



# A European Parliament keen to strengthen its role on the international stage

**Observatoire politique du Parlement européen at the Jacques Delors Institute**

**Isabelle Marchais**

Associate researcher,  
Jacques Delors Institute



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# Foreword

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What if the European Parliament played a significant role on the international stage, despite its limited powers in this area?

This is a little-known role, but one that is well described in this study by Isabelle Marchais, whose orientations were discussed and approved by our 'European Parliament's Political Observatory' and several of its members, Pervenche Berès, Jean -Louis Bourlanges, Thierry Chopin, Monica Frassoni, Fabienne Keller, Alain Lamassoure, Pascal Lamy and Christine Verger.

In the run-up to the European elections in June, one of the issues at stake will undoubtedly be Europe's role in the world. Faced with the challenges posed by a world that has become brutal, the question of Europe as a power will be a subject for debate. The future European Parliament, with the legislative and budgetary tools at its disposal and the influence that its legitimacy confers on it, will have to play its part to the full, taking account of the lessons of experience that this study analyses.

**Pascal Lamy**

President emeritus, Coordinator of the Jacques Delors  
think tanks network ( Paris, Berlin, Bruxelles)

**Christine Verger**

Vice-president of the Jacques Delors Institute

# Introduction

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Even if the situation is changing as societies and the world evolve, foreign policy is everywhere the responsibility of the executive, which is considered to be the only body capable of meeting a certain number of imperatives: preserving secrecy and confidentiality, safeguarding internal cohesion, ensuring rapid decision-making in emergency or crisis situations<sup>1</sup>.

The European Parliament is no exception. As the Common Foreign and Security Policy (CFSP) is an intergovernmental matter, its role in the decision-making process is strictly limited by the Treaties, which at worst ignore its contribution in this area, and at best narrowly circumscribe it<sup>2</sup>. The European Parliament nevertheless helps to shape the EU's external action, asserting its influence through the sectors in which it is co-legislator, some of which have a very strong impact in the rest of the world, but also through various tools and a proactive diplomatic approach that enables it to use real *soft power*<sup>3</sup>.

Its weight depends essentially on two major factors. Firstly, the powers conferred on it by the Treaty, the scope of which can fluctuate according to the legal basis of the texts presented by the Commission. Secondly, the use of declarations, which can influence the reactions of third countries. As the only directly elected supranational legislature in the world, the European Parliament has its own legitimacy and does not intend to be dictated to by EU diplomats.

It is attracting interest from outside the EU, at

the risk of becoming a prime target for foreign interference; the Qatargate scandal is a case in point, and the internal reform movement that has been underway since then must be continued. The future will tell whether and how the European Parliament will succeed in bridging the gap between the still limited powers at its disposal and its desire to exert ever greater influence on the international stage. This will be one of the issues at stake in the European elections in June 2024.

## • Prologue

*Before analysing the role of the European Parliament in international affairs, it is worth looking at what happens in the major democracies. One conclusion is clear: despite fluctuations from one country to another, no foreign policy is conducted by a parliament. The negotiation of treaties, their signature and the day-to-day management of crises are all in the hands of governments.*

*In the United States, for example, the action of the President remains decisive and structuring, even though Congress has many levers, particularly budgetary, to influence certain foreign policy decisions and directions, and the Senate confirms the appointment of ambassadors<sup>4</sup>. In France, the President of the Republic enjoys unique powers in defence and foreign policy matters; although Members of Parliament can exercise control and express their opinion<sup>5</sup>, this is essentially a suppor-*

1 *Introduction aux relations internationales*, Diane Ethier, Presses de l'Université de Montréal (PUM), fourth edition, 23 January 2018 <https://books.openedition.org/pum/6407?lang=fr>

2 Treaty on European Union, consolidated version <https://eur-lex.europa.eu/legal-content/fr/TXT/?uri=CELEX:12012M/TXT>

3 On 12 March 2015, when asked to vote on a report by the Chairman of the Committee on Foreign Affairs, Elmar Brok (EPP), the European Parliament adopted a resolution calling for a more ambitious and strategic EU foreign policy. [https://www.europarl.europa.eu/doceo/document/TA-8-2015-0075\\_FR.html](https://www.europarl.europa.eu/doceo/document/TA-8-2015-0075_FR.html)

4 *La politique étrangère à l'épreuve de la fragmentation*, edited by Tanguy Struye de Swielande, Tanguy de Wilde d'Estmael and Valérie Rosoux/ Peter Lang/ 01/01/2021

See articles from :

Claude Roosens: *The foreign policy development and management model*;

Amine Ait-Chalaal and Chloé Daelman: *The main protagonists of American foreign policy*

Tanguy de Wilde d'Estmael and Simon Desplanque: *The federal state in Belgium and developments in the conduct of foreign policy*

<https://www.peterlang.com/document/1059429>

5 See the article by Elisabeth Guigou *Le Parlement peut-il participer à la définition de la politique étrangère?* Revue "ENA hors les murs", n°449, mars 2015

ting role<sup>6</sup>. In Italy, on the other hand, Parliament plays a central role in defence matters, in particular because of the express will of the Constituent Assembly, which after the Second World War wanted to avoid centralising power in the hands of the executive<sup>7</sup>. In Switzerland, the Federal Constitution gives Parliament the power to participate in defining foreign policy and overseeing foreign relations<sup>8</sup>.

While most of them remain outside the conduct of foreign policy, parliaments in large democracies have a range of tools at their disposal, such as scrutiny of the government, voting on appropriations and laws authorising the ratification of treaties<sup>9</sup>. Countries such as France, Germany, Denmark, Italy and the United States are constitutionally obliged to obtain legislative approval for at least certain categories of international agreement before ratifying them. In the UK, the House of Commons can now block ratification of a treaty indefinitely. In Japan, the Diet has its own diplomatic activity and must in principle approve treaties, even though the executive predominates in initiating and conducting foreign policy.

Legislative Assemblies also have a greater say over their country's involvement in a conflict. It is still possible for the British government to use

force without a prior vote - as was the case in April 2018 when Theresa May took the decision to strike Syria alongside France and the United States - but it has become very difficult politically not to submit a decision on troop deployment to Westminster<sup>10</sup>. In France, since 2008, Parliament has had to give its authorisation for any extension beyond four months of an intervention by the armed forces abroad. In the United States, the War Powers Resolution provides that the President must obtain authorisation from Congress to commit troops abroad for more than 60 days. In Italy, Parliament is not only the body that decides on a state of war, but is also responsible for approving the continuation of international missions and operations from one year to the next. The system is even more restrictive in Germany: as the decision-making body on foreign policy, the Bundestag must approve all decisions to send the country's armed forces abroad on military missions<sup>11</sup>.

Although diplomacy as such is essentially a regalian function, parliaments have gradually moved into this field, to the point of giving rise to the concept of "parliamentary diplomacy", which is considered to be more flexible than traditional executive diplomacy<sup>12</sup>. In France, the National Assembly carries out a range of activities in this

6 Maxime Lefebvre, *La politique étrangère de la France*, 2022 - Éditions Presses Universitaires de France, Collection Que sais-je ?

7 See the article by Milos Argenton, "The politico-military system in Italy: a comparison with the French politico-military system" <https://www.cairn.info/revue-defense-nationale-2023-HS13-page-91.htm>

8 Contribution by Philippe Schwab, Secretary General of the Swiss Federal Assembly, to the debate on *The emergence of parliamentary diplomacy*, October 2013. <https://www.parlament.ch/centers/documents/de/schwab-diplomatie-parlementaire.pdf>

9 Anne Hamonic, *Politique étrangère et de sécurité commune et parlementarisation de l'Union européenne*, collection Droits européens, 2020. Published by Presses universitaires de Rennes <https://www.cairn.info/la-parlementarisation-des-processus-d-integration--9782753579064-page-295.htm>

10 See the article by Thibaud Harrois on *Le Parlement de Westminster et les interventions militaires britanniques* (2011-2015) in the April 2022 issue of *Relations internationales* - Éditions Presses Universitaires de France. This article examines the reasons that led the British Prime Minister to entrust Parliament with the decision to authorise military intervention. <https://www.cairn.info/revue-relations-internationales-2022-4-page-71.htm>

