

Artículo / Article

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STATE RECALIBRATION, NEW FORMS OF PUBLIC ADMINISTRATION AND THE INDEPENDENT AUTHORITIES UNDER THE EUROPEANIZATION PERSPECTIVE: THE GREEK CASE

RECALIBRACIÓN DEL ESTADO, NUEVAS FORMAS DE ADMINISTRACIÓN PÚBLICA Y LAS
AUTORIDADES INDEPENDIENTES DESDE LA PERSPECTIVA DE LA
EUROPEIZACIÓN: EL CASO GRIEGO

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| Abstract |

In the present study, an attempt is made to outline the concept of Europeanization as an ongoing and significant process that variously affects the implementation of different public specific policies. In this context, the process of Europeanization, according to this study, constitutes a very important factor that influenced the establishment and dissemination of independent authorities in Greece. These specific authorities within the Greek institutional framework can be categorized in various ways. The first pertains to those that are constitutionally guaranteed as independent authorities, following the constitutional revision of 2001, and the rest. Other categorization methods may be based on their role, therefore whether they operate within the context of market regulation, or in that of rights protection, or based on their competencies. In any case, through this study, there is an aim to

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analyze the historical development of the establishment of independent authorities that exist as such in the Greek state today and to investigate to what extent the legislator seeks—at least at the level of justification—the adoption of European practices according to official policy documents. The findings indicate that the legislator particularly frequently and extensively refers to convergence, to good practices of other EU member states, and to relevant European directives when establishing independent authorities in Greece, a fact that demonstrates the importance of Europeanization in this policy field.

Keywords: Europeanization; Public Administration; Independent Authorities; Public Policy; Greece.

| Resumen |

En el presente estudio, se intenta delinear el concepto de europeización como un proceso en curso y significativo que afecta de manera diversa la implementación de diferentes políticas públicas específicas. En este contexto, el proceso de europeización, según este estudio, constituye un factor muy importante que influyó en la creación y difusión de autoridades independientes en Grecia. Estas autoridades específicas dentro del marco institucional griego pueden categorizarse de diversas maneras. La primera se refiere a aquellas que están constitucionalmente garantizadas como autoridades independientes, tras la revisión constitucional de 2001, y el resto. Otros métodos de categorización pueden basarse en su función, es decir, si operan en el contexto de la regulación del mercado o en el de la protección de derechos, o según sus competencias. En cualquier caso, a través de este estudio, se pretende analizar el desarrollo histórico de la creación de autoridades independientes que existen actualmente en el estado griego e investigar en qué medida el legislador busca—al menos a nivel de justificación—la adopción de prácticas europeas de acuerdo con los documentos de política oficiales. Los hallazgos indican que el legislador se refiere particularmente de manera frecuente y extensa a la convergencia, a las buenas prácticas de otros estados miembros de la UE, y a las directivas europeas pertinentes al establecer autoridades independientes en Grecia, lo que demuestra la importancia de la europeización en este campo de políticas.

Palabras clave: Europeización; Administración Pública; Autoridades Independientes; Políticas Públicas; Grecia.

| Introduction |

The concept of Europeanization has become significantly established both in social sciences at large and specifically in political science, both as a process and as an outcome that influences domestic institutions, politics, and public policies (Radaelli, 2012: 1). Additionally, this process has been associated by researchers with the potential prospects for promoting European integration (Alexopoulos, 2022). This specific issue constitutes the core subject of the present study, which attempts to outline some key aspects regarding the transformation of the state and public administration, and particularly, the introduction of independent authorities as modern forms of governance, in the Greek case, under the prism of the Europeanization process of the Greek state and Greek public administration.

Although the origin characteristics of independent authorities can initially be traced back to the USA (late 19th century), by the mid-20th century, countries such as the United Kingdom, France, the Scandinavian countries, the Netherlands, etc., saw these authorities spread rapidly (Mavromoustakou, 2012: 39-47) in different fields. Under this prism, the process of adopting independent authorities was advanced in the European context, as the extensive delegation to independent institutional bodies with continuity and neutrality was preferred (Majone, 1999) for various specific issues concerning either

the areas of rights protection or economic regulation (Mavromoustakou, 2012: 11). Indeed, several European Union directives were issued, in the implementation of which independent authorities were established in Greece.

In Greece, the establishment of the first independent authorities can be traced back to the 1980s. In the course of time, some of these were constitutionally secured with the Constitutional revision of 2001, followed by the implementing law 3051/2002, which regulated various issues related to their independence. To date, a multitude of independent authorities has been established or many of them have merged. Under this prism, we can say that currently, at least 25 independent authorities are clearly operating within the Greek legal order. However, despite the fact that they generally display common characteristics, with their independence being a predominant common feature of the independent authorities, the competencies, mode of operation, decision-making process, and selection of their members may vary in different cases (Tsaousis, 2016: 122). As will be analyzed in the present study, the reason for the establishment of independent authorities in several cases came either as a necessity within the context of state reform or as a process of harmonization with European practices and related directives.

