

REPRESENTATION OF INTERESTS OF LITHUANIA'S SUB-NATIONAL ACTORS AT EUROPEAN UNION LEVEL

Vaida Lescauskaite, Vytautas Magnus University, S.Daukanto 28, Kaunas;
Vaida.Lescauskaite@fc.vdu.lt

Liudas Mažylis, Vytautas Magnus University, S.Daukanto 28, Kaunas;
l.mazylis@pmdf.vdu.lt; +37037223090

Abstract. Analytical models based on multilevel governance approach are tested as applied for interest representation processes of Lithuanian municipalities at European Union institutions. Lithuania is a specific object of research as a new European Union member state possessing limited resources, being rather centralized, and without any deep institutional expertise and traditions of local interest representation. Research methods such as in-depth interview with experts followed by analysis of documents are used. Different patterns of representation are tested. It has been shown that institutional frameworks and accession channels are to be assumed kinds of explanatory factors taken into consideration when analysing aforementioned processes. Limited resources of the municipalities, lack of initiative, and common positions hardly formulated are main problematic features depicting existing situation. Ways of resource optimization are further discussed.

Key-words: municipalities, Lithuania, European Union, interest representation.

Introduction

Lobbying activities of sub-national actors of new European Union Member States are rather new and not analyzed enough, when, at the same time, this type of interest representation is deeply enrooted in a core Europe. There was an attempt to analyze this kind of representation in Lithuania (Vijeikis, 2007) but without any empirical analysis. At this particular moment lobbying activities of sub-national institutions in the EU is increasing; Lithuania is represented in a number of organizations related to EU decision making. This shift subsequently leads to the new scientific challenges: how does sub-national representation appear? Is it effective, and to what extent? Is there a real need of this kind of representation in a small unitary country such as Lithuania?

Research methods

In the analysis, mainly qualitative research methods were used. Comparative testing of models followed by analysis of literature sources as well as interviews of experts has been used. Concretely, semi-structured interviews combining questions prepared with non-structured questionnaires of factual and opinion-based questions. Positions of seven politicians and representatives of associations are covered by the interviews and written correspondence (April-May, 2011): EP Member Algirdas Saudargas (EPP), representative of Lithuania in the Committee of Regions Andrius Kupcinskis, former (2007-2010) Brussels representative of the Association of Local Authorities in Lithuania, person presenting position of Permanent Representation of Lithuania in the EU, and representatives of the Seimas of Lithuania.

Aim

The aim of this paper is to examine the features of Lithuania's subnational actors' lobbying activities in the institutions of the EU while applying the theory of multi-level governance.

RESULTS AND DISCUSSION

Multi-level governance

Two contrasting models of multi-level governance are detected by L. Hooghe and G. Marks: Type I and Type II multi-level governance. Type I is characterized by general purpose jurisdictions. Decision-making powers are dispersed across different levels, but the institutions have wide discretionary powers. Jurisdictions are defined by non-intersecting, territorial memberships. This model is based on system-wide, durable architecture, which is created by systemic institutional choice. Inner communities form in these types of jurisdictions and create common identities among the citizens. (Marks, Hooghe. 2004).

Type II multi level governance is defined by jurisdictions which are not divided into clear levels, but instead operate at many territorial scales. They are task-specific and flexible. Membership within these jurisdictions is intersecting. They are not conducive towards building a common identity, therefore citizens' links with the jurisdictions are easily made and broken. (Marks, Hooghe. 2004).