11 See the article by Laurent Borzillo on *defence white papers in Germany and France in the magazine Allemagne d'aujourd'hui* on 20 March 2021. The Parliamentary Participation Act (*Parlamentsbeteiligungsgesetz*) means that any operation involving armed soldiers outside the framework provided by the Basic Law requires the prior agreement of the Bundestag: the German government must submit the mandate to the Bundestag before the operation begins. <https://laurentborzillo.com/2021/03/20/parution-de-l'article-relatif-aux-livres-blancs-de-la-defense-francais-et-allemands-dans-la-revue-allemande-daujourd'hui/>

12 Proceedings of the Conference held on 15 March 2023 in the hemicycle of the Parliament of the Wallonia-Brussels Federation. The Secretary General of the IPU (Inter-Parliamentary Union), Martin Chungong, recalled that the world organisation of national parliaments includes among its members almost all the world's national parliaments - 178 assemblies - plus 14 regional parliamentary bodies as associate members. <https://www.pfwb.be/conference15mars>



field: relations with its counterparts, technical assistance to those who request its support, electoral observation missions, etc.<sup>13</sup>. In an article entitled “Le cadre institutionnel de la diplomatie parlementaire” (The institutional framework of parliamentary diplomacy), the constitutional scholar Didier Maus points out that this field covers two distinct dimensions: the formal framework, which includes the ratification of treaties, and the informal framework, which is not necessarily governed by rigid texts and involves meetings and close links between elected representatives from different countries<sup>14</sup>.

Parliaments should see their role evolve a little more in the light of the international context: states are becoming ever more interdependent, the boundaries between foreign and domestic policy are tending to blur, and many challenges now fall to the supranational level, such as the environment, health, transport and migration<sup>15</sup>. But for this to happen, they must have a clear legal basis, be informed sufficiently in advance of governments’ policies and negotiating positions, and have the necessary resources and expertise<sup>16</sup>.

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<sup>13</sup> International activities of the National Assembly, September 2023 Sheet n°68

“While it is undeniable that diplomacy is essentially a sovereign function, it is no less true that Parliament has gradually moved into this field to such an extent that the concept of “parliamentary diplomacy” has emerged, reflecting the growing place occupied by international action within the Assembly’s activities rather than a form of autonomous or parallel diplomacy developing within Parliament”.

<https://www.assemblee-nationale.fr/dyn/synthese/fonctionnement-assemblee-nationale/questions-europeennes-internationales/les-activites-internationales-de-l-assemblee-nationale>

<sup>14</sup> See the contribution by Didier Maus *Le cadre institutionnel de la diplomatie parlementaire* in the journal *Parlement(s)*, Revue d’histoire politique, January 2012 - “A virtually exhaustive survey of the formal instruments that allow Parliament to intervene in diplomatic matters reveals two things: On the one hand, Parliament’s influence on the conduct of international affairs remains limited; on the other hand, when there is a real international issue, either because of an international crisis or because of France’s commitment, for example in the European Union, the parliamentary assemblies once again become an obligatory point of passage in the conduct of foreign policy. Even if it remains its responsibility, the executive needs, in one way or another, parliamentary support” <https://www.cairn.info/revue-parlements1-2012-1-page-14.htm>

<sup>15</sup> On this subject, see Peter Bajtaj’s paper, Democratic and efficient foreign policy, published in November 2015 by the RCAS (Robert Schuman Centre for advanced Studies) research centre at the European University Institute (EUI). According to its definition, foreign policy includes both “high policy” issues (security, defence, diplomacy), new areas (economic policy, development policy, international trade) and the external aspect of domestic policies (environment, migration, visa liberalisation, data protection, etc.) Diplomacy in the strict sense covers the conduct and method of a state to promote its interests abroad as well as the formal relations between states to achieve mutual objectives and benefits [https://cadmus.eui.eu/bitstream/handle/1814/34618/RSCAS%202015\\_11.pdf?sequence=1](https://cadmus.eui.eu/bitstream/handle/1814/34618/RSCAS%202015_11.pdf?sequence=1)

<sup>16</sup> Pr Philippe Poirier, *Parliaments in international and intra-European relations* <https://www.pfwb.be/divers/seminaire2018-fichiers/module%205/Module%205%20-%20M%20Poirier%20-%20Parlements%20&%20relations%20internationales-%202018.pdf>

# 1.

The European Parliament's powers in the field of external action are strictly governed by the Treaties

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## 1 • A mainly intergovernmental foreign policy

### I SPECIFIC RULES AND PROCEDURES

In terms of the Common Foreign and Security Policy (CFSP) - and the Common Security and Defence Policy (CSDP), which is an integral part of it - the Union's competence covers all areas of foreign policy as well as all questions relating to the security of the Union, including the progressive definition of a common defence policy which may lead to a common defence<sup>17</sup>. The aim is not to have a single foreign policy, but to coordinate national policies on the basis of strategies decided at European level. The Member States retain full control over the CFSP decision-making process, which is fragmented on the part of the European executive between several players (Presidency of the European Council, Presidency of the Commission, EU High Representative for Foreign Affairs and Security Policy/Vice-President of the Commission, competent Commissioners)<sup>18</sup>.

**Although enshrined in the Treaty, the CFSP is subject to a special legal regime and is governed by specific rules and procedures** (Article 24 of the Treaty on European Union - TEU). It is defined and implemented by the European Council and the Council acting unanimously, except where the Treaties provide otherwise, and excluding decisions with military or defence implications. It is implemented by the High Representative and by the Member States, in accordance with the Treaties. It is therefore still essentially an intergovernmental matter, and precautions have been taken in the Treaty to avoid any further extension. As the adoption

of legislative acts is clearly excluded (Article 31 TEU), the European Parliament has no normative powers in CFSP matters. It is not involved in decisions on sanctions - which it does not vote on - or in crisis management operations. Nor does it intervene in the appointment of the President of the European Council, the Special Representatives or the High Representative, although it does hear the latter before he or she is appointed.

**The role of the European Parliament in the field of CFSP is defined in Title V of the TEU, Chapter 2, Section 1, in particular Article 36**, which states that the High Representative "shall regularly consult" it on the main aspects and basic choices of CFSP and CSDP, inform it of developments in these policies and ensure that its views are "duly" taken into consideration. These provisions, which do not require any systematic prior submission of draft CFSP decisions, but rather a simple reaction a posteriori via the annual report, leave considerable scope for interpretation.

Using its power of scrutiny over foreign policy, the European Parliament can ask questions of, or make recommendations to, the Council and the High Representative (which it does extensively, including voicing criticism) and twice a year holds a plenary debate on the progress made in implementing the CFSP and CSDP. It is also consulted on the organisation and functioning of the European External Action Service (EEAS), and regularly monitors its operations. MEPs do not hesitate to use these various levers to try to increase their influence.

17 See the Treaty on European Union, Title V, General provisions on the Union's external action and specific provisions on the common foreign and security policy [https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0002.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0002.02/DOC_1&format=PDF)

18 In October 1990, the Delors Commission presented proposals to ensure the unity and coherence of the Community's action on the international stage, including in particular a single decision-making body in the Council, the use of a strengthened qualified majority and the consultation and information of the European Parliament. Commission opinion of 21 October 1990 on the draft revision of the Treaty establishing the European Economic Community concerning political union [https://ec.europa.eu/commission/presscorner/detail/fr/DOC\\_90\\_4](https://ec.europa.eu/commission/presscorner/detail/fr/DOC_90_4)  
An article published on 4 November 2023 on the B2 website recalls that: "At the outset, the ambition was great. It was no more and no less than laying the foundations for a truly common foreign policy". [https://www.bruxelles2.eu/2023/11/editorial-politique-etrangere-europeenne-la-marche-ratee-de-maastricht/?utm\\_source=mailpoet&utm\\_medium=email&utm\\_campaign=les-newsletter-total-derniers-articles-de-notre-blog\\_2](https://www.bruxelles2.eu/2023/11/editorial-politique-etrangere-europeenne-la-marche-ratee-de-maastricht/?utm_source=mailpoet&utm_medium=email&utm_campaign=les-newsletter-total-derniers-articles-de-notre-blog_2)

## I REGULAR POLITICAL DIALOGUE WITH THE HIGH REPRESENTATIVE

Although the European Parliament's competences in foreign policy matters are strictly limited by the Treaties, practice and certain provisions adopted over time enable it to play a more important role in the process. The "2010 Declaration on Political Accountability", which is annexed to the decision establishing the organisation and functioning of the EEAS, clearly reinforces its right to be informed and consulted<sup>19</sup>.

