

Local and Regional Politics at the EU level: who is actually represented in the Committee of the Regions?

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Abstract: *One of the main reasons for the establishment of the Committee of the Regions was to provide the subnational level with the representation within the institutional system of the European Union. As the body advising the EU institutions, the Committee can influence the decision-making process. Since it consists of members of the local and regional authorities, one may ask if it does offer the opportunity for the peculiar territorial self-government units to be represented at the EU level. And in the broader terms – what does the relation between the general and particular interests look like in that regard? The article tries to determine if the Committee of the Regions is a suitable place for the individual territorial self-government unit to promote its interests. The findings of the paper are based on the author's own empirical research conducted among the Polish members of the Committee. The results entitle the author to state that the territorial self-government units are represented in the Committee of the Regions and they have some benefits from being represented within this body.*

Keywords: *Committee of the Regions, European Union, subnational level, representation, local government, regional government*

Introduction

Since the 'regional awakening' in the late 1980s, the issue of involvement of the local and regional governments in the European Union's (hereinafter EU)

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decision-making system is constantly present in the literature. It is often being portrayed as the question of the representation of the subnational level. However, the equation of the interests of the peculiar territorial self-government units and the general interest of the subnational level may not be the only possible point of view. An opposite approach may allow one to ask if the entities representing the subnational level can at the same time represent the individual territorial self-government units – and *vice versa*. The aim of this paper is to answer this question concerning the Committee of the Regions (hereinafter CoR). The following research questions have been formulated with the view to reaching the purpose stated above:

1. Are the peculiar territorial self-government units represented in the CoR?
2. Do the territorial self-government units have any benefits from being represented in the CoR?
3. On what factors depend the effectiveness of the representation of the territorial self-government unit in the CoR?

The article attempts to verify the main hypothesis stating that the territorial self-government units are represented in the CoR and the efficiency of this representation depend on factors connected to these territorial self-government units (like the size of their economies or demography).

With regard to the theoretical framework, the research is based on the concepts of the Europe of/with the Regions and the multi-level governance. They will be used to: (1) determine the role of the CoR as the channel of the representation of the subnational level, and (2) analyse the perspective of individual territorial self-government units.

Concerning the methodological framework, the focus is essentially put on the author's own empirical research that was conducted in March 2021.² The research is in the form of a survey which has been sent to all of the Polish members of the CoR of the 2020–2025 term. Thirteen of them (out of twenty-one) have answered the questions. It means that the response rate was 62% – such a result allows us to consider the answers as representative for all of the CoR's members from Poland. Furthermore, it can be assumed that these results can be related to the members of the CoR from other member states as well. It does not seem probable that the Polish members have their own way of functioning, which differs from the other members. The Polish delegation is too small to be able to do that. Moreover, the results of the research seem to be in accordance with the earlier research, conducted among the CoR's members from the other member states.

² The research also concerned the question of the CoR's role in reducing the EU's democratic deficit – the results are presented in Baçal 2022.

Theoretical Framework

During the first years of the European integration the focus was put entirely on the national governments (Loughin 1996a: 145). That was so despite the fact that this process had an impact on the other levels besides the national one. As this state of affairs lasted, the local and regional governments wanted their role to be recognised (Schakel 2020). They have challenged the state-exclusive approach and called for the 'Europe of the Regions'. This slogan consisted of several ideas, but what they have all had in common was demanding a place for the subnational level at the European decision-making table (Elias 2008). In the most ambitious versions, the regions would completely replace the central states, not only in terms of politics, but also of culture, with a regional identity instead of a national one (Anderson – Goodman 1995: 604). However, since this has not happened, the idea of 'Europe of the Regions' has lost its charm (Hepburn 2008). That was so *inter alia* because it turned out that it is not so easy to speak of the unity of the subnational level as the peculiar local and regional governments have their own interests that may not be compatible with each other (Moore 2008: 524). Nowadays, the scholars are using the term 'Europe with the Regions' (Panara 2019). This new concept is not directed against the national level, but rather seeks to find effective ways for the subnational level to influence the decisions taken at the European level, with the CoR being one of them (Hooghe – Marks 1997).

The 'Europe of the Regions' has defied the states-exclusive approach to the European integration. The multi-level governance went even further, as it has recognised the role of other actors, including the private ones, such as NGOs or private companies (Dickson 2014: 692). According to this perspective, there is no one general decision-making process, but rather a variety of the peculiar procedures (Borońska-Hryniewiecka 2011). Moreover, each of them may consist of different interested parties. This approach is also closely linked to the subnational level – in fact, it has resulted from the analysis of the structural funds policy (Bache – Jones 2000: 2–4). In the multi-level governance system, the involvement of the local and regional authorities at the European level is justified, without challenging the role of the national governments (Stephenson 2013). Hence, the analysed concept is also found useful by the CoR, which has published a white paper on that matter (Official Journal of the European Union 2009). The multi-level governance is being understood there as 'coordinated action by the European Union, the Member States and local and regional authorities, based on partnership and aimed at drawing up and implementing EU policies'. These efforts should lead to 'responsibility being shared between the different tiers of government concerned and is underpinned by all sources of democratic legitimacy and the representative nature of the different players involved' (cf. Gal – Brie 2011).

