest a variety of measures, ranging from investing in societal resilience (cf.

Wildavsky 1988) to a full retreat from modernization (Perrow 2011). Others advocate an array of technological and administrative tools designed to prevent, detect, and manage emergencies. Such technological tools typically include modern communications and information systems, custom-built crisis centers, and an abundance of hardware (cf. Bharosa *et al.* 2009), while the administrative tool of choice is usually some form of centralized command and control structure (cf. 't Hart *et al.* 1993).

Even the most optimistic scholars seem to agree that national governments will not be able to manage these transboundary emergencies by themselves. Research has shown time and time again that public authorities find it hard to manage crises (Rosenthal *et al.* 1989, 2001; Boin *et al.* 2005; Howitt & Leonard 2009). The challenges rise exponentially when a crisis takes on transboundary proportions.

Three challenges, in particular, become harder to manage when a crisis or disaster assumes transboundary dimensions (cf. Ansell *et al.* 2010). First, a transboundary crisis makes it harder for national authorities to *make sense* of a crisis. As the information about the crisis is scattered across national and policy borders, it takes a lot of effort to bring all the relevant information together (in time). Moreover, it becomes harder to assemble the expertise that will be required to evaluate this information in a complex crisis (Rosenthal & 't Hart 1991). Second, it is nearly impossible to *coordinate* across borders, which is necessary as transboundary crises play out across various jurisdictions and inevitably require ad hoc constellations of actors that have never worked together. Third, it becomes harder to generate *legitimacy* for a transboundary crisis response, given that decisions will be taken multiple levels away from the citizens experiencing the effects thereof on the ground.

In the face of these transboundary crises and the challenges they pose, nation states will, therefore, have to collaborate and build transboundary crisis management capacities. But it is not clear how that is best done. The international community has created specialized organizations at the global and regional levels, which typically follow a networked approach: power is dispersed and disputed and, as a result thereof, lengthy decisionmaking procedures often slow down crisis management processes (Jeggle 2001; cf. Barnett & Finnemore 1999).

One of the most fascinating ongoing experiments with various forms of crisis management is playing out in the EU. The EU combines both elements of governance and government, which has given rise to an intriguing set of capacities. In fact, one might say that the EU has emerged as an international crisis manager (cf. Boin *et al.* 2013).

2.2. Emerging generic and sectoral EU crisis management capacity

At first sight, the EU may not seem better positioned than other international and regional organizations to play a central role in transboundary crisis management. In the EU, different actors must cooperate across multiple levels of government, from the local to the national and the European level and back (Kohler-Koch & Eising 1999; Hooghe & Marks 2001; Kohler-Koch 2003). Organized in a non-hierarchical relationship, these levels are characterized by complex interdependencies. Moreover, decisionmaking in the EU typically involves trans- or cross-national coalitions of public, private, and non-governmental actors (Egeberg 2006; Sabel & Zeitlin 2008, 2010; Börzel & Heard-Lauréote 2009), which potentially affords wider access to information from a variety of sources, but also makes it hard to share information, organize a rapid response, and speak with one voice. Yet the EU has built a set of capacities that appear to work quite well (Boin *et al.* 2013).²

The Lisbon Treaty (Article 222 TFEU) contains the Solidarity Clause, which calls upon member states to act jointly and assist each other in the event of a terrorist attack or a natural or man-made disaster (Ondarza & Parkes 2010).³ If a member state is overwhelmed by disaster, it can request assistance from other member states. In order to coordinate this assistance, the EU in 2001 adopted the Civil Protection Mechanism (Ekengren *et al.* 2006). While member states do not make much use of the Mechanism, non-members increasingly do (Hollis 2010; Fuchs-Drapier 2011). The Commission is currently building a European Disaster Response Capacity, which should provide it with Federal Emergency Management Agency (FEMA)-like competencies that can be used both inside and outside the Union.

The EU has also built an extensive capacity to organize military and civilian missions to crisis-stricken areas around the globe (Jones 2007; Norheim-Martinsen 2012). These missions vary from protecting refugees in the Congo, to protecting EU vessels from pirates in the Gulf; from strengthening rule-of-law institutions in the Balkans, to training police officers in Afghanistan. The new European External Action Service promises to further strengthen the EU's crisis management capacity.