The High Representative - whose mandate at the time was held by the UK's Catherine Ashton - undertakes to comply with Article 36 of the EU Treaty and to inform Parliament fully and immediately at all stages of the procedure for negotiating international agreements in the field of the CFSP<sup>20</sup>. It also undertakes to intensify the practice of holding joint consultations on missions financed from the EU budget (at least five times a year), between a group of MEPs on the one hand and the Council, the EEAS and the Commission on the other. But also to respect the provisions of the 2002 Interinstitutional Agreement (IIA) concerning access by Members of the European Parliament to sensitive information

relating to the CFSP and to examine the provisions in force concerning access to classified documents and information relating to security and defence policy on a "need-to-know" basis<sup>21</sup>. Lastly, it undertakes to allow exchanges of views between MEPs and diplomats proposed for senior posts - EEAS, heads of delegation and EU special representatives - before they take up their duties, and to introduce a system guaranteeing the replacement of the HR in the event of the latter being unable to appear in person before the elected representatives.

While this is a real step forward, some of these provisions would need to be updated to make them clearer and more precise; Article 218, according to which the European Parliament must be fully and immediately informed at all stages of the procedure for international agreements, for example, gives rise to divergent interpretations, and its application is to the detriment of MEPs given the fragmentary nature of the information provided<sup>22</sup>. But requests for an update have so far gone unheeded.

Despite this, the situation continues to evolve. The current High Representative, Josep Borrell, who presided over the European Parliament from 20 July 2004 to 16 January 2007 and

<sup>19</sup> The 2010 "Declaration on Political Accountability", approved during the negotiations on the creation of the EEAS, includes a number of additional commitments by the HR/VP to the European Parliament [https://www.europarl.europa.eu/doceo/document/TA-7-2010-0280\\_FR.html?redirect](https://www.europarl.europa.eu/doceo/document/TA-7-2010-0280_FR.html?redirect)

<sup>20</sup> The Treaty of Lisbon has unified the procedures for concluding international agreements (Article 218 TFEU); almost all EU agreements require the approval of the EP before being concluded by the Council. Formally, the EP does not have the right to amend the agreement, which is negotiated on the basis of a mandate. Article 218 excludes international agreements that relate exclusively to the common foreign and security policy. The EP must therefore be consulted, or even give its approval, for agreements relating not exclusively but partly or mainly to the CFSP. It is also immediately and fully informed at all stages of the procedure for all agreements.

<sup>21</sup> The Interinstitutional Agreement of 20 November 2002 between the European Parliament and the Council on access by the European Parliament to sensitive Council information in the sphere of security and defence policy grants it access under certain conditions to classified documents [https://www.europarl.europa.eu/cmsdata/199414/E3\\_FR.pdf](https://www.europarl.europa.eu/cmsdata/199414/E3_FR.pdf) See the provisions on its implementation in the European Parliament's Rules of Procedure of January 2012 [https://www.europarl.europa.eu/doceo/document/RULES-7-2012-01-10-ANN-08\\_FR.html](https://www.europarl.europa.eu/doceo/document/RULES-7-2012-01-10-ANN-08_FR.html) In March 2014, an IIA was concluded between the European Parliament and the Council on access to sensitive documents concerning matters other than CFSP issues. [https://www.europarl.europa.eu/cmsdata/199415/E5\\_FR.pdf](https://www.europarl.europa.eu/cmsdata/199415/E5_FR.pdf)

<sup>22</sup> In June 2014, the Court of Justice of the European Union (Case C-658/11) annulled the Council CFSP Decision on the conclusion of the Agreement between the European Union and the Republic of Mauritius on the conditions of transfer, from the EU-led naval force Atalanta, of persons suspected of acts of piracy on the grounds that the Council had failed to fulfil its obligation to keep Parliament immediately and fully informed at all stages of the procedure. <https://www.europarl.europa.eu/EPRS/EPRS-AaG-545707-Parliament-and-High-Representative-FR.pdf>

On this subject, see The Growing Role of the European Parliament as an EU Foreign Policy Actor by Myriam Goinard, chapter 7 of The European Union's New Foreign Policy, ed. M. Westlake, 2020 [https://link.springer.com/chapter/10.1007/978-3-030-48317-3\\_7](https://link.springer.com/chapter/10.1007/978-3-030-48317-3_7)

pays great attention to the institution, is regularly questioned by the Committee on Foreign Affairs (AFET). His departments also inform the Subcommittee on Security and Defence (SEDE) once a month of expenditure relating to the European Peace Facility - which has been used extensively to provide aid to Ukraine and supply it with arms and munitions - even though there is no legal obligation to do so, as this is an extra-budgetary fund<sup>23</sup>.

For their part, MEPs regularly seek information from the EEAS before travelling to third countries, organising conferences or attending interparliamentary meetings; to this end, they benefit from exchanges, training and formal and informal presentations. According to some elected representatives, however, some members of the EEAS - which is largely made up of national diplomats sent to Brussels for a few years - pay more attention to the Council and the Member States than to the Parliament.

## I LESS BUDGETARY POWER THAN EXPECTED

**The European Parliament also has joint budgetary authority with the Council. As such, it must approve the annual CFSP budget, which enables it to exercise a right of scrutiny over foreign policy priorities and the external actions of internal policies** (see below). As co-legislator, it adopts the Union's financial instruments for external action. It intervenes in the allocation of appropriations to internal policies, some of which have an external impact. It monitors how European funds earmarked for external action are spent around the world, which gives it leverage.

In recent years, for example, it has sought to check how the money earmarked for school textbooks in the Palestinian territories is used, to ensure that they do not glorify anti-Semitism or the armed struggle that valorises "martyrs".

After several years of hard work and conviction, the European Parliament also succeeded in getting the Commission to make the payment of European funds conditional on the associations sharing the EU's values and complying with a certain number of criteria. This measure led to the first cancellation of subsidies to a Turkish Islamist association, and to a request for reimbursement.

But this budgetary weapon is less than expected, particularly since the Treaty of Lisbon. According to Jean-Louis Bourlanges (FR/Modem), the Chairman of the Foreign Affairs Committee of the French National Assembly<sup>24</sup>, **"the development of codecision, which has given the European Parliament immense legislative power, has paradoxically been accompanied by a profound regression in the budgetary system.** The old system was totally baroque, with its incomprehensible distinction between expenditure arbitrated by the Council and expenditure arbitrated by the Parliament, but it gave the Parliament real room for negotiation. Under the guise of rationalisation, the European Parliament has been transformed into a mere rubber stamp for the choices made by the Council; this is a great pity, because the budget is an essential weapon. The multiannual financial framework is adopted by the Council on a proposal from the Commission, and co-decided by the European Parliament; but if the Parliament does not give its consent, all the legal bases for funding policies disappear and we find ourselves in an absolute vacuum. The European Parliament is therefore an obligatory signatory. What's more, the annual budget is totally pre-empted by the financial framework, with no room for fluctuation. This is a regressive revolution that was not perceived at the time. What's more, own resources are a treaty within a treaty, the European Parliament has no control over anything, it's a unanimous decision, with ratification by all the Member States".

<sup>23</sup> Communiqué from the Council of the EU - *European Peace Facility: EU support for Ukraine increases to €2.5 billion* <https://www.consilium.europa.eu/fr/press/press-releases/2022/07/22/european-peace-facility-eu-support-to-ukraine-increased-to-2-5-billion/>

<sup>24</sup> Interview with the author, 12 november 2023

In fact, the Multiannual Financial Framework (MFF) is largely in the hands of the Member States - even though the individual envelopes for each programme must be approved by Parliament - while this is where the real action takes place. The European Parliament plays a relatively minor role, even though it has approval powers, and has no say in implementation, since programmes are implemented through comitology. The annual budget itself is largely constrained by the MFF, and the European Parliament intervenes only marginally, to the tune of a few hundred million euros. It can, however, win a case on one or other of its demands by threatening not to vote on the budget; it has thus obtained an increase in the allocation for the EEAS in 2024<sup>25</sup>. Lastly, **a whole area of the CSDP and therefore of the CFSP falls outside its budgetary powers**: operational expenditure incurred in implementing the CFSP is charged to the EU budget “with the exception of expenditure arising from operations having military or defence implications and cases where the Council unanimously decides otherwise”, which are charged to the Member States.