| The Europeanization process: conceptual framework |

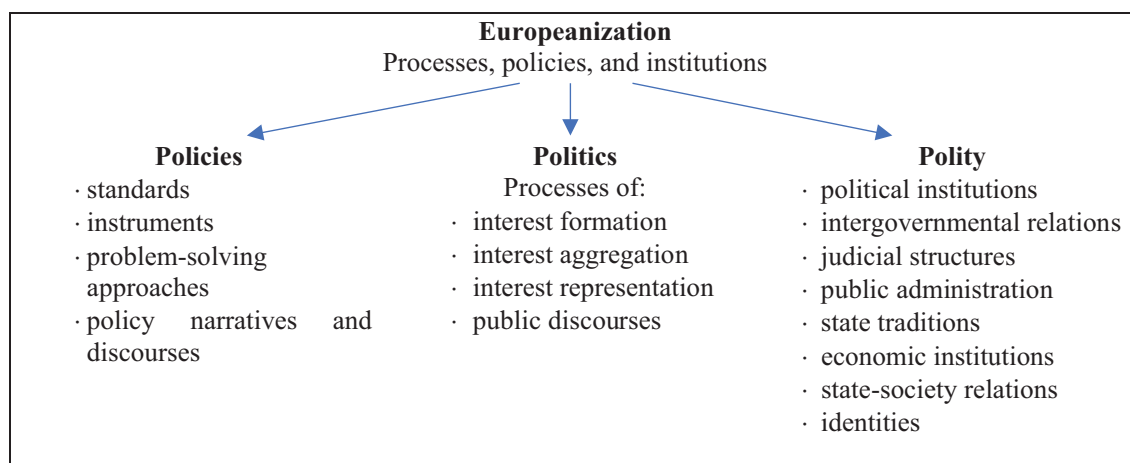
The significance of reform, modernization, and transformation of the national member states in the European Union, in many cases, has been associated with the concept of Europeanization, already from the 1980s and even more intensely from the 1990s onwards. However, regarding the concept of Europeanization and its content, there has been a very significant discussion in the relevant literature as to what it encompasses, with different approaches having been developed.

Among the main definitions of the term “Europeanization”, various researchers have attempted to describe it as the process by which inputs from the political and social systems of the member states of the European Union are internalized, leading, *inter alia*, to a redefinition of relations, functions, boundaries, values, regulatory standards, and characteristics that affect and ultimately shape the boundaries between state and society (Ioakimidis, 2000: 73). According to some scholars, this process is a result of a country's accession to the European Union (Papageorgiou, 2013: 72). Taking this approach into account, it is understood that Europeanization as a process involves the introduction of rules, standards, values, and principles from the European framework, which, as a whole, can constitute an independent variable that can bring about changes in the internal framework of the EU member states (Andreou, 2013: 7). Based on this approach, it becomes apparent that the process of Europeanization gradually becomes more significant from the early 1990s onwards in the context of the EU's political integration, where on the one hand, new forms of European governance are promoted, and on the other, various established legal and administrative processes of the national states are reorganized as part of their journey as EU members (Hirschhausen & Patel, 2010).

In this broader context, approaches have been developed that suggest that Europeanization essentially constitutes a process of building, disseminating, institutionalizing, and promoting both formal and informal procedures, rules, and policy examples from top to bottom and bottom to top, that are initially homogenized and then gradually shape a logic of internal identities, structures, and policies, while in the course of time, they are also exported to countries that are in the process of joining the EU or have recently joined (Radaeli, 2003). Under this prism, researchers have argued that through the analysis of Europeanization, it is possible to correlate, identify, and study separately different conditions and internal factors in each country that can either facilitate or hinder it as a process, while according to this approach, Europeanization appears to be a long-term process that involves various stages of interaction between European institutions on one hand and member states on the other (Radaelli, 2003: 34).

With the aim of outlining various aspects of Europeanization as a process, attempts have been made to categorize the processes it encompasses as a concept and as a process: a) in the context of changes in the territorial scope of a governance system during the process and the degree to which Europe transforms from a continent into a more unified political space; b) as a process of developing governance institutions at the European level; c) as central penetration of national and sub-national governance systems; d) as a process of exporting forms of political organization and governance not only within Europe but also beyond it. Aiming for a united and politically stronger EU (Olsen, 2002). In this context, Europeanization, as a process influencing the domestic public policy of the member states and candidate states, has been supported to affect both policies and institutions (see Figure 1).

Figure 1. *The Domestic Effect of Europeanization*



Source: Börzel T.A. & Risse T. (2000), *When Europe Hits Home: Europeanization and Domestic Change*, *European Integration online Papers (EIoP)*, 4(15), 21 (1-23).

