

ASPECTS OF CONVERGENCE IN THE EU'S RENEWED STRATEGIC "VISION" OF THE EUROPEAN ADMINISTRATIVE SPACE

Cristina PĂTRAŞCU¹

Abstract: *The set of "overarching principles" and shared values of member states, known as the "European Administrative Space", from various documents of the European Commission and SIGMA, was revised in 2023 to adjust and upgrade the existing framework to the most recent practices and guidelines established by the OECD, the EU, and other international organizations. The present article explores this renewed vision of the consolidation of the European Administrative Space and the instruments that the European Union, especially the European Commission, will use to expand cooperation and offer support to Member States in planning and adapting their public administrations' reforms for the current and future needs of their societies.*

Key words: *European Administrative Space, convergence, public administration principles.*

1. Introduction

Each citizen and the whole state can benefit from an efficient and high-performing public administration. In the first place, it fosters political efficiency and stability by empowering governments to accomplish their policy goals and guaranteeing the correct application of laws and political decisions. Conversely, ineffective governmental management engenders corruption, uncertainty, delays, and inefficiency, which may result in people's discontent, opposition, and various forms of protest against the government and public institutions. Secondly, tensions and lack of solidarity in action for the achievement of common goals have negative effects and erode the capacity and legitimacy of the government. In addition to all these beneficial consequences, it is widely accepted that public administration plays a crucial role in economic growth and the wellbeing of society, at all governance levels.

According to the EU's representatives, "Public administrations are the foundation on which the EU builds its success" (Ferreira, 2021, p. 3). Article 197 of **TFEU** states that: "Effective implementation of Union law by the Member States, which is essential for the

¹ *Dunarea de Jos* University of Galati, cristina.patrascu@ugal.ro, corresponding author.

proper functioning of the Union, shall be regarded as a matter of common interest” (*TFEU*, 2012). This “matter of common interest” proves all the more important since the improvement of 445 million people’s lives who reside in the European Union depends on the legislation and policies that are identified, created, and implemented by the EU's institutions and Member States.

The EU and the OECD assist governments in operating within their increasingly complicated environments and enhancing public governance. They provide all their support and expertise by creating recommendations, building a forum for policy discussion and experience sharing, and offering the necessary comparative international data and analysis. Effective governance and the success of EU and member state actions depend on having high quality public administrations in a world that is shifting rapidly and dealing with complex economic, social, technological, and environmental changes in addition to multiple transitions (European Commission, 2021, 2023).

In its strategic vision of the continuous development of public administration of member states, the European Commission reiterated its commitment to promote cooperation and enhance convergence by a set of common principles and shared values regarding “good administration”. Whereas the notion of “good administration” has been progressively defined in the EU and is mentioned in Article 41 of the EU *Charter of Fundamental Rights*, the “principles of public administration” were created by SIGMA (a shared EU-OECD initiative), which answered to a request from the European Commission. SIGMA is also the one that established the concept of “European Administrative Space” in 1999 (OECD/SIGMA, 1999).

Although the “European Administrative Space” is not understood as a single model for how public administration should be organized and run, the principles represent “a comprehensive framework of standards expressing values and behaviours” that can be solicited from a “good public administration” (SIGMA/OECD, 2023). These principles and the monitoring system that goes with them can be used as a roadmap for reforms and a means of tracking advancement.

2. The “European Administrative Space” at the centre of the European Commission’s vision

The idea of “European administrative space”, that formed the topic of extensive debate in contemporary scientific literature, has developed within the framework of the European governance system. The European administration, which has become over time more and more complex, has often been referred to by using the metaphor of “space” (Hofmann, 2008; Patrascu, Schin, 2017).

The process of European integration implied a unified effort to establish a “transnational public space” reflecting the need for a collective manifestation of the “European identity” and thus the administrative space is considered as a part of this European space (Slabu, 2018, p. 28). The development of what we may call the “European administrative space” appears inseparably related to the expansion of the EU integration because the strengthening of the integration principles and the ever-growing union between the member states has also taken place in the administrative field.