Committee of the Regions as the channel of the subnational level's representation

Although the most ambitious version of the 'Europe of the Regions' has not been implemented, the general idea of recognising the role of the local and regional governments has influenced the shape of the EU's institutional system. The direct cause for that was the Single European Act, which entered into force in 1987. It caused a major transformation in the structure of the regional funds, but the subnational level's voice was – once again – not heard (Schönlau 2017: 1170). The local and regional governments have intensified their efforts and were able to bring the attention of the decision-makers to their concerns. As a result, in 1988 the European Commission (hereinafter EC) established the Consultative Council of Regional and Local Authorities (Kennedy 1997: 1). It was composed of 21 members (and the same number of alternates) chosen on the recommendation of the Paneuropean associations representing the subnational level. What is worth noting is that in order to be elected, one had to hold a democratic mandate on the local or regional level. As the name suggests, the Council had no binding competences and theoretically it could have been dissolved by the EC at any moment. Hence, regions and municipalities were not satisfied with this option and called for further steps. Especially active in that matter were these territorial self-government units that have the most power within their states' constitutional order (e.g. German, Belgian and Spanish regions).

The coming intergovernmental conference (which resulted in the Treaty of Maastricht) was the occasion to express their ideas. Local and regional decision-makers demanded *inter alia* establishment of the entity permanently representing the subnational level within the EU institutional system (Van Der Knaap 1994: 89–90). In the most ambitious proposals, such an institution would have legislative powers similar to the European Parliament (hereinafter EP) and the Council (Schönlau 2010: 6). This could not have been accepted by the national governments for a couple of reasons. Firstly, the sole existence of such a body would decrease the meaning of the national level. Secondly, it would be highly likely that this body would cooperate mostly with the EC (so the 'coalition' of the subnational and supranational levels would be formed), which would mean further diminishment of the national government within the EU institutional system. Thirdly (and more of a general character), the European decision-making process – complicated enough at that time – would become even more so (Domorenok 2009: 145). What finally came out of this clash of interests had to be some sort of compromise (but one that was more satisfying for the national governments).

The result of this compromise was the establishment of the CoR – advisory body of the EC and the Council (Roht-Arriaza 1997: 448–449), without its own budget or administration unit and the election procedure copied from the Eco-

conomic and Social Committee (hereinafter ESC) – with whom the budget and administration were shared (Caroll 2011: 344). The main task of the CoR was to issue opinions on the matters important to the local and regional governments and provide the European decision-making process with the subnational perspective. Although the four procedures of issuing the opinions were established (obligatory, facultative, accessory, of the CoR's own initiative), in none of them were the views of the CoR binding for the EC or the Council. Such an outcome was rather disappointing for the territorial self-government units that were pressing for a change the most. Moreover, it soon turned out that the CoR could not work as efficiently and speak with one voice as they had wished due to a fact that the CoR consisted of both powerful regions (e.g. German *Länder*) and the municipalities with purely administrative functions at the same time (Christiansen 1997: 64).

The status of the CoR has been evolving over the years and it is worth taking a look at the most significant changes. Most of them were postulated by the CoR itself as well as the local and regional governments, with the support of the supranational institutions (mostly the EC). As a result of the Treaty of Amsterdam's entry into force, the ESC and the CoR were separated and the latter was given the opportunity to also be consulted by the EP (Reilly 1997: 137–138). The Treaty of Nice created an obligation for the members of the CoR to hold a democratic mandate on the local or regional level – the loss of this mandate would immediately lead to the end of the CoR's membership. Such a regulation has strengthened the democratic legitimacy of the CoR; it was, however, mostly confirmation of the already existing state of affairs (Kuligowski 2015: 29). In the Treaty establishing the Constitution for Europe, the CoR was recognised as guardian of the subsidiarity principle and was granted access to the European Court of Justice (Kaniok – Dařová 2013: 125). Finally, the Treaty of Lisbon adapted the regulations from the Treaty establishing the Constitution for Europe as well as it lengthened the CoR's term from four to five years. To sum up, since its first session in March 1994 the CoR has been through the reforms that have strengthened its position within the EU's institutional system. However, it does not mean that all of the CoR's demands were fulfilled. It still has neither the status of EU institution nor are its opinions binding for the EC, EP or the Council (Petrařević – Duic 2016: 19). Hence, if the Treaties go under review once again, the CoR will probably once again press for a change.