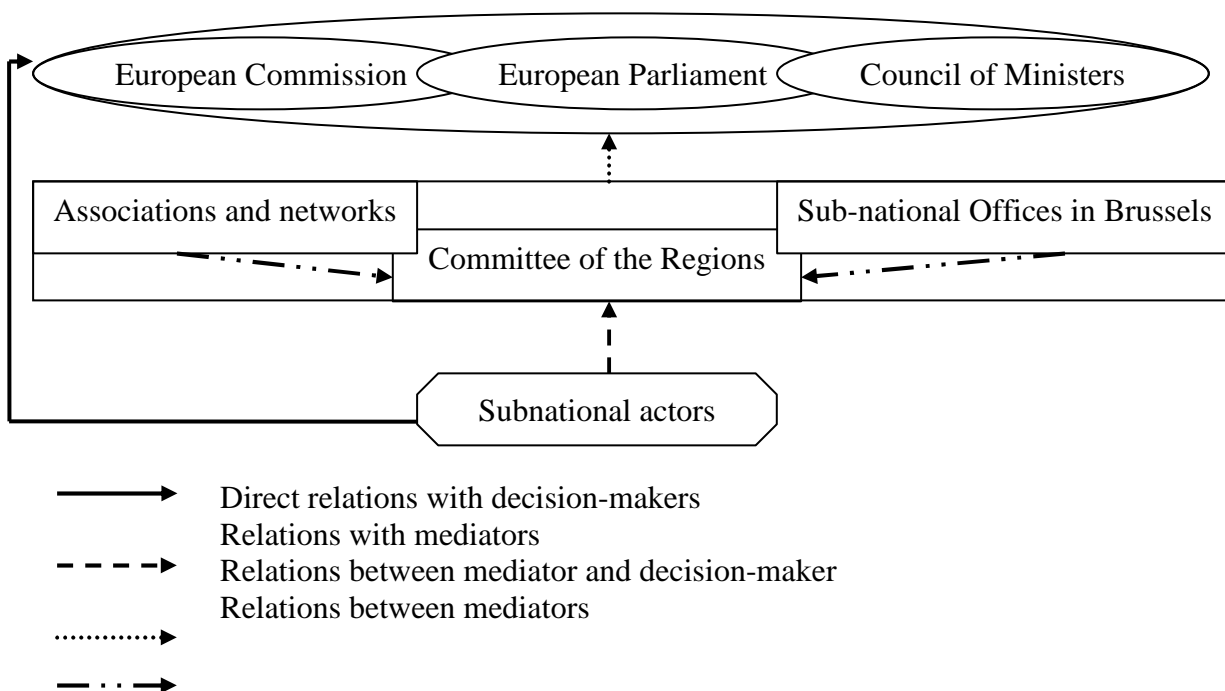
These models are pertinent to analyzing the actions of sub-national actors while trying to influence the institutions of the EU, because they directly correspond with the strategies chosen by the actors. The systematic order and stability of Type I multi-level governance explain such actions as trying to influence the decisions of the EU indirectly – by influencing the state position on the relevant topic. This model also can be used to analyze direct lobbying relations with the decision-making institutions of the EU – the Commission, Parliament and Council. This strategy bypasses one of the institutional levels, but the system remains stable and orderly. Type II multi-level governance explains lobbying through various international organizations, associations and networks – these structures are created by sub-national units, which are unified not by territorial factors or common identity, but by functional elements – common interests, similar economy, etc.

Access channels

When depicting the channels that sub-national actors may employ to gain access to the institutions of the EU, the common approach is to group them into the institutions of the EU themselves, and other channels, like sub-national offices or international organizations (Tatham,

2008). The Committee of the Regions (COR) is usually attributed to the institutions, because of its official position among the institutions of the EU and its slowly growing powers. Nevertheless, it must be emphasized, that COR does not have decision-making powers, and although hearing its opinion is usually a requisite step in the legislative proceedings, those opinions are not legally binding. Because of that, COR should rather be attributed to the mediators that facilitate the lobbying process, alongside international associations and networks and sub-national offices in Brussels (scheme 1).

Therefore, sub-national actors, while lobbying the EU, can access the decision-making process by employing three wide strategies – influence the state position, directly approach the decision-making institutions, or refer to mediators and representatives.



Scheme 1. Access points of sub-national actors to the decision making of the European Union (Lescauskaitė, 2011)

The biggest chances of success, of course, are when these all strategies are combined. However, this would demand a great deal of resources. If the sub-national actor does not command a lot of human, financial and other resources, one strategy, chosen according to the resources commanded, the connections of the representatives and the nature of the interests represented, is employed.

The case of Lithuania

Among the many challenges arising from Lithuania's EU membership is the need for professional and effective lobbying (Andrikiene, 2002). One of the problems that both Lithuania as a state and its municipalities face is the lack of professionals that would be able to successfully lobby the EU, would have the needed connections.

The municipalities of Lithuania are represented in the EU through three main channels. In 2001 the Association of Local Authorities in Lithuania joined one of the largest and most influential European associations – the Council of European Municipalities and regions (CEMR). In 2004 Lithuania's delegation to the Committee of the Regions was formed, and finally, in 2007 Brussels Representation of the Association of Local Authorities in Lithuania was established.