## I A FOREIGN AFFAIRS COMMITTEE AT THE TOP OF THE HIERARCHY

First in the hierarchy, the Foreign Affairs Committee (AFET) contributes within the European Parliament to the development of the Union's common foreign and security policy, monitors how the Union's external action funds are spent around the world and must give its approval to international agreements signed by the Union<sup>26</sup>. It ensures political control, examines the financial implications of decisions adopted by the Council, regularly attends meetings with Commissioners and officials - which enables it to influence the work programme of the European executive - and has regular exchanges of views with outside figures. The Chairman of the AFET Committee (currently David McAllister (DE/EPP)) meets regularly with prime ministers, ministers and ambassadors. These meetings are

an opportunity to get messages across and are more than just courtesy visits.

Each year, the AFET Committee prepares a resolution on the report presented by the Council on the main aspects and basic choices of the common foreign and security policy. It is also responsible for implementing and monitoring the Union's foreign policy as regards the opening, monitoring and conclusion of accession negotiations, appoints permanent rapporteurs at the beginning of the term of office, and adopts annual resolutions on the state of progress of these countries. Finally, it is responsible for controlling and monitoring the European Neighbourhood Policy.

The mission of the Subcommittee on Security and Defence (SEDE) is to enable in-depth public debate and parliamentary scrutiny of all EU actions in the field of CSDP, particularly in terms of institutions, capabilities and operations. Its current president, Nathalie Loiseau (FR/Renew), wants it to contribute “actively to the formulation of the EU's security and defence policy”.

Also attached to the AFET Committee, the Subcommittee on Human Rights (DROI), currently chaired by Udo Bullmann (DE/S&D), is responsible for issues relating to democracy, the rule of law, human rights and consistency between the EU's external policies and its human rights policy.

## 2 • Co-decision powers in certain external policies

While it remains largely excluded from the decision-making process for the Common Foreign and Security Policy *stricto sensu*, the European Parliament is involved as co-legislator in the other areas of external action, namely trade, development cooperation and humanitarian aid. It has real power in these areas, a “*hard power*”

<sup>25</sup> The Council and Parliament reached agreement on the EU's annual budget for 2024 on 11 November 2023 <https://www.consilium.europa.eu/fr/policies/eu-annual-budget/2024-budget/>

<sup>26</sup> AFET Committee home page <https://www.europarl.europa.eu/committees/fr/afet/about>

that is exercised through a variety of tools and players.

## I THE COMMON COMMERCIAL POLICY

The Treaty of Lisbon makes the European Parliament a co-legislator on an equal footing with the Council on matters relating to trade and investment. These two institutions, acting by means of regulations in accordance with the ordinary legislative procedure, adopt measures defining the framework within which the common commercial policy is implemented (Article 207 of the Treaty on the Functioning of the European Union (TFEU)).

**The Treaty gives the European Parliament a much more active role than previously in international trade agreements, since its approval is now mandatory<sup>27</sup>.** It plays no official role in authorising negotiations, but its right to information is guaranteed at all stages of the procedure and the European Commissioner responsible for the dossier regularly reports to the elected representatives<sup>28</sup>. This right to information was set out in detail in the 2010 framework agreement on relations between the European Parliament and the European Commission, but MEPs are sometimes obliged to request information from their counterparts in third countries, as they do not receive it from the Commission, which is the EU's negotiating power.

The European Parliament may at any time adopt a resolution, which must be taken into account but is not legally binding. At the end of the process, if it does not approve the decision to conclude the agreement, it cannot enter

into force. However, this consent vote does not provide for any possibility of amendment and is limited to a “yes” or “no” vote<sup>29</sup>. The European Parliament keeps a close eye on these issues and, culturally speaking, remains rather in favour of trade agreements, although this does not prevent it from expressing a dissenting opinion on certain issues. Lastly, it can be involved in the implementation process when this requires legislation. All of this is done in strict compliance with the respective competences of the institutions as defined in a ruling by the Court of Justice of the EU on 16 May 2017<sup>30</sup>.

This is a matter for the Committee on International Trade (INTA) - currently chaired by Bernd Lange (DE/S&D) - which plays a key role in terms of the legislative scope of the texts it votes on and its willingness to defend the EU's interests when examining certain texts such as the anti-coercion mechanism, the *screening* of foreign investments or the “mirror measures” that require imports of products into Europe to comply with standards set at European level. The European Parliament can also put a price on its approval of trade treaties. The example of the EU-China Global Agreement on Investment (GIA), on which the two parties reached an agreement in principle in December 2020, is instructive in this respect. In May 2021, the European Parliament decided to freeze the examination of the text and made its approval (essential for ratification by the Member States) conditional on the lifting of retaliatory measures that Beijing took in March 2021 against parliamentarians and entities following sanctions adopted by the Council in response to the widespread arbitrary detention of Uighurs in Xinjiang. It had also in the past ultimately blocked the Anti-Counterfeiting Trade Agree-

<sup>27</sup> Consolidated version of the TFEU - Part Five: the Union's external action - Title V: International agreements - Articles 207 and 218 <https://eur-lex.europa.eu/legal-content/FR/TXT/HTML/?uri=CELEX%3A12008E207>  
<https://eur-lex.europa.eu/legal-content/FR/TXT/HTML/?uri=CELEX%3A12008E218>

<sup>28</sup> This right to information was set out in detail in the 2010 framework agreement on relations between the European Parliament and the European Commission  
[https://eur-lex.europa.eu/legal-content/FR/TXT/PDF/?uri=CELEX:32010Q1120\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/FR/TXT/PDF/?uri=CELEX:32010Q1120(01)&from=EN)

<sup>29</sup> On this subject, see the legal briefing by Cécile Toubeau (Transport & Environnement) and Laurens Ankersmit (ClientEarth) [https://solidaires.org/IMG/pdf/note\\_d\\_info\\_juridique\\_cycle\\_de\\_vie\\_ale\\_de\\_l\\_ue.pdf](https://solidaires.org/IMG/pdf/note_d_info_juridique_cycle_de_vie_ale_de_l_ue.pdf)

<sup>30</sup> Opinion of the Court of Justice of the EU of 16 May 2017 on the free trade agreement between the EU and Singapore  
<https://www.google.com/search?client=safari&rls=en&q=1%E2%80%99avis+2%2F15+rendered+by+the+CJEU+on+16+May+2017&ie=UTF-8&oe=UTF-8>



ment (ACTA) and helped block the Multilateral Agreement on Investment (MAI).

**“If we really want to have a European diplomatic strategy, it has to be linked to foreign trade issues, because this is the de facto arm of European foreign policy.** During the Covid pandemic, for example, Europeans realised that trade interests had a geostrategic dimension in relations with China”, says former MEP Pervenche Berès (FR/S&D)<sup>31</sup>.

## I DEVELOPMENT COOPERATION AND HUMANITARIAN AID

The European Parliament and the Council, acting in accordance with the ordinary procedure, adopt the measures necessary for the implementation of development cooperation policy (Article 209 TFEU). The European Parliament exercises parliamentary control over the implementation of policies: it may question the Commission or even oppose implementing decisions when it considers that the Commission is exceeding the scope of its powers; it regularly debates its policies in a formal or informal framework; it makes specific proposals on the budget headings within its remit and must give its approval to the conclusion of economic partnership agreements.

Within the framework of the new Neighbourhood, Development Cooperation and International Cooperation Instrument - Europe in the World (NDICI-Europe in the World)<sup>32</sup>, which now brings together the ten former external financial instruments and the European Development Fund (EDF) - previously outside the EU budget - in a single instrument, Parliamentarians exchange views with the Council twice a year, while a high-level geopolitical dialogue takes place every six months between the Committee on Foreign

Affairs and the Committee on Development (DEVE) - currently chaired by Tomas Tobé (SE/EPP) - on the one hand, and the High Representative and the European Commissioner for International Partnerships on the other.

However, the Institution's added value in this area remains fairly low, especially as the lack of systematic coordination between the development aid of the 27 EU Member States and EU development aid leads to a certain amount of waste, even though the EU is committed to strengthening its financial architecture for development in order to stimulate cooperation and joint commitments between European financial institutions.