With the status of the advisory body with no binding powers (except the access to the European Court of Justice) comes the limitation of the CoR's influence. It relies mostly on the state of relations with the European decision-making institutions, namely the EC, the EP and the Council (Farrows – McCarthy 1997). If these relations were unsatisfactory, the CoR would find itself and its opinions marginalised and ignored. Therefore, it would not be able to represent the subnational level in an efficient way. Throwing a light on this issue

will be helpful for the further analysis. In that regard, a couple of conclusions can be taken out of the earlier remarks concerning the support (or a lack of it) of the idea of establishment of a body representing the local and regional point of view. Most importantly, the CoR has better relations with the supranational institutions than with the intergovernmental one (Christiansen 1996: 95). It can be a sign that the national governments' concerns over the cooperation of the supranational and subnational levels were valid. Second of all, it is the EC who supports the CoR the most – the CoR is even being described as the 'EC's baby' (Skawiński 2008: 183). That is so, mainly because of the number of interactions. The consultation opportunities come most often from the EC (Trobiani 2016: 18). Moreover, one of the commissioners is usually present during the CoR's plenary sessions. The EC and the CoR have also signed the Cooperation Agreement, regulating their mutual relations. The first agreement was signed in 2001, but the version that is currently in force comes from 2012 (Official Journal of the European Union 2012). According to its regulations, each year the CoR issues an opinion on the EC's annual plan, in which the EC informs the CoR about the issues that will be consulted with the latter. In addition, the EC is obliged to regularly update the CoR on how many of its opinions were taken into account while taking the decisions. The cooperation is beneficial for both sides of this relationship. The EC can strengthen its own legitimacy through working together with the CoR, whose members hold a democratic mandate on the local or regional level (McCarthy 1997: 443). And for the CoR this is a chance to influence the decision-making process.

The second of the supranational institutions – the EP – has been supporting the establishment of the body representing regions and municipalities at the European level as well. However, in the first years of the CoR's functioning, the EP's approach was rather sceptical (Cole 2005: 55), mainly because the EP was afraid of its own position in light of the CoR's 'parliamentary' ambitions (Loughin 1996b: 161). This state of distrust has disappeared over the years and today the relations between the EP and the CoR look vastly different. Proof of that may be the Cooperation Agreement signed in 2014 on the basis of which *inter alia* the opinions of the CoR can be presented by the rapporteurs during the sessions of the EP's committees (Kuligowski 2015: 89). The other important factor in the mutual relations are the political groups, basically the same in the EP and the CoR. They provide another channel of communication (Decoster – Delhomme – Rouselle 2019: 108). Finally, both the EP and the CoR are democratically legitimised, so they can work together to reinforce the democratic legitimacy of the whole EU.

As was mentioned above, the Council, the institution representing the national level, has a dissimilar opinion about the CoR. That affects the mutual cooperation (Christiansen – Lintner 2005: 9). National governments would like to represent the local and regional interest as part of the national one.

Otherwise, their position within the EU institutional system may be affected (not in a fundamental way, but still). Therefore, the Council rarely consults the CoR – and when it does, the consulted issue is not of great importance. Moreover, the Council has refused to justify its decisions regarding taking (or not) the CoR's opinions into account (Defoort 2002: 22). The relations between the Council and the CoR are based entirely on the Treaties, as there is no Cooperation Agreement. Members of the Council (but also members of the EP) have little knowledge about the CoR's ongoing activity as Hönnige and Panke (2016: 629) have shown.

Based on the review of the CoR's relations with the EC, EP and the Council, it can be stated that despite a rather weak institutional position within the EU's institutional system, the CoR manages to find some ways to impact the decision-making process, especially when compared to the ESC. On the other hand, this influence cannot be overestimated, since it depends on the good will of the EU institutions. The CoR should also take action to increase awareness of its actions among the key decision-makers. Finally, one has to remember that the CoR gathers together regions with legislative powers and the municipalities with the administrative functions at the same time. For the latter, the CoR may be the sufficient representation. But for the regions it may not be enough. Hence, they try to secure their interest through the other channels, like the Council or the regional offices in Brussels (Rowe – Jeffery 2017: 382).

Actions taken by the CoR in order to represent the subnational level within the EU's institutional system can be divided into three main categories: (1) advisory, (2) monitoring and (3) representative *sensu stricto*. All of these elements of the CoR's functioning will be subjects of the analysis. At this point it is important to notice that all of these categories combined can be described as the representative function *sensu largo*. It means that the CoR tries to promote the interests of the subnational level in as many ways as possible. To increase the chances of influencing the decision-making process, the types of the CoR's activities differ from one another. It may also be useful to clarify the reasons for the CoR's representative actions (and in a broader sense – the involvement of the subnational level at the EU level). Firstly, due to the fact that the CoR's members have to hold the democratic mandate at the local or regional level (and therefore are 'closer to the people'), the CoR claims that it contributes to reinforcing the democratic legitimacy of the EU and reducing the democratic deficit (cf. Baçal 2021). Secondly, and for the same reason, the CoR can provide the EU institutions with the expert knowledge on the functioning of the subnational level and its needs, problems, etc (Piattoni 2012).