Given these points, it is worth mentioning that numerous studies on Europeanization have been conducted from various perspectives such as the role of parties (Baun et al., 2006), their ideologies, and specific policies in which their impact can be identified in areas such as social policy (Eichenhofer, 2006; Radaelli, 2012), environmental policy

(Kazakos, 1999), educational policy and the social inclusion of vulnerable groups (Tzagkarakis & Ieronimakis, 2019; Kotroyannos et al., 2015), as well as the contribution that various processes can have in developing a unified European identity through modern legal and institutional tools (Tzagkarakis & Kritas, 2021). Additionally, studies have been conducted on how the process of Europeanization can aid in European convergence, particularly according to recent experiences from various crises such as the debt crisis, the migration crisis, etc. (Tzagkarakis, 2021), shaping a common European policy against the contemporary challenges faced by EU member countries (Tzagkarakis, Papadakis, & Kritas, 2021).

Beyond these policy fields, several studies have been conducted on the process of Europeanization and its impact on public administration, especially in promoting changes towards good governance (Negrut, 2011). Several studies focus on specific countries such as the Scandinavian, exploring similarities and differences in the changes to central administration due to EU and EEA membership (Lægreid, Steinthorsson & Thorhallsson, 2002), in Eastern as well as in Central European countries (Ágh, 2013) from different perspectives. Such perspectives might involve various issues such as modernization through reform and democratization as in the case of Portugal (Majone, 2011), other transformation issues of public administration within the context of transformation for countries of the former Soviet Union (Goetz, 2001), or issues of harmonizing the European institutional framework in specific countries, as in the case of implementing the European Charter of Local Government in Spanish Legislation (Alonso & Barbeito, 2018).

Finally, it should be mentioned that there are studies that criticize the process of Europeanization, especially in countries of Southeast Europe. These criticisms are within a framework of "pathologies of Europeanization" that leads to legal and political deficiencies. These include weaknesses on issues related to the reform of the rule of law, legal instability, a preference for quantity over quality, increased partisan empowerment of internal political actors, or in some cases, a biased evaluation of the rule of law (Mendelski, 2016).

| The Europeanization of public policy: the necessity of regulation and rights protection |

In this context, as previously mentioned, the multidimensional perspective and the multi-level and multifaceted impact that Europeanization can have is demonstrated, as a trend that is shaped within the framework of the reorganization of public policy in EU member states under accession as well as in existing member states (Radaelli, 2003: 27-31). Majone identifies the need for transformation of the state and its governance in promoting the European project towards the formation of a regulatory state (Majone, 1997). In this direction, a new form of regulatory state was gradually promoted, which, however, was based on extensive delegation of powers to independent institutions, whether they are regulatory bodies or committees (Majone, 1999). Of course, as mentioned before, countries such as the United Kingdom and France had already a significant tradition in independent authorities (Bell, 1997), however, such modern

governance institutions were gradually promoted in various fields, such as within the framework of rights protection in various EU member states. A notable example concerns the protection of personal data by EU member states and the establishment of relevant independent authorities (Szydlo, 2017).

Other significant researchers outline the process of adopting a framework for transferring such initiatives through independent authorities such as the Ombudsman, both in Greece, Cyprus, and Malta, and approach it under the prism of Europeanization (Ladi, 2011).

| Independent Authorities: Europeanization process in the Greek case according to the legislator |

The flourishing of independent authorities outlined in the last decades of the 20th century in the European Union occurred as the previous Keynesian welfare state, characterized by a high level of centralization in its organization and administration, gradually gave way to a post-Keynesian state that delegates extensive authority to these new forms of administration, the independent institutional bodies (Majone, 1999). From this perspective, it has been supported that the promoted changes and "deregulation" policies acted as a factor that further propelled the spread of the independent regulatory authorities (Georgantas, 2004: 252-253), and more broadly as some new approaches for the state and public administration emerged, which includes the trend of delegating administrative actions that traditionally belonged to the state administration to independent or special authorities (Flogaitis, 2006).

In the Greek case, from the 1980s onwards, various independent authorities began to develop, and as in many other instances, they were not integrated into the hierarchy and traditional control of the state and administration, which ensured in this way the avoidance of influence and the exercise of power over them by other state institutions (Ioannou, 2015: 297). Indeed, the institutionalization of independent authorities gradually spread particularly in Greece, according to specific needs, with the aim of providing optimal, faster, and more specialized solutions in various fields and sectors of social life, for which it would be more difficult for the traditional administration to appropriately respond due to both technological progress and the complexity of social structures (Tsaousis, 2016: 121-123).

As the institutional framework was shaped, the competencies of independent authorities in Greece vary based on the mission they have undertaken and their role. Mavromoustakou has categorized their competencies, noting that these include the collection of information and the investigation of a case, as it constitutes a basic element for the judgment of a case. Furthermore, various independent authorities, based on their role, can either issue recommendations, instructions, or warnings, while some can even impose sanctions that can have effects on the professional or financial status of the person on whom they are imposed. In summary, different independent authorities can have different competencies that may range from simply expressing an opinion or recommendation to imposing

sanctions, issuing regulatory or individual administrative acts, licenses, conducting investigations, inspections, and audits (Mavromoustakou, 2012: 33-36).