More recently, the EU has increased its focus on transboundary crises. Arguably, it is the management of this type of crisis – affecting *multiple* member states *at the same time* – that would have the most added value (Boin *et al.* 2013). The EU is building capacity to respond to these transboundary crises in two ways: by developing generic, as well as sectoral capacities.⁴

The EU has developed *generic* capacities designed to enhance common awareness and joint decisionmaking. For instance, the EU Crisis Coordination Arrangements (CCA) were established in 2005 to ensure a swift and coordinated response in the event of a multi-sectoral crisis affecting multiple member states. The CCA – recently revised and updated – can be triggered by the EU Presidency when a crisis requires an exceptional response at the EU level, such as a pandemic or a terrorist threat. Another generic instrument – operated by the Commission – is ARGUS, a rapid alert system which brings together information drawn from the many early warning systems within the Commission services so as to better coordinate its response. Since the Lisbon Treaty has entered into effect, the European External Action Service, the Commission's Directorate General (DG) for Humanitarian Aid and Civil Protection (DG ECHO), and DG Home Affairs have all enhanced their capacities to collect and analyze information that is critical during crisis management operations.

The EU has also been building *sectoral* capacities for crisis management. For instance, the EU rearranged and strengthened its structures to trace and prepare for food risks in the wake of BSE, Dioxin, and other food crises (Lezaun & Groenleer 2006). It has implemented measures to prevent oil spill disasters such as those with the *Prestige* and *Erika* tankers. And, most recently, it has adopted strict EU rules to address financial risks, after the banking crisis had exposed gaps in financial services regulation and supervision in Europe (Moloney 2010, 2012; Ferran *et al.* 2012). The implementation and enforcement of these structures, measures, and rules are not only entrusted to networks but increasingly also to agencies of the EU – an often overlooked type of EU capacity to manage crisis.

The EU has several networks that are relevant to the management of crises and disasters. The EU organizes its disaster response through its civil protection network and its foreign missions through its security network (these networks will likely become increasingly connected as the definitions of disaster and security widen). The EU also has

networks that are especially useful to facilitate a joint response to *transboundary* threats and crises: these sets of contact points (persons, organizations, both public and private), often supported by IT tools, can, for instance, be found in the areas of food and health safety (e.g. the Rapid Alert System for Food and Feed [RASFF]), critical infrastructure protection (e.g. the Critical Infrastructure Warning Information Network [CIWIN]) and immigration (e.g. the European Migration Network [EMN]).

Since the 1990s, the EU has set up 35 such specialized agencies, dealing with a variety of social, economic, scientific, and technological issues that the EU institutions and the member states want to see addressed at the supranational level (Majone 1996, 1997; Kelemen 2002; Groenleer 2009; Busuioc *et al.* 2012; Busuioc 2013a).⁵ Quite a few of these agencies were created in the wake of disasters and received tasks related to crisis prevention and response (Groenleer 2009), including: the European Food Safety Authority (EFSA), the European Centre of Disease Prevention and Control (ECDC), the European Maritime Safety Agency (EMSA), Europol, the European Agency for the Management of Operational Cooperation at the External Border (Frontex), and the European Network and Information Security Agency (ENISA). The new EU financial authorities possess exceptional formal powers; in emergency situations, they may direct national authorities' actions as well as those of national financial institutions (Wymeersch 2012; Busuioc 2013b).

2.3. Two administrative models for transboundary crisis management

Over the years, the EU has added capacities by fits and starts, without the benefits or drawbacks of a grand blueprint. The way the field is currently organized can be discussed in terms of two models commonly recognized in the literature: the network model and the lead agency model.

Many of the EU's crisis management capacities are organized in what academics would describe as a "network model:" capacities are distributed across a network, its strength being determined by the strength of the ties between the network elements (Lewis 2011; McGuire & Agranoff 2011; Capano *et al.* 2012). Typical mechanisms to strengthen these ties include the increase of "compatibility," establishing communication across institutional boundaries, creating coordinating bodies, and organizing exercises that induce cooperation and build trust. The network model often appears when the EU responds to emerging policy problems (Kohler-Koch & Eising 1999). This makes sense as this model fits the organizational and political characteristics of the EU multi-level polity.