The advisory function of the CoR has been named *expressis verbis* in the Treaties (art. 13.4 TEU and art. 300.1 TFEU). In that regard, the CoR's task is to issue the opinions on the matters that concern (or may concern) the subnational level (cf. Kuligowski 2019). The opinions (as well as the resolutions) are

addressed to the EC, EP and the Council, of whom the CoR is the advisory body. As was mentioned, there are four procedures of consultations. The first one is the obligatory consultation. Whenever the Treaties (*de facto* TFEU) require it (e.g. by cohesion policy or structural funds), the CoR has to be asked to speak on the matter (Petrašević – Duic 2016: 7). Otherwise, the legislative process will be flawed which means that the passed act can be declared as invalid by the European Court of Justice (*inter alia* on the motion of the CoR). However, it does not mean that the EU institutions depend on the CoR in that case. The CoR is being given one month to issue an opinion and if it fails – or decides to abstain – the legislative process can go into a further phase (Hönnige – Panke 2013: 458). The TFEU also introduces the facultative procedure of consultation, according to which the EC, EP or the Council can consult the CoR whenever they find it necessary. The CoR (or anyone else) cannot force these EU institutions to use this procedure as the decision in that matter depend entirely on their mind. The third procedure – the accessory one – is connected to the ESC. When the latter is being consulted by the EC, EP or the Council, the CoR can also issue an opinion on that occasion if the CoR believes that the consulted issue concerns the interests of the subnational level. It should be noted at this stage that the ESC does not have such competence and therefore cannot issue an opinion just because the CoR is being consulted. Finally, the CoR can issue an opinion on its own initiative. As was mentioned, regardless of the procedure, the CoR's opinions are not binding for the concerned EU institutions and the latter do not have to specify if (and why) they have taken the CoR's opinions into account (Przyborowska-Klimczak 2018: 12). It seems that the advisory activity of the CoR (in the context of this body's representative function) consists of providing the EC, EP or the Council with the subnational level's point of view. Keeping in mind the non-binding character of the CoR's opinions, it has to be stated that their effectiveness depends on their quality (but also on the consistency with the stance of the decision-makers).

The monitoring activities of the CoR are connected to its status of guardian of the subsidiarity principle. The CoR wanted to be granted this status from the beginning of this functioning (Jones 1997: 312). That was so because the subsidiarity principle is a key concept from the subnational level's perspective. However, it is also important for the EU level – this significance is expressed in the art. 5.3 TEU, according to which 'in areas which do not fall within its exclusive competence, the Union shall act only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level'. Due to the regulations of the Protocol (No 2) on the Application of the Principles of Subsidiarity and Proportionality, the CoR was empowered in the competence to submit the applications to the European Court of Justice in case of the viola-

tion of the subsidiarity principle. There are two conditions for the use of this procedure: (1) it must concern the legislative act as well as (2) the obligatory procedure of the CoR's consultation. If these are met – and the CoR's application proves the infringement – the Court can declare the violating act invalid. The CoR has not used this power directly yet – but it has managed to impact the proposals of the EC several times by threatening to use it (Nicolosi – Mustert 2020: 286). The CoR is also cooperating with the national parliaments, local and regional governments as well as the non-governmental organisations in monitoring the state of the subsidiarity principle. This field of activity seems to bring the greatest influence opportunities for the CoR, mainly because of the access to the European Court of Justice. However, the CoR cannot use this competence (or threaten to use it) in every case, because it would lead to the loss of its meaning. As a sidenote, it has been brought up in the literature that the CoR should be granted the right to submit the applications to the Court in the name of individual self-territorial units (Górski 2017). This would surely strengthen the role of the CoR, not only as the representative of the subnational level, but also of the individual regions or municipalities.

Finally, there is a representative function *sensu stricto* of the CoR. As is being thought, about 70% of the laws passed on the European level affect the functioning of the local and regional communities (Bauer – Börzel 2010: 254). It was – and still is – a reason for granting the subnational level a place at the decision-making table. The CoR's activity in this field can be divided in two ways: (1) actions aimed at achieving an institutional change and (2) an activity based on the regular contact with the local and regional authorities. Concerning the first type, one has to once again mention the art. 5.3 TEU. It was introduced in the Treaty of Maastricht, but the local and regional levels were not included there. Since the beginning of its functioning, the CoR (among others) had been pressing to change that (Seather – Schmidt-Nissen – Lorenz 1997: 105–106) – and finally succeeded. The regulation was changed first in the Treaty establishing the Constitution for Europe and then in the Treaty of Lisbon. The CoR also proposed incorporating the European Charter of Local Self-Government (of the Council of Europe) into the *acquis communautaire* (Jońkowiak 2008: 114). However, in this case the CoR's efforts have not yet been successful. When it comes to the second type of the CoR's activity, one has to mention the organisation of the European Week of Regions and Cities (annual conference for the subnational level) and many other events as well as holding the consultations through its website (Apostolache 2014: 37).

The CoR calls itself the 'voice of the regions and cities in the EU' and 'the EU's assembly of Regional and Local Representatives' (Committee of the Regions 2022). With such declarations should go actions aimed at representing the subnational level within the EU's institutional system. As the analysis has shown, the CoR has several opportunities to be doing that. Naturally, the ques-

tion of the effectiveness of its activity remains – as the advisory body with almost no binding competences, the CoR has to rely on the state of the rather informal relations with the EC, EP and the Council.

Committee of the Regions as the channel of representation of the peculiar self-government units – empirical study

To this moment, the analysis concerned the role of the CoR as the representative of the subnational level within the EU's institutional system. Hence, the perspective has been more of a universal character. From now on, a new approach will be taken, focusing on the individual self-government unit's point of view. The question that has to be asked at this stage is if the CoR is the right place to promote the particular interest or if its representative function is 'limited' to the general subnational level's representation. Moreover, how the CoR is perceived in that regard by the local and regional authorities. These questions will be answered based on the analysis of the author's own empirical research.