The concept of a "European administrative space" may be regarded as a component of the integration program, one of its core tenets being "administrative convergence", which is seen also as a goal that the EU member states must achieve. From the analysis of the Sigma Papers (1999), which was the first to formally define and describe the "European administrative space" and its guiding principles, the elements that guarantee this convergence are unique to the European administrative space. One specific feature of the administrative space is represented by the "shared mandatory standards of administration" considered to have a "harmonising potential" (SIGMA, 1999, p. 7). The SIGMA report considers that the "EU administrative space" based on "shared basic public administration values and principles" (p. 14) can be set up by the "institutional arrangements, processes, common administrative standards and civil service values" (p. 15). These are mandatory aspects for the development of a common administrative space.

Recently (2023), the European Commission elaborated a document that concentrates on the topic of enhancing the European Administrative Space. Taking into account the huge pressure and great variety of challenges that public administrations are confronted with, the Commission established several objectives in order to guarantee the ongoing modernization process and encourage governments to follow on this path. The "set of actions" created by the Commission is meant to "better assist Member States' administrations in preparing for current reform needs and anticipating future trends, based on a common set of public administration principles" (European Commission, 2023, p. 6).

In this document, the Commission refers to the concept of European Administrative Space as being established by the various ways in which the public administrations of Member States share a set of values, tasks, and a sense of effective administration, despite a wide range of different institutional setups and legal traditions (2023, p. 7). There is also a definition of the term understood as: "an increasing convergence of administrative practices among the Member States based on shared values and principles, towards common standards and approaches of operation" (2023, P. 7). The main goal of the Communication is to enhance the administrative space by promoting a "common set of principles" and by supporting the modernization of Member States' public administrations. The Commission acknowledges that the competences and specific features of the member states will not be affected.

The Communication of 2023 is structured around three main areas or pillars, namely:

1. *The Public Administration Skills Agenda;*
2. *Capacity for Europe's Digital Decade;*
3. *Capacity to lead the Green transition.*

The European Commission's Communication on Enhancing the European Administrative Space, also known as **ComPAct**, responds to the request made by the Committee of the Regions, the European Parliament, and the Member States to the Commission to promote dialogue and collaboration and to assist in enhancing the capacity and quality of public administrations at the local, regional, and national levels in Europe (2023, p. 7). In addition to providing new and improved opportunities for administrations at all levels in Member States to collaborate and learn from one another, the **ComPAct** will maximize the experience already obtained through EU programs, such as the TSI, and the current exchanges in the framework of the Commission's Expert Group for Public Administration and Governance and the EUPAN.

3. Principles of Public Administration – 2023 revised version

In order to solve major societal issues of the present and the future, as well as to achieve sustainable development, economic growth, competitiveness, and improved quality of life, the EU and the OECD acknowledge that effective public governance, known also as “good governance”, is essential. The “principles of public administration” set up a model of standards and values to be applied by governments in the process of modernization of their administrations. This framework can be used by officials and public servants in all Member States as a tool for ongoing public administration system improvement and as a guide to create better policies for better lives, deliver high-quality, user-centered services, effectively manage public funds, promote accountability and transparency, and increase public trust in public institutions.

The *Principles* were created by SIGMA (after the European Commission requested them). The publication of the first edition took place in 2014. The framework has been updated in the current revised edition (2023) to reflect the latest guidelines and standards from the OECD, the EU, and other international organizations. In comparison to 2014, public administrations are supposed to be more digital, open, transparent, agile, inventive, and environmentally friendly. Additionally, they need to be more resilient to outside disruptive events, like natural phenomena generated by climate change or pandemics.

The 2023 revised edition of the *Principles of Public Administration* is structured around the main six themes outlined in the 2014 Enlargement Strategy, and articulates 32 Principles and 270 sub-principles. The main six domains and their “core values” (SIGMA, 2023, p. 10) are the following:

- **Strategy** - the government guarantees a strategic vision and leadership for a public administration that is innovative, adaptable, and constantly improving to solve unexpected or new problems.
- **Policy development and co-ordination** - the government takes measures that the budgets and policies are integrated, efficiently planned, coordinated throughout the government, carried out, tracked, and assessed in relation to well-defined policy goals. Through a transparent, “participatory process”, supported by solid data and analysis, ministries create transparent and consistent public policy.
- **Public service and human resource management** – public servants behave in an impartial and professional manner, and with integrity. They possess the necessary skills to carry out their activities efficiently and are hired and promoted on the basis of merit and equal opportunity.
- **Organisation, accountability and oversight** - at every level of government, the public administration is well-organized and productive. Public administration organizations use well-defined internal and external accountability procedures and are open and transparent. The public interest and the citizens' rights are safeguarded by robust oversight organizations.
- **Service delivery and digitalisation** - public administration prioritizes its citizens and provides all individual users and businesses with high-quality, accessible, friendly services both online and offline. Data-driven decision-making, effective and efficient

procedures, and high-quality and easily available services are all made possible by digitalization.