The influence of organizations such as CEMR is widely disputable. On the one hand, it is said that their mere existence shows the mobilisation and dynamism of sub-national actors, their growing power. On the other hand, the real scope of the influence these organizations have is considered to be quite small (Tatham, 2008). Our research, however, shows that these organizations are one of the main channels of influence for the municipalities of Lithuania. It also reveals that such organizations have a considerable influence within the EU and lobbying through them is one of the main ways lobbying is done in Brussels. The importance of being part of CEMR was stressed in interviews – it was said that institutions of the EU, especially the Commission, would often take CEMR's opinions into account. Also, these organizations are especially important to smaller and weaker actors, such as Lithuania's municipalities. By cooperating with sub-national actors from other states, these municipalities can draw attention to their interests and problems, that otherwise would be overlooked in the lobbying arena of Brussels.

The possibilities of The Committee of the Regions having an influence on the decisions of the EU are considered to be quite numerous. M. Neshkova states that COR influences about a third of Commission's decisions (Neshkova, 2010). Other authors see it as a useful tool when the situation is favourable – for example, when the Commission is searching for allies and COR agrees with its opinion (Tatham, 2008). However, our research shows a much smaller scope of powers that COR possesses. The former representative of Lithuanian municipalities in Brussels stated that the members of the European Parliament do not take COR's opinions into account, the member of the European Parliament stressed the procedural aspect of hearing the opinions and grouped COR with all the other lobbying organizations. Even the member of Lithuania's delegation to COR,

when talking about the possibilities of influence, stressed the importance of political culture and courtesy that the decision-makers possess but not the powers of COR itself.

Our research has also revealed how big an influence the party partitions have. In COR, single regions, without the support of a party, cannot gain any influence. When delegations to the COR meet, their members, coming from different states and regions can better communicate with each other at the party level, with the help of the shared ideology. Party system is also essential to the workings of the European Parliament. However, this party system doesn't give any more power to the small actors, and the chances of the municipalities of Lithuania to influence the decisions remain quite small.

The sub-national offices in Brussels do not have a formal status and their influence is hard to measure. It is said that most of them do not aspire for real power to influence the decisions of the EU (Marks, Haesly, Mbaye, 2002). The Brussels Representation of the Association of Local Authorities in Lithuania fits within such context. Its main function is collecting and conveying information about the EU and the symbolical representation of Lithuania's local government, rather than the "hard" lobbying and trying to influence EU's decisions.

It must be said, that the municipalities of Lithuania, being quite small, not at all powerful and having only one representative in Brussels, remain quite inconspicuous. The problems that hinder the representation of their interests rise from their small territory, meagre financial and human resources and, more importantly, from their inability to identify common interests, speak with one voice. Also a problem is a lack of interest from the municipalities themselves – only a third of them maintain constant communication with representative in Brussels.

Not only separate municipalities exhibit the failure to communicate with the representative in Brussels – this problem is also evident within the Association of Local Authorities itself. The insufficient organization of the Association causes such problems as failing to convey information to the representative because it isn't included in the official duties. Formulating a common position as early as possible, being able to clearly state it and defend it are essential factors of successful lobbying in the EU, and the inability of Lithuanian municipalities to do that greatly diminishes their chances of effectively representing their interests.

Also it is worth to mention that the whole staff of the Brussels Representation of the Association of Local Authorities in Lithuania consists of only one representative. This limits the possibilities to gather all needed information and determines the necessity of collaborating with sub-national representatives from other states (the Lithuanian representative most closely collaborates with representatives from Latvia, Estonia and Finland). This informal international

collaboration is especially important to small sub-national actors that cannot boast great resources – it enables them to cover much greater amounts of information, to share the work and thus make it more effective.

Gatekeeping role of central government

When discussing multi-level governance, the role the state plays is usually counted as one of the greatest problems hindering the efforts of supranational and sub-national actors' communication and collaboration and their influence upon one another's decisions. The state can take up a role of a gatekeeper and thus prevent the sub-national actors from gaining any access to the supranational level (Bache, 1999). M. Pollack states, that the readiness and potential of the state to play a role of the gatekeeper depend on the existing division of powers between the national and sub-national levels (Pollack, 1995).