Before presenting the results of the research, one has to explain the (hypothetical at this point) role of the CoR as the place for representation of the individual self-government unit's interest. It can be perceived both in narrow and broad terms. In this first case, the CoR could be treated as the channel of representation similar to, e.g., regional offices in Brussels. Not identical, though. Regional offices belong to the individual self-government unit so theoretically it does not have to consider the interests of other entities in its actions. At the same time, the CoR brings together over three hundred (after Brexit – 329) different perspectives. Therefore, the outcome of the CoR's work must be some sort of compromise. Nevertheless, it seems that even then one can speak of the individual representation of the CoR in some ways – for instance, in the CoR's opinion the uniqueness of a region may be underlined. It has to be remembered as well that the interest of the whole subnational level and the interest of the individual self-government unit may simply overlap (cf. Van Der Knaap 1994: 91). When it comes to the broad terms of representation, it can be assumed that the self-government unit may benefit from being represented in the CoR. This may be so, e.g., through the strengthened negotiation position or the prestige.

The first presented result focuses on the question of how the CoR's members perceive their role. In other words – who do they think they represent? In that regard, the most significant issue is if they represent their territorial self-government units. This is a key to understanding the role of the CoR as the place for the promotion of the individual interests. Results stating that they do not represent their regions or municipalities would impact the way of perceiving the CoR in the analysed matter.

Table 1: Interests of which entities do you take into account during your activity within the CoR? (multiple choice question)

Answer	%
Interest of my territorial self-government unit	100.0
Interest of my national political party	30.8
Interest of my political group within the Committee of the Regions	76.9
Interest of the national government of my state	30.8
Interest of my national delegation within the Committee of the Regions	46.2
Interest of the European Union	46.2
Other	15.4

Source: author's own research.

A couple of observations can be made on the basis of the results. First of all, the fact that all of the Polish members of the CoR declared representation of the interest of their territorial self-government units means that they consider the CoR as the channel of representation. It also suggests that – despite the CoR's collective character – there are structural conditions to promoting the agenda of each individual self-government unit. Moreover, if such actions are being taken, the CoR's members must find this body's work efficient and able to influence the decision-making process. The indicated representation may speak for its favourability from the territorial self-government units' point of view. Otherwise, there would be no efforts to take their interest into account during the work of the CoR. The local and (especially) regional units would then concentrate on the other channels of representation. It has to be remembered as well that in order to be elected to the CoR, one has to take efforts to have their name put on the list submitted to the Council, focusing primarily on the position within the associations of the territorial self-government units (Mamadouh 2001: 480–481). Therefore, the CoR's membership cannot be perceived as some kind of a waste of time or punishment, but rather as an opportunity.

Secondly, the interest of the territorial self-government unit is not the only one represented in the CoR. The interest of a political group was also chosen by the majority of respondents, but it is worth looking at all of the other results. On a general note, it seems that it is possible to consider the interest of several entities at the same time (cf. Waśkiewicz 2020: 173–174). Hence, they do not necessarily have to exclude each other. In that regard, the domination the representation of the territorial self-government unit's interest may be explained by the status of 'the voice of the regions and cities in the EU' of the CoR. These results may justify this claim. It might also be connected to the election procedure – since (in most of the member states) it is the associations of the

territorial self-government units who *de facto* decide who will be a member of the CoR (Millan 1997), the CoR's members might not be willing to represent primarily other interests.

Finally, it may be useful to look at the art. 300.4 TFEU which states that the members of the CoR (and the ESC) 'shall be completely independent in the performance of their duties, in the Union's general interest'. Especially the second part of this regulation is interesting. If treated literally, the CoR's members would not be able to represent any other interest than the EU's (Apostolache 2014: 26). However, as the results indicate, either the CoR's members do not act in accordance with the TFEU or this regulation has to be interpreted in another way, in which the interests of the territorial self-government units are part of the broadly understood EU's interest. On a sidenote, this result is also a sign of a low level of Europeanisation (in its *ad personam* version) of the Polish members of the CoR (cf. Ruszkowski 2019).

The previous question concerned the attitude of the Polish members of the CoR. They were also asked the same question, but in the matter of activity of their colleagues from the other member states. The results will be helpful in determining if the model of the representation within the CoR differs depending on the state.

Table 2: In your opinion, interests of which entities are being taken into account by the CoR's members from the other member states during their activity within the CoR? (multiple choice question)

Answer	%
Interest of their territorial self-government units	76.9
Interest of their national political party	30.8
Interest of their political group within the Committee of the Regions	84.6
Interest of the national government of their member state	15.4
Interest of their national delegation within the Committee of the Regions	23.1
Interest of the European Union	38.5
Other	7.7

Source: author's own research.

Before starting the proper analysis, one must underline that the results do not reflect the stance of the CoR's members from the other member states, but the perception of their behaviour by the Polish members of the CoR. Therefore, the results may not be strictly in accordance with the actual activity of the CoR's members from the other member states. Nevertheless, since the Polish

members have the chance to observe and work with their colleagues, their impressions in that matter might be some indication of the state of affairs.