The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, also establish measures defining the framework within which the Union's humanitarian aid operations are implemented (Article 214 TFEU). The European Parliament oversees the delivery of humanitarian aid, endeavours to ensure that the budget responds as closely as possible to global humanitarian needs, and seeks to influence the Commission's strategic decisions and policy guidelines through various opinions, resolutions and own-initiative reports. In addition, it examines the Commission's annual work programme and the operational strategy of the Directorate-General for Civil Protection and European Humanitarian Aid Operations (DG ECHO), holds exchanges of views with the European Commissioner for Crisis Management and, since 2006, has appointed a permanent rapporteur for humanitarian aid every two and a half years.

Humanitarian aid falls under the remit of the Committee on Development and Civil Protection and the Committee on the Environment, Public Health and Food Aid (ENVI), chaired

<sup>31</sup> Interview with the author, 20 November 2023 - Pervenche Berès was a Member of the European Parliament from 1994 to 2019.

<sup>32</sup> Under the 2021-2027 multiannual financial framework, the European Commission has proposed to simplify and rationalise its international cooperation, crisis response and peace-building activities with partner countries by introducing a single financial instrument for international cooperation <https://eur-lex.europa.eu/FR/legal-content/summary/global-europe-the-eu-neighbourhood-development-and-international-cooperation-instrument.html> See also the Guide to funding civil society organisations under the Europe in the World Instrument <https://concordeurope.org/resource/guide-to-global-europe-funding-2021-2027-for-civil-society-organisations/>



today by Pascal Canfin (FR/Renew). The NGOs responsible for distributing humanitarian aid around the world are extremely active in the European Parliament, where they have many political and media contacts. Humanitarian aid cannot be programmed, unlike development aid.

### 3 . An important role through the external component of internal policies

#### I STANDARD-SETTING POWER

As co-legislator, the European Parliament also, and perhaps above all, plays an important role on the international stage through certain internal policies with a strong external dimension, such as industry, public health, energy, the environment and asylum and immigration policy. In a world that is interdependent, unstable and subject to multiple pressures, these issues are closely linked to foreign policy as such, and it is sometimes difficult to draw a clear line<sup>33</sup>. The proof of this is that all the committees carry out missions to third countries and maintain relations throughout the world. At interparliamentary meetings, participants are also increasingly talking about global issues such as artificial intelligence, digital technology and climate change.

Unlike the CFSP, the European Parliament has the power to set standards and influence internal policies. For example, it worked to launch the Green Deal and was diligent in examining the numerous legislative proposals put forward by the Committee on the Environment, Public Health and Food Safety (ENVI), before they were adopted in plenary. The institution, which acted as a spur in the adoption of the Paris Climate Agreement in 2015, also plays an important role in major environmental negotiations. On

the strength of a very firm resolution adopted a few weeks earlier, an official delegation travelled to Dubai (United Arab Emirates) from 8 to 12 December 2023 to take part in the United Nations Climate Change Conference (COP28). The MEPs met with ministers, parliamentarians, civil society representatives, leaders of international climate organisations and other delegates to voice their expectations.

Another interesting example is energy, which is increasingly being used as a foreign policy tool. In a resolution in March 2015, the European Parliament was already stressing the need to “considerably reduce” the EU’s dependence on Russia and to find other sources of energy, a request that went unheeded until the aggression against Ukraine. This issue also illustrates the complexity of the distribution of the European Parliament’s competences and capacity for action, between what comes under internal policy *stricto sensu* and which is subject to co-decision, the external projection of an internal policy - such as gas supplies - which can give rise to discussions about the Parliament’s power, and finally strict questions of national sovereignty which come under the sole executive power.

#### I TIME-CONSUMING CONFLICTS OF JURISDICTION

“The European Parliament can bring to discussions a pragmatism, a knowledge of the reality on the ground and a capacity for dialogue that are very useful in finding a compromise solution. It did this, for example, during the negotiations on the European Migration Pact at the end of 2023, which ended in an agreement”, notes MEP Fabienne Keller (FR/Renew)<sup>34</sup>. He worked hard to promote the Carbon Adjustment Mechanism at borders. The Commission also sometimes relies on the Parliament to include certain provisions that it has had to abandon in

<sup>33</sup> One example is the RED II directive on biofuels and its impact on the palm oil production sector, particularly in Indonesia and Malaysia [https://energy.ec.europa.eu/topics/renewable-energy/bioenergy/biofuels\\_en](https://energy.ec.europa.eu/topics/renewable-energy/bioenergy/biofuels_en)

<sup>34</sup> Interview with the author, 8 November 2023. Fabienne Keller is a member of the Bureau of the European Parliament and Questrice. [https://www.europarl.europa.eu/meps/fr/22858/FABIENNE\\_KELLER/home](https://www.europarl.europa.eu/meps/fr/22858/FABIENNE_KELLER/home)

its proposal in order not to offend the Council, or finds in the Parliament a spur to push forward certain battles, such as on rare materials, new technologies or export controls, and to encourage it to enter into targeted agreements with third countries or to place conditions on the various partnerships. The European Parliament can also thwart the wishes of the Council on certain issues. For example, it has so far been impossible to reach agreement on the draft regulation on the new Generalised System of Preferences for trade because the Member States were pushing too many conditions for MEPs' liking. But when the stakes are enormous or the texts are highly technical, the Parliament does not really have the means to go against a consensus of twenty-seven.

Through its internal policies, Parliament therefore has an essential means of exerting influence on the international stage, and it is in the sectoral committees that its real power lies. **One challenge for the future will be to strengthen the links between the external aspect of these internal policies and traditional foreign policy with a view to achieving greater professionalism in this area.** This will require greater interaction, both technical and political, between the secretariats of the foreign affairs committees and those of the internal policy committees, as well as a review of the composition of its delegations (see below) in order to adapt them to the issues under discussion. Given the issues at stake, the EU-India delegation could, for example, include members of the Industry Committee. Another possibility would be to work more closely with EU embassies so that they can inform MEPs of the consequences of a legislative proposal for third countries. At present, internal policy committees work on subjects that sometimes have a major impact on third countries, but do not always take this into account. The working group tasked with reforming the Parliament is also considering setting up clusters to ensure that what is said

and decided in the areas of foreign policy, development aid, neighbourhood policy and trade is more coherent.

**Finally, in order to resolve the time-consuming and counter-productive conflicts of attribution, it would be useful for Parliament to bring together MEPs in various *task forces* and appoint specific rapporteurs.** In the Council, things are simple: each dossier is dealt with by one formation of the Coreper and a working group. In the European Parliament, several committees may be responsible for the same text, which slows down and complicates the process at every stage. For example, on the EDIRPA regulation aimed at strengthening the European defence industry through joint procurement, the team of parliamentary negotiators included nearly twenty MEPs from the IMCO (Internal Market and Consumer Protection) and ITRE (Industry, Research and Energy) committees and the SEDE sub-committee, while the Council had just one representative.

# 2.

A multifaceted approach  
to foreign policy

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## 1 • Multiple levers

### I COMMITTEES

When it comes to external action, the European Parliament has developed its own toolbox, enabling it to intervene through various actors and instruments. Substantive work is carried out by several committees and sub-committees<sup>35</sup>: the Committee on Foreign Affairs (AFET) and the sub-committees on Human Rights (DROI) and Defence (SEDE), the Committee on Development (DEVE) and the Committee on International Trade (INTA). There is also the Committee on the Environment, Public Health and Food Aid (ENVI) for civil protection, and special committees such as those on foreign interference (INGE 1 and 2). There are also committees responsible for internal policies with a significant external dimension, such as the Committee on Economic and Monetary Affairs (ECON).

These committees play a central role within the institution, but to a greater or lesser extent depending on the competences of the European Parliament. The AFET committee, for example, carries out genuine diplomatic activity when it debates the situation in the world with the High Representative, holds discussions with ministers or ambassadors or sends fact-finding missions to several countries; but it manages virtually no legislative dossiers, with the exception of international agreements for which its consent is required or the setting up of certain external funding instruments such as NDICI-Europe in

the World. On the other hand, other committees are involved in the legislative process, such as the INTA committee for trade agreements like Mercosur (with South America) or the ITRE committee for industrial programmes in the field of defence: their work makes it possible to work on the substance of the dossiers, clarify the positions of the political groups, hear the commissioners, amend the proposals and prepare the votes in plenary as well as possible.