An alternative, more traditional model – prevalent in nation states – has one or more "lead agencies" for crisis management that impose control on network elements to enhance coherence of the system and maintain efficiency. This model is often thought to facilitate a decisive response to large-scale disasters as it limits the number of actors that have a final say over the use of capacities. The lead-agency model is also dominant in that other multi-level system, the United States, where either the governor's office or the President wields far-reaching power in the face of disaster (Kettl 2006; Sylves 2008). The model has not received much attention in the EU, as it is widely considered inappropriate, both organizationally and politically, in the European context.

We should, however, be careful not to a priori dismiss the lead-agency model. We can find features of the lead agency model in important crisis management institutions, such as the European External Action Service, the European Commission and its DG ECHO, and the European Central Bank (ECB). Moreover, we should ask whether a network model would suffice in the light of future crises. While the network model clearly has its

merits, which we will discuss shortly, we cannot simply assume the network model will produce an effective response and legitimate decisionmaking. After all, the EU's existing crisis management capacities have only recently been developed and remain largely untested.

These models are, of course, theoretical ideal types (in reality, there will often be, to varying degrees, a mixture of both models). Juxtaposing the network model against the lead-agency model sheds light on the advantages and disadvantages of both models, which helps to assess the potential of both models to produce an effective response in the face of transboundary crises. To consider how the advantages and disadvantages of both models play out in the context of EU realities and transboundary crisis management requirements, we now introduce three “performative dimensions” that can facilitate such a discussion.

2.4. Assessing crisis management capacity along three dimensions

Assessing the crisis management capacity of an administrative system – its capacity to deliver envisioned results – is an inherently normative exercise. We, therefore, need to explicate the dimensions along which we discuss (potential) performance. Importantly, these performative dimensions need to be related to the characteristics of the EU and to the requirements of transboundary crisis management. Drawing on the crisis management literature (Boin *et al.* 2005; Ansell *et al.* 2010), we introduce three dimensions along which potential performance can be assessed: the capacity to make sense of a crisis, the capacity to coordinate, and the legitimacy of the response constellation.

The first dimension refers to the organizational capacity to *make sense* of an emerging or unfolding crisis at the EU level. Effective crisis management requires the collection, analysis, and dissemination of critical information from a wide range of sources. This always proves a very hard task for crisis managers to accomplish (Rosenthal *et al.* 1989, 2001). It is even harder during transboundary crises, not only for technical and administrative reasons, but also in view of the multitude of actors involved at various levels, the variety of perceptions and interests, and the contested nature of the information that is to be used as input for joint decisionmaking.

The second dimension captures the capacity to *coordinate* the resources of supranational institutions, member states, and possibly involved third countries. The organizational, regulatory, and policymaking capacities that may be used in a joint response are scattered across member states, EU institutions, agencies, and policy sectors (Boin *et al.* 2013). In a crisis, a unique combination of such capacities is often required. Somehow, the various “owners” of such capacities must work together in a timely and coherent fashion. Because of the multi-actor and multi-level setting of the EU, this is hard enough under normal circumstances; it typically proves even more difficult under crisis conditions (Rosenthal *et al.* 1989, 1991; Grönvall 2001; Boin & 't Hart 2012).

The third dimension gauges the *legitimacy* of the response constellation. With the increasing realization of a simple premise – that European governance “matters a lot,” its legitimacy and accountability have become increasingly salient (Bovens *et al.* 2010). This is particularly pertinent when it comes to the exercise of crisis powers. In times of acute crisis, the space for executive action and discretion is broadened and the normal procedural and institutional safeguards are typically “relaxed” (Busuioc 2013a). The issues that are being decided upon and the measures undertaken can have serious repercussions ranging from infringement of individual rights (e.g. through countermeasures

restricting the movement of people, quarantine, selective immunization) to a population's health and safety, and are, thus, highly political (Busuioc 2013a). Hence, member state support for, or acceptance of, an EU crisis management system and appropriate accountability arrangements are essential.

In the following sections, we discuss the pros and cons of both the network model and the lead-agency model on the basis of these three dimensions. It is not our aim to empirically assess the EU's performance against these performative dimensions. We merely seek to sketch the outlines of an institutional design discussion that may be helpful in considering EU initiatives to further enhance its crisis management capacities.