A turning point for the integration of independent authorities into the Greek legal order was the constitutional revision of 2001, where five very significant independent authorities were constitutionally established: the National Council for Radio and Television, the Supreme Council for Civil Personnel Selection, the Hellenic Data Protection Authority, The Greek Ombudsman Independent Authority, and the Hellenic Authority for Communication Security and Privacy. Although there have been significant changes in the institutional framework with the establishment of new independent authorities, or the merger of some, currently, around 25 independent authorities can be enumerated as such, while there are also other committees and entities that have characteristics of independent authorities (Table 1).

Table 1. List of the main active Independent Authorities in the Hellenic Republic in 2022

no	Name	Establishment
Constitutionally enshrined Independent Authorities (after 2001)		
1	National Council for Radio and Television	Law 1866/1989
2	Supreme Council for Civil Personnel Selection	Law 2190/1994
3	Hellenic Data Protection Authority	Law 2472/1999
4	The Greek Ombudsman Independent Authority	Law 2477/1999
5	Hellenic Authority for Communication Security and Privacy	Law 3115/2003
Other Independent Authorities		
6	Hellenic Telecommunications & Post Commission	Law 2075/1992
7	Hellenic Competition Commission	Law 2296/1995
8	Regulatory Authority for Energy	Law 2773/1999
9	National Actuarial Authority	Law 3029/2002
10	Hellenic Consumers' Ombudsman Independent Authority	Law 3297/2004
11	Hellenic Authority for Higher Education	Law 3374/2005
12	Hellenic Statistical Authority	Law 3832/2010
13	Regulatory Authority for Railways	Law 3891/2010
14	Hellenic Single Public Procurement Authority	Law 4013/2011
15	Hellenic Gaming Commission Independent Authority	Law 4038/2012
16	Authority for Quality Assurance in Primary and Secondary Education	Law 4142/2013
17	National Exams Organization	Law 4186/2013
18	Hellenic Fiscal Council	Law 4270/2014
19	Independent Authority for Public Revenue	Law 4389/2016
20	Regulatory Authority for Ports	Law 4389/2013
21	Greek Financial Intelligence Unit	Law 4557/2018
22	National Transparency Authority	Law 4622/2019
23	Hellenic Civil Aviation Authority	Law 4757/2020
24	Labour Inspectorate Independent Authority	Law 4808/2021
25	Independent Credit Assessment Authority	Law 4972/2022
*Also, there are other commissions and entities, that has been established as well as there are in operation with independent authorities' characteristics, but in this paper we focus in the main entities named independent authorities.		

Source: Edited by the authors.

As the basic framework and some key characteristics of the independent authorities in Greece were outlined, with the aim of investigating the impact and degree of influence of the country's European trajectory in this field of public policy, it is important to extensively study the explanatory and introductory reports in the founding laws of the independent authorities and the presence of any European directives that the legislator invokes. Starting chronologically regarding the independent authorities operating today, it should be mentioned that the introductory report of the National Council for Radio and Television (Law 1866/1989) refers to the reasons for its establishment, inter alia, the European Convention on Human Rights, as well as the drafting within the framework of the Council of Europe of a convention on the legal status of cross-border television of 05/05/1985 (Introductory Report to the draft law: "National Council for Radio and Television" Law 1866/1989: 1).

The next independent authority established chronologically, which is still in effect today, is the Hellenic Telecommunications & Post Commission with Law 2075/1992. The legislator mentions that this legislative act aims to harmonize the institutional framework of telecommunications operations, aligning the Greek legal order with that of the European Economic Community, following community developments (Introductory Report to the draft law "Organization and operation of the telecommunications sector", Law 2075/1992: 1). According to the references in the introductory report, it appears that the promoted regulations and the establishment of this specific independent authority are based on the developments of the period concerning the overall framework of this sector in the then EEC, now EU, which essentially lead to the establishment of this specific independent authority. Indeed, this particular independent authority is expected to cooperate with the European Communities within the framework of various requests for recommendations, while it also must exercise its competencies according to EEC legislation, as specified in Article 9 of Law 2075/1992.

In the introductory report concerning the establishment of the Supreme Council for Civil Personnel Selection of Law 2190/1994, there is no direct reference to the European framework, but rather to the need for modernization and objectification of the selection criteria for personnel for the Greek state itself and the planning that the government itself has for this. Nevertheless, this law introduces regulations that address the secondment of employees to the offices of Members of the European Parliament and other services (Introductory Report to the draft law 'Establishment of an Independent Authority for Personnel Selection and Administrative Issues,' Law 2190/1994: 14 & 78-79). However, this is not presented as a point of influence but rather as a matter of regulatory necessity. Therefore, with respect to this specific authority, the legislator does not reference other European practices.

In the initial law of the Hellenic Competition Commission Law 2296/1995, the introductory report refers to the EC Regulation 4064/89 as a model, to exceptions and special regulations in accordance with the regime established by the ECSC Treaty, and to the exclusive competencies of the -then- High Authority (Commission of the European Communities) (Introductory Report to the draft law "on the amendment of

Law 703/1977 on the control of monopolies and oligopolies and the protection of free competition", Law 2296/1995: 8-9), as well as the cooperation framework of this specific independent authority with other competition authorities of the European Union, providing the necessary competencies for the autonomous application of Articles 85 and 86 of the Treaty establishing the European Economic Community (Introductory Report to the draft law "on the amendment of Law 703/1977 on the control of monopolies and oligopolies and the protection of free competition", Law 2296/1995: 12).