### I DELEGATIONS

The European Parliament also wishes to work with its counterparts in third countries. To this end, it has a number of offices and regional offices<sup>36</sup>. Above all, it can rely on its permanent delegations (of which there are 45 during the 2019-2024 term of office) covering relations throughout the world. **These delegations, whose composition scrupulously respects the political balance of the institution, maintain and develop relations with the parliaments of third countries or third regions and organisations<sup>37</sup>.** They organise meetings which take place once or twice a year, at the invitation of one or other of the parties in turn, and which last from a few hours to several days. They invite external speakers from other EU institutions (Commission, EEAS), embassies and universities, as well as representatives of the political opposition and civil society.

This network is particularly dense, since almost every international agreement provides for

<sup>35</sup> For more information on parliamentary committees, see the European Parliament website <https://www.europarl.europa.eu/committees/en/about/introduction>

<sup>36</sup> There are European Parliament liaison offices in all EU capitals, as well as regional offices in the five most populous Member States, and two offices outside the EU (in London and Washington). The European Parliament's liaison offices are responsible for the local implementation of institutional communication activities, with the ultimate aim of giving citizens a better understanding of how the institution can influence their daily lives and encouraging them to become involved in the European democratic process <https://liaison-offices.europarl.europa.eu/fr>

<sup>37</sup> The European Parliament currently has 45 permanent delegations. This number was fixed by a decision adopted in April 2019. The distribution of delegations can vary considerably from one legislature to the next. Every MEP is a member of a permanent delegation, and some MEPs are members of more than one. Its composition is fixed, reflecting the diversity of the political groups, and varies between 8 and 78 MEPs. Most delegations have twenty or fewer members. A standing delegation is a formal body made up of a Bureau with a chairman and vice-chairmen. Very often, these delegations are also the European component of joint interparliamentary bodies within the framework of international agreements between the EU and third countries or regions. The Permanent Delegations operate under the supervision and coordination of the AFET and DEVE committees. <https://www.europarl.europa.eu/delegations/fr/about/introduction>  
[https://www.europarl.europa.eu/RegData/publications/reg/2015/0001/EP-PE\\_REG%282015%290001\\_FR.pdf](https://www.europarl.europa.eu/RegData/publications/reg/2015/0001/EP-PE_REG%282015%290001_FR.pdf)

an interparliamentary body<sup>38</sup>. These various exchanges make it possible to hear a point of view other than that of the usual diplomatic or ministerial channels, to bring a different, more local, less politically biased viewpoint; these low-key messages can then help the EEAS, the Commission and the Council to detect major trends that escape their emissaries. With their democratic legitimacy, Members of the European Parliament can be a great help, especially those who, having held several mandates, know a country or region particularly well and have a good network of contacts.

There are several types of standing delegation: delegations to official interparliamentary committees, delegations to multilateral parliamentary assemblies and delegations for relations with another country or group of countries. Ad hoc emergency delegations may also be mobilised in the event of unforeseen events of major political or legislative importance; parliamentary committees must submit a request to the Conference of Presidents (made up of the President of Parliament and the chairmen of the political groups).

Most Permanent Delegations maintain relations with their counterparts in one or more third countries. The quality of their work depends to a large extent on the room for manoeuvre available to the parliaments concerned, but also on the interest they show in these exchanges. The American Congress, which is more concerned with solving its own internal problems, attaches only relative importance to the European Par-

liament; nevertheless, visits are organised once a year on either side of the Atlantic on subjects of common interest, enabling interesting working relationships to be established and information to be exchanged. Interparliamentary cooperation yields better results when it is carried out with countries that are in the process of legislative approximation, as part of accession negotiations or an association agreement.

By contrast, relations between the European Parliament and China are currently very cold: no meetings have been held between the 38-member EU-China delegation and its Chinese counterpart since 2018. The biannual interparliamentary meetings between the members of the EU-China delegation and their Chinese counterparts have been suspended since March 2021, following the sanctions imposed by the People's Republic on several European entities and individuals, including five MEPs (see above). Parliament also considers that the provisions on the protection of workers in particular are inadequate.

Five delegations sit on parliamentary assemblies: the EU-UK Parliamentary Partnership Assembly (set up after Brexit), the Parliamentary Assembly of the Union for the Mediterranean (Euromed), the Euronest Parliamentary Assembly (Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine), the Euro-Latin American Parliamentary Assembly (Eurolat), and the ACP-EU Joint Parliamentary Assembly (Africa, Caribbean, Pacific) – which will now oversee three regional assemblies, EU-Africa, EU-Caribbean, EU-Pacific –<sup>39</sup>.

<sup>38</sup> The European Parliament has a wealth of interparliamentary forums. These include the EEA/EFTA Joint Parliamentary Committee, which enables the national and European parliaments to be closely involved in monitoring the EEA Agreement; the EP is also a member of the Baltic Sea Parliamentary Conference; sits on the Barents Sea Parliamentary Conference; is a member of the Conference of Parliamentarians of the Arctic Region; and is regularly invited to the annual sessions of the Nordic Council (the first EU-Nordic Council interparliamentary meeting was held in February 2022). In accordance with the Trade and Cooperation Agreement governing the new relationship between the EU and the UK, a Parliamentary Partnership Assembly has been established; this assembly meets twice a year and provides a forum for the exchange of views on issues related to the Agreement and any other matters of mutual interest (the first meeting was held in May 2022 in Brussels). The European Parliament and the US Congress have maintained relations since 1972; these relations were strengthened and institutionalised by the establishment in 1999 of the Transatlantic Legislators' Dialogue (Members of the European Parliament and Members of the US House of Representatives). Interparliamentary meetings are organised every six months, alternating between the United States and the EU, and provide an opportunity to exchange views on major political issues.

<sup>39</sup> On 15 November 2023 in Samoa, the EU and its Member States signed a new partnership agreement with the members of the Organisation of African, Caribbean and Pacific States, which will serve as the overall legal framework for their relations for the next twenty years.  
<https://data.consilium.europa.eu/doc/document/ST-8371-2023-DCL-1/fr/pdf>

These Assemblies enable the development of academic and technical relations and the establishment of a wide variety of forms of cooperation, often linked to history, geographical and linguistic proximity, and cultural relations between states. The interparliamentary summits also provide an opportunity for high-level political dialogue between the EU and the regions concerned, even in the absence of summits between executives.

By working together, elected representatives can also help to advance or develop certain issues. This is the case with the EU-UK Parliamentary Partnership Assembly, created in January 2021 following the entry into force of the Trade and Cooperation Agreement between Brussels and London. “This Assembly meets twice a year. It decides what is discussed and makes recommendations to the Partnership Board - which ensures that the agreement is applied. This makes it possible to highlight issues that some would like to leave aside, such as the legal situation of Europeans in the UK or the problems of energy interconnections, in order to demand that they be resolved. It also makes it possible, in the case of Northern Ireland, to go there regularly and ease the tension. **Finally, the Parliamentary Assembly allows British MPs and Lords of all political persuasions to get to know and understand each other, to clear up the misunderstandings that have accumulated since the Brexit and to start working constructively**”, stresses Nathalie Loiseau, who co-chairs the Assembly with a member of the House of Commons<sup>40</sup>.

## I FRIENDSHIP GROUPS

There is one element that disturbs this fine edifice: the friendship groups. As important as it is for parliaments to engage in dialogue with their

counterparts within a structured framework, organised by the institution itself, these informal bodies, which are often funded secretly, with no clear objective, mission or mandate, are a blot on the European Parliament’s international image. Their members have no official status and are asked to state this when they travel abroad, and the EU delegations do not provide them with any assistance<sup>41</sup>. However, nothing prevents them from reserving a room in the Parliament, organising a cocktail party or defending a political line that differs from the official one. The friendship group on Ukraine, for example, has around sixty MEPs whereas there are only fifteen or so in the official delegation, and sometimes organises meetings at the same time as the official delegation, without the guests always seeing the difference between the two.

**These friendship groups can therefore hinder the work of the European Parliament’s official bodies, damage its reputation and the coherence of its action, and even be used maliciously by third countries.** One thing is a parliamentary delegation sent by the conference of group chairmen, another is a trip abroad by two or three MEPs whose statements are sometimes mistakenly considered to emanate from Parliament, with the risk of sowing confusion. However, in order to have an impact on the international scene, Parliament must be clear about the message it is going to convey and the legitimacy of that message, which requires a kind of professionalisation of the approach<sup>42</sup>.