3. Building up crisis management capacity in a network model

The EU has built considerable crisis management capacity through the creation of mechanisms, competencies, crisis rooms, and crisis procedures, which are embedded in the Council Secretariat, Commission DGs, and specialized EU agencies. The EU's crisis management capacity has, thus, taken the shape of a "network(ed)" model (Eberlein & Grande 2005; Coen & Thatcher 2008). Let us now consider the (potential) advantages and disadvantages of a network approach to organizing for transboundary crisis management.

3.1. Sense-making

An important argument in favor of the network model is that it enhances sense-making capacity (especially through early warning). The variety of specialized agencies and early warning systems at the EU level facilitates the collection of all types of potentially critical information. A variety of agencies means more information networks, which should result in more fine-grained contacts with stakeholders across many policy fields (including the national level and the private sector), thus ensuring not only more accurate, but also more complete information. The disadvantage, of course, is that it becomes commensurately hard to bring all of that information together. The same variety that generates critical information causes information to "fall through the cracks" before it reaches decisionmakers.

Another potential advantage is that the network model harbors a wide variety of expertise of a highly technical or scientific nature in the EU agencies, which is not readily available within the Commission or at the member state level. This expertise can be marshaled to discuss and advise on complex and emerging risks, threats, and crises (and these experts are well versed in EU parlor and processes). Through rotation or secondment, EU agencies can also replace or complement their staff and thereby maintain a high level of specialized knowledge, which remains attuned to national contexts.

This does not mean that such information is never contested and will not become politicized. For instance, EFSA is tasked with communicating risks and threats with regard to food safety. But when the Authority issued "a precautionary warning," advising Europeans against eating raw eggs and uncooked chicken to decrease the risk of contracting bird flu, the Commission and the member states criticized EFSA for causing panic (*EUobserver* 2005; *Financial Times* 2005). They feared that EFSA's message would cause people to turn away from chicken and lead to economic losses and reputational damage for member states. The agency was forced to retract its warning (EFSA 2005; Groenleer 2013).

A key weakness in the EU's sense-making capacity is that it is often dependent on (material as well as immaterial) resources of member states and, particularly, their will-

ingness to share information. The EU, and certainly its agencies, cannot compel national authorities to make information available and remain heavily dependent on national structures' willingness to contribute information. In response, in-house capacity is being developed to collect and analyze information so as to supplement national input. For instance, DG ECHO and the EEAS are piping in information from EU diplomatic missions and ECHO offices across the world.

3.2. Coordination

In response to a transboundary crisis, a network model creates specific challenges of coordination, both "horizontally" (between EU institutions or between member states) and "vertically" (between the EU and member states) (cf. Jordan & Schout 2006; Boin & 't Hart 2012). The EU does not have many resources (apart from funds) that can be employed in the face of crises and disasters. It depends on the member states to make sufficient resources available in a timely fashion. To coordinate the inputs and efforts of member states, the Council and the Commission have set up structures, mechanisms, and agencies. But it remains difficult to move 28 member states in one direction.

Some agencies have a specific role in facilitating convergence of member states' capacities. EMSA organizes training courses, seeking to ensure that national ship inspectors use the same practices and that they are trained on the basis of similar principles, in order to enhance the uniform implementation of EU legislation (Groenleer *et al.* 2010). Frontex is responsible for creating a harmonized pan-European training system for border guards, including a common core curriculum and training courses to share experiences and exchange best practices (Leonard 2009, 2010).

The EU has largely managed to address these coordination challenges by building specific structures for specific types of crisis. For instance, to coordinate member state assistance in the face of a natural disaster (inside or outside the Union), the EU has used its Civil Protection Mechanism, which is run by DG ECHO's Monitoring and Information Center (MIC) (Ahman & Nilsson 2009; Hollis 2010), where impending crisis situations are monitored on a 24/7 basis.⁶ To coordinate member state collaboration in civil–military missions outside the Union, the EU has created quite an extensive set of organizations that fall under the Council Secretariat and/or the European External Action Service. In other words, the EU has "stove-piped" its coordination capacities, creating specialized capacities within particular policy domains.