The Hellenic Data Protection Authority is a very significant case of the influence of the European legal framework, as its establishment was based on Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, while the introductory report makes several references to the framework established in other European countries such as the United Kingdom, Ireland, the Netherlands, Belgium, Spain, Portugal, Germany, Sweden, and Finland (Introductory Report to the draft law "Protection of individuals from the processing of personal data", Law 2472/1999: 2).

The Greek Ombudsman Independent Authority, established by Law 2477/1999, is also a case of significant influence of the European institutional framework on the Greek one. In its establishment, the legislator refers to the case of various European countries such as Denmark, Germany, the United Kingdom, France, Portugal, Spain, the Netherlands, Cyprus, and Belgium, while stating that, following the Treaty of the EU, the European Union has acquired its own Ombudsman, who oversees the Union's services (Introductory Report to the draft law "The Citizen's Advocate and the Public Administration Inspectors - Auditors", Law 2477/1999: 1). According to these references, the legislator in the introductory report explains the importance and the need for introducing this institution into the Greek legal order.

It is evident that there was significant influence for the Regulatory Authority for Energy of Law 2773/1999, as the legislator begins the introductory report referring to Directive 96/92/EC of the European Parliament and of the Council of 19 December 1996, which established mandatory rules aimed at the development of the internal electricity market, through gradual liberalization, so that adaptation to the new environment is made in a flexible and rational manner, stating that the establishment of this specific regulatory authority is deemed necessary for the national framework to operate in accordance with the directive (Introductory Report to the draft law "On the liberalization of the electricity market - regulation of energy policy issues", Law 2773/1999: 1 & 7).

Regarding Law 3029/2002, where Article 9 establishes the National Actuarial Authority, there is a reference to a lag that characterized the Greek social insurance system compared to the systems of Western and Northern Europe until 1983, when universality and the mandatory nature of supplementary insurance in Greece were legislated for the first time (Introductory Report to the draft law "Reform of the social insurance system", Law 3092/2002: 1). Additionally, concerning the necessity and importance of this specific independent authority, although there is a reference to international experience where

similar forms of independent organizations exist, based on which the National Actuarial Authority is established, there is no specific reference to the European framework (Introductory Report to the draft law "Reform of the social insurance system", Law 3092/2002: 14).

In the introductory report of the Hellenic Authority for Communication Security and Privacy under Law 3115/2003, no reference was found to the European legal framework, but only to the strengthening of the national framework for communication privacy, according to which this independent authority is established (Introductory Report to the draft law "Authority for the Assurance of Communication Privacy", Law 3115/2003: 1-14).

Conversely, the legislator regarding the Hellenic Consumers' Ombudsman Independent Authority (Law 3297/2004) makes an extensive reference to the promotion of the harmonization of the Greek administration with the European Union level. Furthermore, it mentions that the conclusions of the "Green Paper" on consumer access to justice and the settlement of consumer disputes in the single market (COM (93) 576 final, 16 November 1993) include the Commission's recommendation aimed at improving the operation of Ombudsman systems responsible for addressing consumer disputes. Finally, it refers to a series of legal texts of the European Union related to the establishment and operation of such institutions, making it clear that the establishment of this specific independent authority seeks to harmonize national and European frameworks (Introductory Report to the draft law "Consumer Advocate - regulation of issues of the Ministry of Development", Law 3115/2003: 1).

With Law 3374/2005, the Hellenic Authority for Higher Education was established. In the rationale report, the legislator advocates for the enactment of this specific law, citing the need to ensure quality in higher education as a priority for EU member states. Additionally, it refers to the "knowledge society," which is a fundamental term in EU policy documents. It also mentions the Council of the European Union's Recommendation of September 1998 "on European cooperation in quality assurance in higher education" (O.J. C 270/56), which calls on member states to support and develop transparent quality assessment systems in tertiary education. Furthermore, by justifying the need to establish this independent authority, the legislator makes references concerning: a) the Bologna Declaration of 19 June 1999 for the "single European area of higher education" and the development of a "European quality assurance system with comparable methods and criteria," b) the conferences of May 2001 in Prague and September 2003 in Berlin, where it was agreed that national systems ensuring quality in tertiary education must include the assessment of institutions and programs of higher education through internal and external evaluation processes by 2005. Finally, emphasis is given to the initiatives of the Council of the European Union for the establishment of the European Network for Quality Assurance in Higher Education, which began its operation in 2000 and was replaced in 2004 by the European Association for Quality Assurance in Higher Education (Rationale Report to the draft law "Ensuring quality in higher education - System for the transfer and accumulation of credits - Diploma supplement", Law 3374/2005: 1). In

summary, based on these references and the need to shape a new strong framework that aligns with the principles and policy priorities, the legislator proceeded with the establishment of this specific independent authority, which was charged with evaluating the quality in higher education, while harmonizing the national framework with the European framework.