In the wake of the *Qatargate* corruption scandal (see below), consideration had been given to abolishing the friendship groups with third countries for which Parliament already had official delegations. In the end, they will be maintained, in the name of the “freedom of mandate” according to which a Member may meet with whomever he or she wishes - the journeys that

<sup>40</sup> Interview with the author, 16 October 2023. Nathalie Loiseau is chairwoman of the defence sub-committee [https://www.europarl.europa.eu/meps/fr/197494/NATHALIE\\_LOISEAU/home](https://www.europarl.europa.eu/meps/fr/197494/NATHALIE_LOISEAU/home)

<sup>41</sup> See the paragraph on this subject on the European Parliament website <https://www.europarl.europa.eu/delegations/fr/about/introduction>

<sup>42</sup> In the case of unofficial election observation by Members of the European Parliament, a procedure of the Democracy Support and Election Coordination Group (adopted on 13 December 2018) allows Members to be excluded from official election observation delegations for the duration of the mandate Rules of Procedure of the European Parliament, November 2023 [https://www.europarl.europa.eu/doceo/document/RULES-9-2023-11-01-TOC\\_FR.html](https://www.europarl.europa.eu/doceo/document/RULES-9-2023-11-01-TOC_FR.html)

individual Members undertake are part of this freedom - but their operation has been clarified in the Rules of Procedure (see below).

Away from these friendship groups, certain individual initiatives can, on the contrary, have a positive impact, such as the one led by four MEPs to change the image of Russian society and opponents in the eyes of the public and the press following the aggression against Ukraine<sup>43</sup>. “In June 2023, we organised a two-day meeting at the European Parliament with the main currents of the Russian opposition in exile, explains MEP Bernard Guetta (FR/Renew)<sup>44</sup>. This initially provoked a certain scepticism; but we are in the process of getting the European institutions and European capitals to recognise the existence of another Russia, and that is very important”.

## I THE PRESIDENCY OF THE EUROPEAN PARLIAMENT

The Presidency of Parliament can also play an important role in this edifice. Article 22(4) of the European Parliament’s Rules of Procedure (RIPE) states that in international relations the European Parliament is represented by its President; this function is therefore expressly recognised, and the wording is sufficiently vague to allow for different types of action.

**Roberta Metsola (MT/EPP) was elected President of the European Commission in January 2022 and has a strong presence on the external stage.** In March 2022, she invited Ukrainian President Volodymyr Zelensky to speak to MEPs by videoconference and received him in the Chamber less than a year later. She also visited Israel just after the massacres perpetrated by Hamas on 7 October. Judging that it was her duty to take part in a parliamentary assembly, she attended the United Nations General Assembly in September 2023 (which was a first), even though the Parliament has no

ceremonial role in the EU’s external representation. It also plays a role in supporting democracy through declarations, letters and meetings. Over the months and through her activities, Roberta Metsola has succeeded in planting a sort of geopolitical flag over the Institution and becoming one of the faces of the EU alongside those officially identified by the Treaties (Presidencies of the European Council and the Commission, High Representative).

Other MEPs have made their mark on the international stage over the years, such as former MEP Elmar Brok (DE/EPP), who chaired the AFET Committee for a long time, or under the current mandate the Vice-Chairman of the Human Rights Committee, Raphaël Glucksmann (FR/S&D). The former tried, under the leadership of his compatriot Martin Schulz, then President of the European Parliament, to bring Germany out of its “diplomatic dwarfism”.

**The European Parliament can also rely on the political groups and the European political parties, which have their own diplomatic channels and maintain relations with third parties, political party federations and pan-European networks.** The administration plays an essential role, through its General Secretariat, Directorates-General and Research Department. The Directorate-General for the Union’s External Policies (DG EXPO) is responsible for working with MEPs in the field of foreign policy and for organising everything that falls within the remit of the secretariats of the bodies concerned (over and above the work of the President, which is separate from and complementary to the work of the institution).

<sup>43</sup> The four MEPs concerned are: Bernard Guetta (FR/Renew), Andrius Kubilius (LT/EPP), Włodzimierz Cimoszewicz (PL/S&D), Sergey Lagodinsky (DE/Greens/EFA) See also Russian opposition seeks EU support, Euronews, 5 June 2023 <https://fr.euronews.com/my-europe/2023/06/05/lopposition-russe-cherche-le-soutien-de-lunion-europeenne>

<sup>44</sup> Interview with the author, 10 October 2023. Bernard Guetta has been a Member of the European Parliament since 2019 [https://www.europarl.europa.eu/meps/fr/197543/BERNARD\\_GUETTA/home](https://www.europarl.europa.eu/meps/fr/197543/BERNARD_GUETTA/home)



## 2 • A European Parliament that guarantees transparency and democratic legitimacy

### I A PLACE OF CHOICE FOR FOREIGN POLICY

Despite its meagre legal powers in this area, the European Parliament attaches great importance to foreign policy as such, a regalian function par excellence. Although largely devoid of negotiating skills, the AFET Committee is, like most of its national counterparts, one of the most prestigious and coveted.

During plenary sessions, foreign policy plays a central role, even taking up a disproportionate amount of speaking time compared to the real powers of the institution, giving rise to lively debates on Tuesday and Wednesday, the most important and busiest days of the parliamentary week. At each session, the European Parliament also organises a debate on cases of violations of human rights, democracy and the rule of law. Each debate focuses on three themes and is immediately followed by a vote on the proposed resolutions.

Personalities from third countries are also regularly invited to speak in the Chamber, which sometimes leads to moments charged with emotion and symbolism. This was the case in 2000, when Nicole Fontaine, then President of the Parliament, succeeded in bringing together the Presidents of the Israeli and Palestinian Parliaments in the Chamber for an historic handshake, or in April 2001, when she invited Commander Ahmad Shah Massoud, Vice-President of Afghanistan, to speak about the situation in his country. More recently, the Ukrainian President was invited to speak. **“Foreign leaders often address plenary sessions, although the number varies depending on who presides over the European Parliament. In the past, Nicole Fontaine, Josep Borrell and Martin Schulz have all done a great deal in this respect”,** says Per-venche Berès<sup>45</sup>.

This emphasis on foreign policy also entails risks. There is a significant gap between the European Parliament’s claim to produce something in the field of foreign policy and the real powers it is granted, between the thousands of texts relating to foreign policy and an extremely limited legal basis, between the desire to act and the institutional limitations, which is fueling a feeling of frustration in some quarters. Members of Parliament exchange views frequently, meeting often, hearing proposals and analyses, the multiplicity of which makes for a very exceptional richness; but they also waste a lot of time fighting over trifles.

### I DEMOCRATIC LEGITIMISATION

And yet, whatever its weaknesses, the European Parliament is a guarantee of transparency and democratic accountability in foreign policy. There is, of course, what comes under the control of the executive, which is absolutely central. But beyond this prerogative, which it exercises through its dialogue with the High Representative and the Commission’s delegations and directorates-general, it consults and is consulted, it provides a point of contact with international structures, EU institutions and national parliaments, and it constitutes a platform for exchanges between political, institutional, governmental, academic and civil society players.

**Parliament also raises the profile of the CFSP through its numerous missions, hearings, conferences and invitations to speak, which enable it to build up a large network in third countries.** During their visits, MEPs try to meet not only their counterparts but also representatives of civil society and the executive, making them an important opportunity for political exchange. Lastly, Parliament assesses the implementation of foreign policy in its annual resolutions on the Council reports on the main aspects and basic choices of the CFSP, resolutions which enable it to take part in the debate on the development of this policy.

<sup>45</sup> Interview with the author, see above.



Under the impetus of High Representative Josep Borrell, cooperation between his services and the European Parliament has been further strengthened in recent years. This has taken the form of regular, completely informal exchanges, without notes being taken, between representatives of the EEAS and a small group of MEPs - including the chairmen of the Foreign Affairs Committee and the Defence Subcommittee - to share confidential information on jointly identified issues, such as the shipment of munitions to Ukraine. Another sign of this collaboration was the Parliament's successful work with the Council and the EEAS to push for the appointment of Chrysoula Zacharopoulou (then MEP FR/Renew) as co-chair of Covax, the international mechanism for the equitable distribution of vaccines; this was the first time that a Member of the European Parliament had held such a position in a multilateral body.