This scattering of capacities across agencies and institutions, all administered on different legal bases, poses horizontal coordination challenges. Bureaucratic fragmentation, inter-institutional strife, and cross-pillar divisions tend to get worse during crises (Rosenthal *et al.* 1991). A fractured network and a lack of interoperability of practices and plans may, in turn, be expected to undermine a rapid and coherent European crisis response (European Security Research & Innovation Forum 2009).

The EU is constantly working to improve coordination. Interlinks have been built among the various agencies, as well as with (and between) the Council and the Commission. The External Action Service is touting its Crisis Situation Room as a venue for coordinated information management. In the area of public health emergencies, multiple agencies have a role in providing advice or collating information, including ECDC, EFSA, and other agencies, such as the European Medicines Agency (EMA). The newly created Standing Committee on Operational Cooperation on Internal Security (COSI), in which representatives of Europol, Frontex, and Eurojust take part as observers, should help

coordinate activities in the Area of Freedom, Security, and Justice (Busuioc & Curtin 2011; cf. Kaunert 2010a,b).

The EU's coordinative capacity has, in fact, worked surprisingly well. The EU has been increasingly effective in coordinating a joint response to large-scale disasters, such as the 2010 Haiti earthquake; it has also managed a significant number of foreign missions that operate in complex arenas (Gross & Juncos 2011).

The crucial question here is whether this network model will allow for a joint response to transboundary crises that do not neatly fall within one of the predefined crisis categories. These crises will force the EU to bring together new coalitions and actors that have never worked together before. Without a central, orchestrating actor, it is hard to predict if such a coalition will actually emerge when the need is there (cf. Metcalfe 1994; Jordan & Schout 2006). It did emerge in response to the Icelandic ash crisis, which helped to forge a unified response. It has, however, proven much more taxing in the response to the ongoing financial crisis.

3.3. Legitimacy

All EU efforts to use or expand its crisis management capacity critically depend on the support of its member states, notably the large ones. The advantages of the network model are clear in this regard: while it creates capacities at the EU level, it also respects the sovereignty of the member states, ensuring (or at least increasing the likelihood of) support. The idea of a centralized institution in Brussels impinging itself on an area that falls within the core interests of the nation state is a hard sell to most member states.

The fragmented nature of the EU's crisis management structure and the multiplicity of supranational, national, and sub-national actors involved make it difficult to create well-functioning accountability structures. The interaction of multiple actors at different levels creates a dispersion of responsibility, which renders accountability problematic (the so-called "problem of many hands;" see Bovens *et al.* 2010). What is more, the introduction of accountability arrangements can come at the expense of flexibility and an effective response (Busuioc *et al.* 2011). The presumed advantages of the network model – specialization and flexibility – may well be offset by the demands of accountability.⁷

A growing role of EU agencies may help to remedy this shortcoming. The EU's use of (scientific) committees was, at least until the recent reforms, "among the least transparent policy-making processes in the democratic world" (Shapiro 1997, p. 291). The BSE crisis clearly demonstrated the downside of this process, when anonymous experts were propelled into decisionmaking positions (Grönvall 2001). In contrast to the opaque committee (or comitology) system, agencies with their formalized structures, identifiable participants, and standard operating procedures, are (one could argue) more easily held accountable.

4. Building up crisis management capacity through a "lead-agency" model

The network model has its strengths, but also its limitations, as discussed above. We can put these limitations in perspective by considering the alternative lead-agency model. In this model, a select set of specialized crisis management institutions would have the authority to direct most, if not all, of the EU's transboundary crisis management capacities.

Member states and the Commission have so far been reluctant to concentrate generic crisis management tasks in a single EU agency, but calls for the concentration of crisis management capacities often emerge in the aftermath of transboundary crises.⁸ While a central crisis management agency is not likely to emerge anytime soon, we do see a subtle movement toward increased concentration of crisis management capacities in a few EU entities. As mentioned above, DG ECHO, DG Home Affairs, and the European External Action Service are all working to create more commanding sense-making capacity. Moreover, they are vying for organizational supremacy in certain key areas of EU crisis management.

The question is whether and how the emergence of dominant organizational actors fits within the realms of a network model. A brief examination of the advantages and disadvantages of a lead agency model provides us with an analytical point of reference to ponder this question. We use the same three performative dimensions to structure our discussion.