▪ **Public financial management** - public finances are planned and managed by the public administration to guarantee their sustainability, transparency, and ability to support the accomplishment of policy goals. To guarantee the economical, effective, and efficient use of public resources distributed among all governmental levels, control, procurement, and oversight mechanisms are in place.

From the analysis of the SIGMA document, it may be observed that the 32 Principles set out attitudes, behaviors, and outcomes, while the 270 sub-principles offer more specific instructions on how to accomplish these goals and guarantee sufficient administrative capability. At the same time, there are several requirements that need to be met, so that the values outlined in each **Principle** to be implemented effectively. These "prerequisites" (SIGMA, 2023, p. 10), that are mirrored at the level of the monitoring framework, rather than being reiterated in every Principle, are:

- institutional and organizational structures with well-defined competences and strong capabilities and accountable institutions;
- a suitable legislative framework (primary and secondary laws);
- well-defined government decisions based on reliable evidence and data;
- "the right people with the right skills" sustained by their managers;
- assimilation of needed values and behaviours by the organizational culture;
- integration and use of change management;
- methodical performance evaluation and monitoring to establish feedback and learning.

The **Principles of Public Administration** as elaborated by SIGMA are accompanied by a monitoring framework which consolidates the principles by defining various criteria and performance benchmarks, giving these criteria weights and creating related indicators and sub-indicators. The criteria evaluate the previously listed requirements and the factors that facilitate successful reforms, as well as the actual execution of reforms (the administration's performance in practice) and the results and effects that follow (the way its performance affects society) (SIGMA, 2023, p. 11).

It is important to observe that The **Principles** are in line with the EU acquis in all areas where EU legislation exists and when in doubt, the EU legislation's wording takes precedence.

The significance of these **Principles**, elaborated and revised to ensure a "good public administration", is also "highlighted" by the EU legislation that was set in place to organize and enhance a coherent and uniform application of the normative framework required by the progressive development and adaptation of public administration to the societal phenomena. Some of the EU's relevant acts, existing in the domains also covered by the **Principles**, are:

- Directive 2006/54/EC of the European Parliament and of the Council on 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast).
- Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in

- the internal market and repealing Directive 1999/93/EC.
- Directive 2014/24/EU of the European Parliament and of the Council on public procurement; Directive 2014/25/EU of the European Parliament and of the Council on procurement by entities operating in the water, energy, transport and postal services.
 - Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, (General Data Protection Regulation).
 - Directive EU 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies.
 - COM (2017) 134 final, *European Interoperability Framework – Implementation Strategy*, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2017:134:FIN>.
 - Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services.
 - Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (recast).
 - Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law.
 - Communication of the European Commission, COM(2022) 2229 final, A new Human Resources Strategy for the Commission;
 - Communication of the European Commission COM(2022) 4388 final, European Commission digital strategy;
 - Communication of the European Commission, COM(2022) 2230 final, Greening the Commission.
 - Communication of the European Commission, COM(2023) 577 final, Demographic change in Europe: a toolbox for action.

The scope and variety of the EU's normative framework is much larger than the given examples, but our intention was to demonstrate that the EU has continuously improved and enriched its legislative framework to promote and consolidate convergence across the European Administrative Space. The same goal of improving coherence transpires from its unifying approach and extended dialogue with Member States and future candidate countries. The ***Principles of Public Administration*** and their monitoring mechanism contribute to its vision of enhanced cooperation within the European Administrative Space.

4. Conclusions

The current updated edition of the ***Principles of Public Administration*** was created by SIGMA to serve two important goals: first, to bring the framework up to date with the latest standards and practices in the EU, the OECD, and other international organizations; and second, to better address the issues that society is currently facing and will face in the future, as well as the requirement for responsive and agile public

administrations to meet changing political priorities and citizen demands. Since the Principles are devised to be "policy neutral", public administrations that adhere to them will be more able to meet the political priorities, economic, social, environmental, and security goals envisioned by their governments.