The first results that come to mind are the ones regarding the representation of the interests of the territorial self-government units and the political groups within the CoR. The fact that not all of the CoR's members may be considering the interest of their territorial self-government unit shows that the CoR may not be unconditionally perceived as the representation suitable channel. The CoR's members from the other member states may therefore have other opinions of the CoR's effectiveness or reasonableness of promoting a particular agenda within this body. The greatest popularity of the political groups may be explained threefold. Firstly, the CoR's members from the other member states may be much more focused on their own individual position. In that case, their role as the representatives of their self-government units would be marginalised. Secondly, the level of politicisation may be higher than in the Polish example. Thirdly, CoR's members from the other member states may perceive the political groups as more influential than the CoR – especially in the long-term perspective. It has to be remembered that the political groups function in the EP as well, but their influence may be seen in the case of other EU institutions (Martinico 2018: 55). Hence, these members of the CoR may promote their agenda (which might also include the interest of their territorial self-government units) in a way that could not be provided by the CoR itself. In that regard, this body would have a role of an intermediary entity (cf. Hönnige – Kaiser 2003).

The result concerning the interest of the EU suggests two additional conclusions. On the one hand, it proves that the literal interpretation of the art. 300.4 TFEU is incorrect as not all of the CoR's members from the other member states (and in fact – a minority of them) consider the EU's interest during the CoR's work. On the other, it seems that it is Polish members of the CoR who represent the EU's interest more often. This may spark some confusion, because on the first sight one could think that the members of the CoR from the other member states – especially the ones from the 'old Europe' – may be keen on acting for the EU more often. However, the question applied to all of the member states, so this division of the 'old' and 'new' Europe could not be caught. Moreover, according to the Eurobarometer data, Poland is one of the most pro-European member states (cf. Eurobarometer 2022: 69–70). The attitude of the Polish members of the CoR might be a symptom of that fact.

Due to the two next questions, it will be possible to examine the issue of the benefits for the territorial self-government units that are a result of being represented in the CoR. As was mentioned, this is a broader understanding of the CoR's representative function. The first question concerns the profits for the territorial self-government unit in the matter of the relations with territorial self-government units from the other states.

Table 3: In what ways does your membership in the CoR influence the state of relations between your territorial self-government and the territorial self-government from the other states? (multiple choice question)

Answer	%
My territorial self-government has signed a partnership agreement with the territorial self-government unit from the other states	15.4
I have taken part in the study visit for the members and alternates of the CoR to other territorial self-government unit	30.8
I have organised the study visit for the members and alternates of the CoR to my territorial self-government unit	15.4
My territorial self-government unit started a cooperation in the specified area with the territorial self-government from the other states	53.8
My territorial self-government unit has adapted some methods of governance used in the territorial self-government units from the other states	46.2
The territorial self-government unit from the other states have adapted some methods of governance used in my territorial self-government unit	15.4
My relationship with the CoR's members from the other states focuses entirely on the CoR's internal work	38.5

Source: author's own research.

As can be seen, being represented in the CoR brings along some benefits for the territorial self-government unit. These benefits may be of different kinds – they may apply directly to the territorial self-government unit (e.g. partnership agreements) or to its representative (e.g. study visit). Even this second case may be profitable for the territorial self-government, as its representative may use the gained experience to govern in a more efficient way. On the basis of these results, another function of the CoR may be recognised – a socialising one. In its direct aspect, it concerns the members of the CoR, who regularly meet, cooperate and exchange views and experiences. It may seem that it has nothing to do with the representative function of the CoR; however, one has to remember that the CoR's members are at the same time the members of the local or regional authorities. Therefore, they can transfer their knowledge gained due to the membership in the CoR to the level of a daily governance (Trobiani 2016: 18). From this perspective, this may be the case of a Europeanisation *ad personam* that leads to the Europeanisation of a territorial self-government unit (cf. Guderjan 2012). To examine this issue in detail, the Europeanisation approaches should be used in the future research.

The analysis of this point must be concluded with the remark of a more technical character related to the impact of the COVID-19 pandemic on the CoR's functioning. The beginning of the pandemic in Europe coincided with the start of the new term of the CoR and forced it to switch to an online mode. In such circumstances, it was not possible to organise or take part in any study

visits. That primarily affected the people who had not been the CoR's members during the previous terms. Therefore, the results of this question could have been affected by the pandemic. Nevertheless, even in that situation the signs of cooperation with the other territorial self-government units are clearly visible. This leads to two conclusions. Firstly, the number of people from the Polish delegation who do not have the CoR's membership experience from the previous terms is relatively small. Secondly, it can be assumed that if the pandemic did not happen, the options given in the question would be chosen even more often.

Being represented in the CoR may affect the functioning of the territorial self-government unit in a more indirect way and in the relations with other entities as well. Out of all, the most significant factor might be strengthening the prestige or (in the more concrete scale) the negotiation position. If this turns out to be true, it may be interesting to see to what extent the CoR influences the functioning of the territorial self-government unit in that matter.