4.1. Sense-making

An argument that is typically used in favor of concentrating crisis management capacities in a limited set of organizations holds that bringing information under one roof will address the perennial problem of information sharing. By channeling information before, after, and especially during emergencies to one point, a “common operational picture” is facilitated. In addition, bringing all critical information to one venue could make it easier to assemble experts and assess their input. When experts operate in many different venues, their input becomes a source of confusion, rather than a means to make sense of a crisis.

Centralization may, thus, seem like the logical way to enhance the efficiency of the information process, but its effects are less straightforward than commonly assumed. For instance, a certain level of redundancy in information sources may well increase the overall degree of information reliability (Landau 1969; Heimann 1997). Multiple and competing views typically provide different pieces of the information puzzle, which allows for triangulation and multiple avenues for checking facts and addressing uncertainties.

In addition, the challenge of interpreting incoming information is not made any easier by bringing organizations under one roof. In fact, the dominant culture of such an agency may well “block out” certain views, creating blind corners (Turner & Pidgeon 1997). The performance of the US Department of Homeland Security (DHS) during and after Hurricane Katrina forcefully illustrates this point. After 9/11, many agencies were brought under one roof to improve sense-making. However, DHS did not manage to generate an accurate picture of the situation until days after Hurricane Katrina had submerged New Orleans (Kettl 2006). The coexistence of multiple agencies at the EU level and at multiple levels (national and EU) may not be as ineffective as it would appear from our previous discussion.

4.2. Coordination

A standard argument in favor of a lead agency model is that the concentration of authority reduces the administrative complexity of the response network, which enhances the speed and efficiency of the decisionmaking process. Centralization lessens the transaction costs of coordination.

Centralization might even foster a Union approach to emergency management – something the Commission is actively pursuing. Central coordination capacity would, for instance, make it unnecessary for agencies to keep resources that others also have. It may even increase the speed of the response, as resources would not have to be brought together each and every time; they would be immediately available for prepositioning in the face of an emerging disaster. Duplication and overlap could be avoided, synergies could be ensured, and costs could be reduced.

At the same time, we know that centralization has inherent drawbacks. Bringing a set of organizations under the roof of one agency does not automatically reduce coordination problems (Kettl 2006). The Commission would still depend on the willingness of member states to act rapidly and in accordance with its intentions. Centralization would not lessen the need for hierarchy and procedure, aimed at reining in the autonomy of subunits. A large bureaucratic organization, such as the DHS, is not the most flexible one. While addressing problems of horizontal coordination, centralization may thus create new problems of vertical coordination.

Centralization tends to be at odds with one of the often-noted tenets of effective crisis and disaster management, which holds that effective response operations are best built from the bottom up. Higher levels of organization should support (rather than supplant) local response organizations, which, in most cases, know the situation on the ground best (Boin *et al.* 2005; Sylves 2008). It is difficult to think of circumstances under which a lead agency would add value to local processes other than in a support capacity. Moreover, it is hard to conceive of a “superagency” that would be content to fulfill a purely facilitative role.

The very act of creating such an agency would likely create problems of its own. As has happened with most existing EU agencies, the creation of a single crisis management agency will create inter-institutional strife and require political compromise (Kelemen 2002; Groenleer 2009; Kelemen & Tarrant 2011). Ambitions will be watered down to ensure that member states and EU institutions remain in the driving seat. If history is any guide, the organization that would emerge out of negotiations would likely be weak in terms of tasks and competences, compromising its ability for organizing effective crisis response and, thereby, the opportunity to demonstrate added value.

4.3. Legitimacy

A lead-agency model may enhance legitimacy by improving accountability mechanisms. Unlike the networked agency model, the model would provide a clear locus of responsibility. Having all of the information in a few places would facilitate the post-crisis accountability process. Moreover, we would not expect a centralized agency operating in this sensitive domain to be created without heavy checks on its powers. This, in turn, could come at the expense of the agency’s functioning.