Since the late 2000s, while the economic and fiscal crisis had already erupted in Greece by 2009-2010, other independent authorities were established, and the importance of independent authorities concerning market regulation significantly increased during the crisis years (Lampropoulou & Ladi, 2020), up to 2018. This took place within the framework of the three Memoranda of Understanding (MoUs) between the European Central Bank, the European Commission, and the International Monetary Fund and the Greek governments, allowing the latter to receive funding. These efforts aimed at enhancing the flexibility, reliability, and effectiveness of public administration through the further transfer of critical functions and competencies from central bureaucratic structures to independent authorities and entities (Lampropoulou & Oikonomou, 2020: 1300). Specifically, in 2010, two independent authorities were established; the Hellenic Statistical Authority with Law 3832/2010 and the Regulatory Authority for Railways with Law 3891/2010.

Referring to the explanatory report of the Law "Greek Statistical System (EL.STAT.). Establishment of the Hellenic Independent Statistical Authority as an Independent Authority," the legislator explains the need to institutionalize this authority in order to ensure that the data submitted to the European Union matches the actual data of the Greek economy, the implementation of both the broader community rules and Regulation EC 223/2009 of the European Parliament and of the Council of 11 March 2009 (L 87/164) and the code of practice for European statistics, as well as the harmonization of the national with the European Statistical System. Furthermore, it is provided for the representation, among others, of the European statistical service (EUROSTAT) in the Council of the Greek Statistical System, and the formation of a distinct institutional framework for collecting statistical information from the European Central Bank, with the assistance of the Bank of Greece within its competencies according to Article 5 of the Protocol on the Statute of the European System of Central Banks ESCB and of the European Central Bank (ECB) of the TFEU (EU C 115 of 9.5.2008) (Explanatory Report on the draft law "Greek Statistical System (EL.STAT.). Establishment of the Hellenic Statistical Authority (ELSTAT) as an Independent Authority", Law 3832/2010: 1-2).

The legislator with Law 3891/2010, inter alia, states that it aims to institutionally adapt the operation of the national railway system to the provisions of the community legislation on railway transports without, however, delving into them with more specific references, through the establishment of the Regulatory Authority for Railways (Impact Assessment Report on the draft law "Restructuring, rehabilitation, and development of the OSE group and TRAINOSE and other provisions for the railway sector", Law 3832: 78; Explanatory Report on the draft law "Restructuring, rehabilitation, and development of the OSE group and TRAINOSE and other provisions for the railway sector", Law 3832: 1).

Regarding the reasons for establishing the Hellenic Single Public Procurement Authority with Law 4013/2011, the legislator mentions that beyond economic and administrative rationalization, the establishment of this independent authority aims, inter alia, to harmonize the national legal order with European legislation on public contracts, the control of compliance with the rules and principles of the relevant European and national legislation, and addressing the problems during the assignment and execution of public contracts in Greece with delays, which until then had often led to complaints against Greece to the European Commission and in several cases to convictions by the Court of the European Union and consequently the imposition of financial penalties against Greece (Explanatory Report on the draft law "Establishment of a unified independent public contracts authority and central electronic registry of public contracts - replacement of the sixth chapter of Law 3588/2007 (Bankruptcy Code) - Pre-bankruptcy rehabilitation process and other provisions", Law 4013/2011: 1).

The following year saw the establishment of the Hellenic Gaming Commission Independent Authority through Law 4038/2012. This law was the result of the Greek Government's agreement with the European institutions within the framework of regulations for the medium-term fiscal adjustment plan for the period 2012-2015. Consequently, the legislator mentions in the explanatory report that as Greece was proceeding with the new support program, it had to regulate a series of issues by implementing the provisions of the cooperation memoranda with the European Commission, the European Central Bank, and the International Monetary Fund (Explanatory Report on the draft law "Urgent regulations related to the implementation of the medium-term fiscal strategy framework 2012-2015", Law 4038/2012: 1). Although regarding the Hellenic Gaming Commission Independent Authority it is simply mentioned that this law promotes regulations and changes that essentially strengthen the pre-existing authority "Supervisory and Control Commission of Gaming" organized by Law 3229/2004, and the institutional framework of the provisions of Law 4002/2011 where it was renamed as Hellenic Gaming Commission Independent Authority, the legislator does not specify the references neither in Law 4002/2011 nor in Law 4038/2012 regarding the framework that promotes the need for re-establishment and strengthening of this specific independent regulatory authority, other than a mention of a more general context (Explanatory Report on the draft law "Urgent regulations related to the implementation of the medium-term fiscal strategy framework 2012-2015", Law 4038/2012: 10).