Table 4: In your opinion, does being represented in the CoR strengthen the position of the territorial self-government? (single choice question: yes / no)

Answer	% of the „yes” answers	% of the „no” answers
In the relations with the other territorial self-government units from the same state	100	0
In the relations with the territorial self-government units from the other EU's member states	100	0
In the relations with the government administration	53.8	46.2
In the relations with the private companies	46.2	53.8
Within the associations of the territorial self-government units (Union of the Polish Rural Municipalities, Union of the Polish Towns, Union of the Polish Cities, Union of the Polish Metropolises, Union of the Polish Counties, Union of the Polish Voivodeships)	100	0

Source: author's own research.

One can notice that having a representation in the CoR does have an impact on the territorial self-government unit. However, it is not unlimited. The strengthening of the position of the territorial self-government unit concerns mostly its relations with entities that are on the same level – other territorial self-government units and their associations. The difference between the 'yes' and 'no' answers regarding the relations with national government administration and the private companies is too narrow to unambiguously determine the influence of the CoR. Nevertheless, the fact that at least some respondents have answered positively means that there may be some impact in that matter. But

its extent is not as wide as in case of the relations within the subnational level. This might be explained by the character of the CoR – a body called upon to be the voice of the regions and municipalities in the EU and composed of the members of the local and regional decision-makers. Therefore, it may not be a surprise that it is the subnational level that pays the most attention to the fact that some territorial self-government units are being represented in the CoR.

This issue should also be analysed from another perspective, concentrating on the elements of the territorial self-government unit’s functioning that are affected by having a representation in the CoR as well as the relevance of this representation. First of all, it can be assumed that since the CoR is part of the EU’s institutional system, this ‘effect of the CoR’ is most visible when it comes to the European activity of the territorial self-government unit. Naturally, one cannot exclude the possibility that the CoR’s membership influences other fields of activity, but the European affairs have much more potential to do that than some fully internal matters. Secondly, it seems that being represented in the CoR should not be perceived as the crucial factor leading to the strengthening of the territorial self-government unit’s position. On the other hand, it cannot be simply ignored, as it may commit – among many other factors – to the positive outcome, especially regarding the European activity (Warleigh 1997: 104).

The last of the analysed questions brings a reverse perspective. It focuses not on what gains are there for the territorial self-government unit represented in the CoR, but on the (hypothetical at this point) profits for the CoR’s member representing the concrete territorial self-government unit. However, this issue will have the significance for the territorial self-government unit as well, as it will show what factors are important in the matter of efficient promotion of one’s agenda within the CoR.

Table 5: In your opinion, what are the most important things regarding the position of the CoR’s members? (multiple choice question)

Answer	%
Factual knowledge of the individual members	61.5
The ability to compromise	46.2
Economic potential of the represented territorial self-government unit	15.4
Demographic potential of the represented territorial self-government unit	7.7
Economic and demographic potential of the member state, which the represented territorial self-government unit is part of	15.4
Political group membership	76.9

Source: author’s own research.

The elements listed above can be divided into two major categories. The first group contain the factors that relate to the territorial self-government unit – for instance, the economic potential. The second one consists of the components associated with the CoR's members, *inter alia* their knowledge. As can be seen, only this second category is perceived as relevant when it comes to the position within the CoR. This leads to the conclusion stating that although the territorial self-government unit benefits from being represented in the CoR, it itself does not strengthen the position of its representative within the CoR. From this point of view, the territorial self-government unit can be seen as the passive side of the representation relation, mostly unable to help its representative to increase their significance. This may be the positive conclusion especially for the territorial self-government units that do not have such big economic or demographic potential. If these results reflect the reality, the CoR's member from the smaller territorial self-government unit that belongs to the most powerful political group within this body shall have a stronger position than a member representing a much stronger territorial self-government unit (economically, demographically) who does not belong to any of the political groups (Karski 2013: 213) or belongs to the group with a marginal role within the CoR.

These results may also explain why so many of the respondents declared that they consider the interests of their political group during their activity in the CoR. It may simply pay off as the political group membership is considered the most important factor. Hence, the members of the CoR might be following the scheme that has been anticipated in the analysis of a results of a second question. However, it has to be stated that the CoR's members' perception does not seem to be in accordance with the actual state of affairs. As the other research shows, the political groups within the CoR are not that influential, especially when compared to the national delegations (Büttner 2020: 21–33).

Analysis of the results

Each of the results of the survey can be analysed separately and give some insights about the CoR's functioning. However, when put together, they allow one to take a look at a bigger picture which means that the research questions stated at the beginning of the paper can now be addressed.