The creation of centralized nodes might enhance legitimacy among member states, as it would give the Council (and thus the member states) the opportunity to enhance EU capacities without ceding more authority to the Commission. In a quasi-federal constellation, a powerful agency operating in a sensitive policy area tends to invite resistance from lower levels. When member states do not feel involved in the agency’s activities – for instance, because they are not included in its decisionmaking organs – and if they do not see the value it adds to their own work, they may obstruct its effective functioning by withholding critical information or financial resources. In the early years of Europol,

national enforcement authorities, perceiving the agency as a competitor, refused to provide it with the information it needed to perform its tasks (Groenleer 2009; Busuioc *et al.* 2011).

Centralizing tasks could undermine legitimacy *within* the EU, however. As the creation of new nodes is never a *tabula rasa* exercise, it would likely involve taking away experts and resources from other pre-existing organizations. Specialized Commission DGs or EU agencies may find it difficult to swallow that a comprehensive emergency management agency imposed itself on their established areas of expertise. The experts left in the Commission or other agencies may not necessarily accept their eroded role, which could give rise to bureaucratic turf fights (Groenleer 2009). The recent emergence of the European External Action Service has, for instance, created deep tensions between the new institution and DG ECHO (as both see a role in organizing a response to “foreign” crises and disasters).

In the absence of crises to manage, and confronted by many enemies, any new agency is politically vulnerable (Wilson 1989). Without concrete and, preferably, measurable results, opponents are quick to question its existence, and politicians are not very eager to provide budgets. This, in turn, makes it harder to deliver results. Consider again the example of Europol. Whereas original political intentions were along the lines of a “European FBI,” the body that emerged out of the negotiations was closer to a “clearing house for information” than to a regular police force. Its limited mandate subsequently made it difficult to engender cooperation from the member states, which, in turn, made it impossible for the agency to demonstrate added value (Groenleer 2009; Busuioc *et al.* 2011).

Yet at the same time, crises can be strong legitimizing forces on their own, giving momentum to previously inconceivable institutional changes. The agency referred to above stands in contrast to the three freshly created European agencies in the financial sector, which wield unprecedented powers, and for which political support could be garnered as a result of the extraordinary circumstances of the current financial crisis climate. As a result of the financial crisis, the EU is now “stray[ing] into previously no-go zones that were jealously guarded by Member States” (Ferran 2012, p. 6), enhancing arrangements for crisis management and financial supervision.

While the three European financial authorities are essentially part of a *network* of national and EU financial supervisors, a *hierarchy* is built into the system: the agencies can issue direct binding orders to national supervisors as well as overrule them. These developments are taken yet further through the envisaged direct common banking supervisor, with a single line of authority vested in the ECB, which will be responsible for the supervision of 200 national banks. Significant crisis pressures have, thus, led to a hybrid model of crisis management, combining network characteristics with strong “centralized nodes” or “hubs” of crisis response (cf. Levi-Faur 2011).

5. Conclusion: Rethinking networked crisis governance in the EU

In recent years, the EU has developed significant capacity to manage a joint response to transboundary crises and disasters. The organizations in this network, be it DGs or agencies, possess relevant skills and resources, ranging from managing shared information systems, to conducting 24/7 surveillance and threat assessments. They not only pool and assess complex information from a multiplicity of sources, but also help harmonize

national practices and build interoperability through workshops and training programs, and even coordinate the deployment of emergency teams at the request of a host state.

New threats and crises will provide additional impetus to create more resources and invest fresh authority in new bodies. The Lisbon Treaty clearly points in this direction. Moreover, several proposals have been floated that would enhance EU crisis management capacity: a European disaster management force, a crisis management planning department, a European Emergency Response Centre – these are but a few recent ideas that appear to gain traction (*EUobserver* 2010).

All this prompts the question – central to this article – how the EU can best organize these emerging capacities. There is little theory or experience to guide this development. Moreover, the EU was never intended nor designed to deal with acute emergencies on the European continent (transboundary or otherwise). The EU has essentially been traversing uncharted waters. It has developed its capacity by adding resources, by creating new mechanisms, and by stretching existing mandates. This punctuated and fragmentary development has led to a constellation of capacities, which is best described in terms of a network model (Eberlein & Grande 2005; Coen & Thatcher 2008).