Subsequently, with Law 4142/2013, the Authority for Quality Assurance in Primary and Secondary Education was established. In the relevant explanatory report, the legislator mentions that although the quality assurance systems in education have significantly evolved in the Member States of the European Union, with the Member States undertaking common commitments, Greece has delayed in forming a unified system for assessing quality in primary and secondary education and evaluating the educational work provided with the aim of ensuring quality. Additionally, some references are made to countries such as the UK, the Netherlands, and Ireland, which have taken significant measures in this area (Explanatory Report on the draft law "Authority for Quality Assurance in Primary and Secondary Education A.DI.P.P.D.E.", Law 4142/2013: 1). Having

said this, the legislator, while citing other domestic reasons, explains the significance of establishing this independent authority, without, however, specifying more about any potential related commitments or directives from the EU.

Regarding the independent authority National Exams Organization, which was established under Article 16 of Law 4186/2013, the legislator does not specifically mention the reasons for its establishment, but that it primarily constitutes an internal reform. Despite this, the explanatory report generally refers to the broader changes promoted by this law, stating that it aims to harmonize the national framework with the European framework (Explanatory Report on the draft law "Restructuring of Secondary Education and other provisions under the jurisdiction of the Ministry of Education and Religious Affairs", Law 4186/2013: 9).

In the reasons for establishing the Hellenic Fiscal Council with Law 4270/2014, the legislator mentions that Greece, as a member state of the Eurozone, participates in the close coordination of fiscal policy, while the debt crisis highlighted weaknesses in the governance framework of the monetary union. In this context, further incorporation of European Directive 2013/36/EU is sought through a series of legislative initiatives by the national legislator aimed at the fiscal rehabilitation of Greece, pursuing among others fiscal monitoring, transparency, and reinforcement of the fiscal control framework (Explanatory Report on the draft law "Principles of fiscal management and supervision (incorporation of Directive 2011/85/EU) – public accounting", Law 4270/2014: 1 - 2). In this explanatory report, the legislator invokes both the relevant directives and the broader functioning framework of the European Union and specifically the Eurozone, substantiating the need for the establishment of the Hellenic Fiscal Council.

Regarding the Independent Authority for Public Revenue, although it is a result of Greece's commitments to improve tax administration, the legislator in the explanatory report does not invoke the EU (Explanatory Report on the draft law "Urgent provisions for the implementation of the financial targets agreement and structural reforms and other provisions", Law 4389/2016: 1-2 & 181-182). As for the Regulatory Authority for Ports, although the institutional framework initially began to be shaped with Laws 4150/2013, 4254/2014, and 4258/2014, it evolved into an Independent Administrative Authority with Law 4389/2016 (article 108). In the explanatory report of Law 4389/2016, the differences between the existing national framework and the European institutional framework are mentioned, as well as the efforts to align with the latter in this specific law by establishing the particular independent authority (Explanatory Report on the draft law "Urgent provisions for the implementation of the financial targets agreement and structural reforms and other provisions", Law 4389/2016: 35-36).

In the explanatory report of Law 4557/2018, which establishes the Greek Financial Intelligence Unit, the legislator refers both to the broader European institutional framework, which aims to harmonize the Greek legal order, and to implement specific directives such as Directive 2015/849 of the European Parliament and of the Council of 20 May 2015 "on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of

the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC" (Explanatory Report on the draft law "Prevention and suppression of money laundering from criminal activities and financing of terrorism (incorporation of Directive 2015/849) and other provisions", Law 4557/2018: 1-2). Therefore, given that the legislator begins the explanatory report based on these references, the influence of the EU institutional framework on the national level regarding this particular independent authority is made clear.

In the explanatory report of the founding law of the National Transparency Authority (Law 4622/2019), there are references to the need for establishing institutions, structures, and procedures to improve the functioning of the Greek state. Specifically, regarding this independent authority, which is considered a key pillar of the aforementioned plan, there is initially mention of the gradual formation of the European institutional framework. However, there are references to the Criminal Law and Civil Law Conventions against Corruption of the Council of Europe, signed in Strasbourg on 27.1.1999 and 4.11.1999, which were ratified by Greece under laws 3560/2007 and 2957/2001 respectively, to the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, which came into effect on 21.11.1997 and was ratified by Greece with Law 2656/1998, among other examples (Explanatory Report on the bill "Executive State: organization, operation, and transparency of the Government, governmental bodies, and central public administration", Law 4622: 62-63 & 405-407). Therefore, in this case too, the influence of the international legal framework on the national level is made clear.

Similarly, in the explanatory report of Law 4757/2020 for the establishment of the Hellenic Civil Aviation Authority, the legislator refers to the European institutional framework in general, but also more specifically to certain European directives and regulations, with which it seeks to harmonize the national institutional framework. In this context, inter alia, it refers to the operation of the Single European Sky (Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004, laying down the framework for the creation of the Single European Sky (L 96)), safety (for example, Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018, establishing common rules in the field of civil aviation and creating a European Union Aviation Safety Agency (L 212)), and security against unlawful acts (for example, Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008, on the establishment of common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 (L 97) (Explanatory report on the bill "Establishment, operation, and competencies of the Civil Aviation Authority, regulation of issues of the Civil Aviation Service and other provisions under the jurisdiction of the Ministry of Infrastructure and Transport, Law 4757:5-6).