To promote a consistent policy approach, the 2023 *Principles* also broaden the focus beyond the national level of government to encompass the regional and municipal levels. Additionally, this new edition integrates the experience that the European Commission and SIGMA have gained through frequent monitoring exercises and direct engagement with national administrations since 2014.

The *Principles* are drawing from the EU acquis, EU and OECD best practices, OECD recommendations and other international standards. The EU ideals and standards of excellency of public administration are expressed even more concisely and clearly in this updated edition, which also unites the Principles for EU enlargement and neighboring regions. Along with other international norms, monitoring against the *Principles* helps the European Commission (EC) assess how well a country complies with EU standards.

Acknowledgements

Paper published within the Internal Research Project based on the Financial Contract with „Dunărea de Jos” University of Galați/Contract de finanțare cu Universitatea „Dunărea de Jos” din Galați, nr. RF 2470/31.05.2024 – „*Societatea contemporană. Tradiție, tranziție și reforme*”.

References

- Communication of the European Commission, COM(2023) 577 final, Demographic change in Europe: a toolbox for action.
- Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (recast), <http://data.europa.eu/eli/dir/2019/1024/oj>.
- Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law, <http://data.europa.eu/eli/dir/2019/1937/oj>.
- Directive 2006/54/EC of the European Parliament and of the Council on 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast), <http://data.europa.eu/eli/dir/2006/54/oj>.
- Directive EU 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies, <http://data.europa.eu/eli/dir/2016/2102/oj>.
- European Commission (2021). COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL 2021. Strategic Foresight Report. The EU's capacity and freedom to act. COM(2021) 750 final, Brussels, 8.9.2021. <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM%3A2021%3A750%3AFIN>.
- European Commission (2021). *Supporting public administrations in EU Member States to*

- deliver reforms and prepare for the future.* 29 April 2021, https://ec.europa.eu/info/departments/structural-reform-support/supporting-public-administrations-eu-member-states-deliver-reforms-and-prepare-future_en.
- European Commission (2023). Communication COM(2023) 667 'Enhancing the European Administrative Space (ComPAct)'. Luxembourg: Publications Office of the European Union, 2023. <https://commission.europa.eu/system/files/2023-10/2023.4890%20HT0423966ENN-final.pdf>.
- Ferreira, E. (2021). Foreword. In European Commission (2021). *Supporting public administrations in EU Member States to deliver reforms and prepare for the future.* https://ec.europa.eu/info/departments/structural-reform-support/supporting-public-administrations-eu-member-states-deliver-reforms-and-prepare-future_en.
- OECD/SIGMA (1999). "European Principles for Public Administration", *SIGMA Papers*, No. 27. Paris: OECD Publishing. https://www.oecd-ilibrary.org/governance/european-principles-for-public-administration_5kml60zwd7h-en.
- Pătraşcu, C., Schin, G. (2017). 'Challenges of the EU Administrative Space: Convergence of National Administrations to the European Administrative Law', *Law Review, International Journal of Law and Jurisprudence*, Online Semiannually Publication, Volume VII, Issue 2, July-December 2017, Union of Jurists of Romania and Universul Juridic Publishing House, e-ISSN 2246-9435, Volume VII, Issue 2, July- December 2017, pp. 24-34.
- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, (General Data Protection Regulation), <http://data.europa.eu/eli/reg/2016/679/oj>.
- Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services, <http://data.europa.eu/eli/reg/2018/1724/oj>.
- Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2014.257.01.0073.01.ENG.
- SIGMA (2016). *The Principles of Public Administration: A Framework for ENP Countries.* <https://www.sigmaweb.org/publications/principles-public-administration-european-neighbourhood-policy.htm>.
- SIGMA/OECD (2023). *The Principles of Public Administration.* Paris: OECD Publishing, <https://www.sigmaweb.org/publications/Principles-of-Public-Administration-2023.pdf>.
- Slabu, E. (2018). *Buna administrare în spațiul administrativ european [Good Governance in the European Administrative Space]*. Bucureşti: Editura C.H.Beck.
- Treaty on the Functioning of the European Union.* Consolidated Version. *Official Journal of the European Union.* C326, 26/10/2012 C. Retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>.