To assess the potential of this network model, we compared it with a more centralized, lead-agency model. This comparison taught us that there is not “one best model” to organize transboundary crisis management capacities at the EU level. The network model, as assessed against the three performative dimensions of transboundary crisis management – sense-making, coordination, and legitimacy – has clear strengths. Yet our discussion also suggests that a certain degree of centralization or, rather, concentration – elements from the lead-agency model – may help to enhance the EU’s crisis management capacity.

The EU is characterized by a subtle balance between member state interests and an institutionally divided domain of EU institutions. A network model reflects the institutional characteristics of the EU, with policies being established and decisions being taken through joint action by the member states and EU institutions. It allows for delegation of responsibilities to agencies, without provoking fears of domination or interference at the member state level. It also allows for controlled experimentation, establishing the powers to set broad goals at the EU level (protecting Europe from crises and disasters), while leaving lower-level units sufficient leeway to implement such goals (Sabel & Zeitlin 2008, 2010).

Moreover, it fits the discovery process through which a unique type of federation must find a way to satisfy 28 member states while creating capacities that can only be established at the supranational level. It fits, in short, the increasingly transboundary nature of crises and disasters, requiring cooperative and coordinative structures and arrangements at the EU level that can deal with both generic and cross-sectoral threats.

Unguided networks may well fail, however (Jordan & Schout 2006). The network model has clear limits, which may become untenable, for instance, because of the size and scale of transboundary crises and the number and variety of actors involved (McGuire & Agranoff 2011). The ineffective response to the financial crisis suggests that the absence of a central institution undermines a coordinated, timely, and effective response. Some form of oversight through the creation of nodes – blurring the distinction between the network (or networked governance) model and the lead-agency model (Levi-Faur 2011) – therefore appears necessary, as is increasingly being realized in Brussels (the financial crisis has certainly prompted this realization).

We do not argue for (or expect) a shift toward the lead-agency model. But we can see a development toward institutionalization of these networks, and a strengthening of the critical nodes in these networks. Such “agencification” of networks may well lead to a hybrid model that is uniquely suited for the peculiar organizational and political creature that the EU is.

Both policymakers and academics would, therefore, be wise not to dogmatically stick with one model or the other. We need more research to understand how organizational models enhance or take away from transboundary crisis management performance. This could inform a discussion between the EU and its member states on the future shape or form of transboundary crisis management structures and processes. The envisioned outcome of such a discussion could be a clear demarcation of horizontal and vertical competences, which would result in a formal response framework – consisting of networks and agencies – that fits the deeply seated characteristics of the Union and produces a joint, effective response to transboundary crises.

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Notes

- 1 In the literature, a difference is made between “crisis” and “disaster” (Quarantelli 1998; Perry & Quarantelli 2005). We will not dwell on the differences and use both terms interchangeably.
- 2 This is remarkable, as building crisis and disaster management capacity is not part of the Union’s original mission.
- 3 The new provision has potentially significant implications as it makes solidarity “compulsory,” transforming it into a legal requirement, although its exact implementation remains uncertain (Myrdal & Rhinard 2010).
- 4 When we speak of the capacity to “manage” crises, we are referring to the combined effects of regulatory, coordinative, and operational tools available in a certain policy sector, institution, or agency.
- 5 For an overview of the EU’s agencies, see <http://europa.eu/agencies>.
- 6 The European Community Humanitarian Office (ECHO) was created in 1992 and became the Directorate-General for Humanitarian Aid in 2004. In 2010, it was integrated with Civil Protection “for a better coordination and disaster response inside and outside Europe.” See http://ec.europa.eu/echo/about/index_en.htm, consulted on 2 November 2010.
- 7 A prominent example is the (fiscal) safeguard mechanism introduced as a check on the emergency powers of the European financial supervisory authorities. As a result, it can take as much as 10 weeks before an agency decision can become applicable, considerably slowing down the crisis response (Moloney 2010; Ferran 2011).
- 8 At the Laeken European Council in December 2001, the Belgian Presidency put forward plans for a so-called European Civil Protection Agency. In May 2006, in the wake of the Asian tsunami, the Barnier report (2006) called for a European civil protection force to improve the EU’s ability to deal with humanitarian crises across the world. Southern European countries in 2008 proposed the creation of a European Emergency Management Agency. After the

earthquake in Haiti, floods in Pakistan, and wild fires in Russia, France proposed a “real EU reaction force.”

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