In the case of the Labour Inspectorate Independent Authority (Law 4808/2021), the legislator mentions the rapid developments in this specific field as reasons for its establishment, in order to ensure the effectiveness of public administration in regulating

work standards and incorporating Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on the balance between work and private life. It is worth mentioning that there are also other references in the relevant report, such as to the case-law of the Court of the EU (C-692/19, Yodel Delivery Network Ltd) (Explanatory Report on the bill "For the Protection of Labour - Establishment of an Independent 'Labour Inspectorate' Authority - Ratification of the International Labour Organization Convention No. 190 on Violence and Harassment - Ratification of the International Labour Organization Convention No. 187 on the Promotional Framework for Occupational Safety and Health - Incorporation of Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on the balance between work and private life", Law 4808: 279).

Despite the fact that in the Independent Credit Assessment Authority (Law 4972/2022), there are relevant references to various issues related to the European institutional framework in general within the explanatory report, the articles concerning the establishment of the independent authority show no direct influence on this legislative choice beyond cooperation with European institutions or the application of European regulations during its operation (Explanatory Report on the bill "Corporate governance of Public Limited Companies and other subsidiaries of the Hellenic Corporation of Assets and Participations, management of public holdings in limited companies, and regulations for the Hellenic Corporation of Assets and Participations, assessment of solvency and creditworthiness of natural and legal persons against the State, and establishment of an Independent Credit Assessment Authority, establishment and operation of a Central Credit Registry, Supplementary State Budget for the fiscal year 2022, and other provisions of economic and developmental nature", Law 4972/2016: 47-56) (Table 2).

Table 2. List of the main active Independent Authorities in the Hellenic Republic in 2024 and their connection to EU political priorities according to the legislator's introductory or explanatory reports of established laws

no	Independent Authorities' name	Law	General references to the European institutional framework in the explanatory and justificatory reports of the bill.	References to specific directives, recommendations, legislation, and EU policy documents in the explanatory and justificatory reports of the bill.
Constitutionally enshrined Independent Authorities (after 2001 Constitution's revision)				
1	National Council for Radio and Television	1866/1989	✓	✓
2	Supreme Council for Civil Personnel Selection	2190/1994	-	-
3	Hellenic Data Protection Authority	2472/1999	✓	✓
4	The Greek Ombudsman Independent Authority	2477/1999	✓	✓
5	Hellenic Authority for Communication Security and Privacy	3115/2003	✓	✓

Other Independent Authorities				
6	Hellenic Telecommunications & Post Commission	2075/1992	✓	-
7	Hellenic Competition Commission	2296/1995	✓	✓
8	Regulatory Authority for Energy	2773/1999	✓	✓
9	National Actuarial Authority	3029/2002	-	-
10	Hellenic Consumers' Ombudsman Independent Authority	3297/2004	✓	✓
11	Hellenic Authority for Higher Education	3374/2005	✓	✓
12	Hellenic Statistical Authority	3832/2010	✓	✓
13	Regulatory Authority for Railways	3891/2010	✓	-
14	Hellenic Single Public Procurement Authority	4013/2011	✓	-
15	Hellenic Gaming Commission Independent Authority	4038/2012	✓	-
16	Authority for Quality Assurance in Primary and Secondary Education	4142/2013	✓	-
17	National Exams Organization	4186/2013	-	-
18	Hellenic Fiscal Council	4270/2014	✓	✓
19	Independent Authority for Public Revenue	4389/2016	✓	-
20	Regulatory Authority for Ports	4389/2016	✓	-
21	Greek Financial Intelligence Unit	4557/2018	✓	✓
22	National Transparency Authority	4622/2019	✓	✓
23	Hellenic Civil Aviation Authority	4757/2020	✓	✓
24	Labour Inspectorate Independent Authority	4808/2021	✓	✓
25	Independent Credit Assessment Authority	4972/2022	-	-

Source: Edited by the authors.

| Conclusions |

Based on the analysis that has preceded, it is evident that the European Union has had a particularly significant influence on Greece regarding the establishment of most of the independent authorities that operate today. Some of these were not merely incorporated into Greek law but were also constitutionally enshrined in 2001 (National Council for Radio and Television, Supreme Council for Civil Personnel Selection, Hellenic Data Protection Authority, The Greek Ombudsman Independent Authority, Hellenic Authority for Communication Security and Privacy). In this context, Europeanization played a very important role, as analyzed. It is noteworthy that references by the legislator were found in the explanatory and justificatory reports for the establishment of 21 out of the 25 independent authorities operating today, while in 13 reports, specific European directives, regulations, recommendations, and even European case law are mentioned.

At this point, it is worth mentioning that it would be of particular interest in the future to conduct a comparative study focusing on specific regulations of such independent authorities among EU member states. Additionally, although the establishment of independent authorities in many cases in Greece played a significant and decisive role in modernization, state reform, and the strengthening of the rule of law, it should be noted that this finding does not necessarily mean that all the established independent authorities acted in the same way or helped in the reform and modernization of the state achieving their initial design, but rather this is a research question that needs to be extensively investigated in future research.

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