Surprisingly, our research has shown that the municipalities of Lithuania do not face this problem and that the central government of Lithuania stands out in this context. The central government not only refuses from its gatekeeping role, but also declares its openness to the sub-national actors and their interests. Information received from the Seimas committees on European Affairs and on State Administration and Local Authorities shows that the representatives of local authorities are invited to participate in the committee sessions, discussions, are consulted when a question, pertinent to their interests, arises. The former representative of the Association of the Local Authorities was a little more critical when asked about the collaboration with the state level, but his critique stated that the central level is not well aware of the problems municipalities face. Nothing in the results of our research indicated that the state level would block or deliberately hinder the representation of the municipalities in the EU.

It cannot be said that the municipalities of Lithuania are strong and powerful and maintain a power advantage in their relations with the central government – as M. Pollack's proposition about the existing division of power would imply (Pollack 1995). Therefore, the openness of the state government of Lithuania and its refusal to play the role of gatekeeper are more likely the products of the state's late accession to the EU. Because of that, the central government of Lithuania did not experience the gradually deepening integration and erosion of its powers, which prompted other governments to defend their dominating position.

Conclusions

1. Two existing models of multi-level governance were applied for the analysis of sub-national representation at supranational level. Applying Type I model enables to explain activities of sub-national institutions such as strive to influence EU level decisions through influencing national position. Direct lobbying in the appropriate EU institutions, when national level is excluded (work through Committee of Regions, or representation of national association of municipalities in Brussels), relates to this model, too. Type II model allows to explain lobbying of sub-national actors through different international organizations and networks created between sub-national units; here not a territory or identity but functional factors such as common interests or similar institutional position are playing the main role.
2. Lithuanian municipalities are seeking representation at EU level through three main channels. First, participation in the activities of the CEMR, Council of European Municipalities and Regions. It gives for Lithuanian municipalities broader access to the information about EU decisions, helps to share lobbying activities common in Brussels. However, real influence in this organization is possible only through co-operation with sub-national actors of other countries. Delegation in the Committee of Regions seems lacking special influence: it is limited by scarce resources and insufficient co-ordination. Party mechanisms are to be seen as hindering factors both in the Committee of Regions and European Parliament. These findings are to be further discussed in inter-connection with Type I model of multi-level governance. At the same time, analysis within context of Type II model shows that representation of the Association of Lithuanian Municipalities at the EU institutions is limited. Main task of it is usually collecting information rather than influencing decision-making processes. Problems are arising from maladministration in inter-relations between Association and its representation as well as apathy of municipalities in European affairs.
3. Statement about strive of national level actors to limit access of sub-national actors to the decision making is rejected by our analysis. Central level declares its support for sub-national actors unambiguously appreciating their input.

References

1. Andrikiene L, *Siuolaikines lobistines veiklos tendencijos*, Vilnius, 2002
2. Bache I, The extended gatekeeper: central government and the implementation of EC regional policy in the UK, *Journal of European Public Policy*, Nr. 61, 1999
3. Bache I, Flinders M, *Multi-Level Governance*, Oxford, 2004

4. Hooghe L, Marks G, *Multi-Level Governance and European Integration*, Lanham, 2001
5. Lescauskaite V, *Subnacionaliniu veikeju lobizmas ES institucijose: Lietuvos atvejis europiniame kontekste*, Master thesis, Kaunas, 2011.
6. Marks G, Haesly R, Mbaye H, What Do Subnational Office Think They Are Doing In Brussels?, *Regional And Federal Studies*, Vol. 12, Nr. 3, 2002
7. Neshkova M.I, The impact of subnational interests on supranational regulation, *Journal of European public policy*, Nr. 17-8, 2010
8. Pollack M, Regional actors in an intergovernmental play: the making and implementation of EC structural policy', Rhodes C, Mazey S, *The State of the European Union, Vol. 3, Building a European Polity?*, 1995
9. Tatham M, Going Solo: Direct Regional Representation In The European Union, *Regional And Federal Studies*, Vol. 18, Nr. 5, 2008
10. Vijeikis D. *Subnacionalinio lygmens interesu atstovavimas Europos Sajungoje*, Doctoral thesis, Vilnius, 2007