The first questions tried to determine if the territorial self-government units are represented in the CoR. The results lead to a positive answer. All of the Polish members have declared that they consider the interest of their territorial self-government units during their activity within the CoR. Moreover, the majority of the CoR's members from the other member states seems (in the opinion of the Polish members) to do the same. Although there was no unanimity in this last case, one can see a clear majority. It means that representing a territorial self-government in the CoR should be seen as a rule, not an exception. This ena-

bles one to make three conclusions. Firstly, despite the fact that the CoR cannot be put in the category of the most powerful elements of the EU's institutional system, it is perceived as the body with enough influence to take some efforts to promote the agenda of the territorial self-government unit there. On a sidenote, such an opinion, especially in case of the smaller territorial self-government units (municipalities for instance) may result from the possibility of being the only option for the European activity on a bigger scale, as it is not possible for them to, e.g., afford the permanent office in Brussels. Secondly, the CoR's task to represent the subnational level within the EU decision-making process does not mean that it cannot be a channel of representation for an individual self-government unit. However, it does not depend entirely on the sole character of the CoR, but rather on the fact that the general interests of the subnational level and the interests of the particular territorial self-government unit seem to usually be in accordance with each other (Borghi 2006: 449–450). Furthermore, since the CoR's members allegedly consider the interests of the political groups more often than their territorial self-government units, it might be an indication that in the event of a conflict between general and particular interests, it is the first one that prevails. Nevertheless, the results do not allow us to state this unambiguously as further research is needed. Thirdly, members of the CoR do not treat their territorial self-government units as only the formal cause of their activity on the EU level. If that were the case, the CoR's members would be interested only in their personal influence or prestige. The actual state of affairs might have something to do with the democratic mandate held by each member on the local or regional level. It serves not only to strengthen the legitimacy of the CoR, but also to secure the representation of the territorial self-government unit – even if the activity within the CoR is not a priority factor by the local or regional elections, some citizens may be interested in their representative actions on the EU level (cf. Sjögren 2011).

The second question concerned the hypothesised benefits for the territorial self-government units resulting from being represented in the CoR. As the results show, the CoR's membership does bring along some gains. First of all, the sole fact of being represented in the CoR can be seen as the profit. It means the chance to promote the agenda of the territorial self-government unit within the body, which advises the most significant EU institutions (the EC, EP and Council). An indirect gain of that situation may be the opportunity to influence the decision-making process (Neshkova 2010). Surely, one should not overestimate the CoR's potential in that matter. However, even if the CoR's contribution is marginal, it is better to have such an opportunity than to not have any at all. In the most negative scenario (for instance, in the case of the most powerful regions) the CoR is one of the many channels of representation on the EU level (Brunazzo – Domorenok 2008: 440–441). Moreover, being represented in the CoR may also have some impact on the direct relations between the territorial

self-government unit and the EU institutions (mainly the EC). That might be so because of, e.g., more knowledge about the current legislative process or an image of the territorial self-government unit committing to the EU work. However, this aspect should be analysed more closely in the further research. Secondly, the benefits for the territorial self-government unit can also be seen on the other levels, especially on the subnational one. The main profit in that regard is the improvement of the state of relations with the other territorial self-government units, for instance through the partnership agreement, cooperation in the concrete area or an exchange of experiences. All of these possibilities can be transferred into economic gain. In addition to that, the negotiation position of the territorial self-government unit represented in the CoR seems to be strengthened due to that fact, both in unilateral and multilateral formats. The 'effect of the CoR' might be noticeable first and foremost on the EU level, but – as the results show – that is not its unconditional limitation.

Finally, the third question focused on the ways to secure effective representation of the territorial self-governments within the CoR. The most significant thing in that context is if this efficiency depends on the qualities of the territorial self-government unit. If proven positive, it would lead to a rule according to which the greater economic and/or demographic potential means more influence within the CoR. Such a situation would be especially beneficial for the big regions (as the name 'Committee of the Regions' might suggest). However, the analysis of the results of the last question indicates that this assumption is not reflected in reality. It is not the character of the territorial self-government unit that has an impact on the successful promotion of one's interests. The political group membership is perceived as the most valuable factor in that regard. Such an assessment may result from the fact that the political groups play an important role in the procedure of selecting the rapporteurs of the CoR's opinions and provide the informal channels of communication with the EU's institutions. As was mentioned, this situation is especially profitable for the smaller territorial self-government units as they can compensate for their structural weaknesses with the political group membership of their representative. However, this may turn the other way around as the already strong regions may become even more powerful (within the CoR) through having a representative that is a member of a significant political group. Moreover, this factor can be characterised as semi-structural – it is hard to imagine that some member of the CoR changes political group affiliation just to increase the influence of their territorial self-government unit, especially since it would probably mean a change of the national party. Nevertheless, on the favour of the smaller territorial self-government units in that matter may speak to the fact that the bigger ones are much more keen on using other channels of representation at the EU level, especially the regional offices in Brussels.

Conclusion

The governance system of the EU can be characterised not only by the variety of levels taking part in the decision-making process, but also by the variety of actors operating on each level. The CoR is not an exception there. Although at the end it speaks with one voice (e.g. by adopting an opinion), the sound of this voice depends on the representatives of the individual territorial self-government units. Hence, it offers the chance to look after one's particular interests. It may be 'just' one of the many opportunities (as the multi-level system would suggest), but even in that case it seems to be worth taking the effort. However, it does not mean that the general view of the subnational level is abandoned. What distinguishes the CoR from the other channels of representation of the local and regional governments at the EU level is its dual nature. It provides the forum for the interaction between the interest of the peculiar self-government units and the interest of the subnational level (van der Pol 2016: 35). They may not always comply with each other – but they usually do, as the results show. In the long-term perspective such a state of affairs seems to be beneficial for all the involved sides, enabling them to move closer to the implementation of the 'Europe with the Regions' idea.

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