### 3 • Parliamentary diplomacy to complement executive diplomacy

#### I PROACTIVE SOFT POWER

The European Parliament is also developing a strategy of influence, a kind of *soft power*<sup>46</sup>, by forging relations with third parties, both elected and non-elected, which enable it to project itself onto the international stage. This parliamentary diplomacy, which is above all the result of a proactive approach, enhances several of the European Parliament's functions and powers in the field of external action. The Ukrainian example clearly demonstrates the potential of this

diplomacy, which constitutes a fruitful aspect of the parliamentarisation of the EU<sup>47</sup>. Calling for the adoption of a particular measure, for example in the area of sanctions, does not oblige the Member States to do so or the Commission to present a proposal, but it does make it possible to introduce the idea into ministerial discussions.

**This parliamentary diplomacy can, depending on the case, be seen as competitive, in the event of conflicts of interest with the executive to promote its own interests via alternative channels, or as cooperative, when it is based on an exchange of resources between the executive - which has its own diplomatic network - and the Parliament - which has access to political parties, has mediation capabilities, has its own legitimacy, and also has greater concerns about certain third countries<sup>48</sup>.** In any case, it makes it possible to enrich traditional diplomacy, to offer a different perspective, to supplement Member States' sources of information, and to provide additional sensors, for example through better knowledge of the candidate countries.

#### I HELPING TO UNDERSTAND EACH OTHER

**"Throughout the enlargement process, the European Parliament has played a fundamental role in promoting mutual understanding between European countries, particularly between Western and Eastern Europe.** In 2004, we realised that we knew very little about these countries and that they themselves had illusions about us. We had to invest in understanding their history and culture", says former MEP Alain

<sup>46</sup> Since the end of the Cold War, the concept of *soft power*, put forward by the American Joseph Nye, has been widely used to characterise the power of the European Union. It has a "soft power" that is expressed in different ways (a commercial weight that gives the EU negotiating power, an enlargement policy that encourages democratisation). On this subject, see Marion Gaillard's paper in the Vie Publique newsletter.

<https://www.vie-publique.fr/parole-dexpert/38553-le-soft-power-de-lunion-europeenne>

<sup>47</sup> On this subject, see the study by Marie-Cécile Cadilhac, *La diplomatie internationale du Parlement européen, levier de parlementarisation de l'Union européenne? Étude à partir du cas ukrainien*, collection Droits européens, 2020. Published by Presses universitaires de Rennes

<https://www.cairn.info/la-parlementarisation-des-processus-d-integration--9782753579064-page-333.htm>

<sup>48</sup> *The Emergence of the European Parliament as a Diplomatic Mediator: Conceptualising, Exploring and Explaining Parliamentary Diplomacy in EU Foreign Policy*. Daan FONCK, KUL [https://kuleuven.limo.libis.be/discovery/search?query=any,contains,LIRIAS2798425&tab=LIRIAS&search\\_scope=lirias\\_profile&vid=32KUL\\_KUL:Lirias&offset=0](https://kuleuven.limo.libis.be/discovery/search?query=any,contains,LIRIAS2798425&tab=LIRIAS&search_scope=lirias_profile&vid=32KUL_KUL:Lirias&offset=0)

Lamassoure (FR/EPP)<sup>49</sup>. The European Parliament is also seen as a moral force, a guardian of European values and a defender in the world of human rights, democracy and the rule of law, as a European driving force for political conditionality in foreign policy. Examples include its contribution to a peaceful democratic transition in Albania after the 2013 elections, or more recently its role in mobilising public opinion in favour of the Uighurs (see below).

It is also interesting to note that although the British Parliament may be “the” parliament par excellence, it has less room for manoeuvre in relation to the government, which is the emanation of a majority, than the Strasbourg Parliament, which operates on the basis of coalitions, has in relation to the Council. Members of the European Parliament are not the mouthpieces of the executive, and their political approach and choice of values are not necessarily determined by their political affiliation with the Commission. The majority, as in the US Congress, is not the extended arm of the other branch of government<sup>50</sup>. MEPs can therefore pursue an autonomous foreign policy that is not necessarily in line with the actions of the other players. The fact that the European Parliament does not have a fixed constituted majority may, however, limit the coherence of its action.

In CFSP matters, the European Parliament thus represents an additional voice which, while it may not be able to overturn the positions of the Member States or the Commission, does make it possible to establish a narrative in public opinion and to confirm or invalidate a direction taken by the latter<sup>51</sup>. The development of this parliamentary diplomacy does, however, raise questions of institutional positioning, since the

Parliament, which is responsible for exercising democratic control and assuming the role of budgetary authority, finds itself carrying out concrete actions and taking diplomatic initiatives that traditionally fall within the remit of the executive. It should be noted, however, that this diplomatic action is neither codified nor contradicted by the letter and spirit of the Treaties.

Resolutions are another tool of parliamentary diplomacy. Some of them concern the application of international agreements or reports on countries that have begun the accession process. Others concern emergency resolutions, which are a declaratory and non-binding weapon used to great effect in the field of human rights (see below).

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<sup>49</sup> Interview with the author, 19 September 2023. Alain Lamassoure was a Member of the European Parliament from 1989 to 1993 and from 1999 to 2019.

<sup>50</sup> See the paper by Peter Bajtay, *supra*.  
[https://cadmus.eui.eu/bitstream/handle/1814/34618/RSCAS%202015\\_11.pdf?sequence=1](https://cadmus.eui.eu/bitstream/handle/1814/34618/RSCAS%202015_11.pdf?sequence=1)

<sup>51</sup> At the end of her term of office, Ms Federica Mogherini, High Representative of the European Union for Foreign Affairs and Security Policy between 2014 and 2019, took stock of her five years of cooperation with the European Parliament before the Foreign Affairs and Development Committees. At the time, she said: “Your work on the ground has been invaluable to me. I have always thought that parliamentary diplomacy is an extraordinary tool, sometimes underestimated. It has been an essential element of our European foreign policy and I can name many countries where your missions, your visits, have contributed enormously to the development of our policies, complementing in an excellent way the rest of our diplomacy on the ground.”

# 3.

A Parliament that  
is tending to impose  
itself on key issues

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## 1 • MEPs very vocal about values

### I A FIERCE DETERMINATION TO DEFEND HUMAN RIGHTS

If there is one thing that characterises the European Parliament in its external action, it is its predilection for human rights and values, the predominant place it gives to the defence of civil liberties and fundamental rights, making this form of interference a central pillar of its diplomacy, sometimes even going so far as to consider itself the sole prescriber in the matter. Its role consists first and foremost in publicly exposing certain violations of civil liberties.

In addition to the Subcommittee on Human Rights, it has a wide range of instruments at its disposal for this purpose: emergency resolutions, to raise awareness of human rights abuses, help human rights defenders and shape EU human rights policy; the annual resolution on human rights and democracy in the world, which analyses the results of EU policy and the challenges for the future; the Sakharov Prize for Freedom of Thought<sup>52</sup>, which has become a kind of antechamber to the Nobel Peace Prize and has been awarded every year since 1988 during a formal sitting of Parliament to human rights activists (Mahsa Amini and the Iranian women's protest movement "Woman, Life, Freedom" in Iran in 2023, the Ukrainian people in 2022, Alexei Navalny in 2021, the Belarusian opposition in 2020); the Sakharov Prize network, which enables laureates to react together to world events in real time and awards grants to human rights defenders.

"The influence of the European Parliament in matters of human rights and the rule of law depends very much on the priority given to these subjects in the discussions of European leaders and the EU institutions. If no one cares, European Parliament resolutions will carry no weight. If it is seen as an instrument

for influencing or intervening in public debates or for helping those in different countries who are fighting for these rights, it will be a different story. **Being a mouthpiece is one of the most essential roles of the European Parliament, and one that it must take on even more.** There have been cases where the attention paid to an issue, for example calling for the release of opponents, has had a real impact, and this is still the case today. The European Parliament can also act as the eye of the international community by giving visibility to battles that nobody would otherwise pay attention to", analyses former MEP Monica Frassoni (IT/Greens/EFA)<sup>53</sup>. Some resolutions can help to save lives or secure the release of prisoners, if there is international mobilisation. In individual cases, however, the results are uneven: the European Parliament can be useful or, on the contrary, counterproductive, depending on how it brings forward texts and drafts them.

**While the Council operates behind the scenes, the European Parliament has no hesitation in upsetting traditional diplomacy and upsetting the international balance of power on issues that are dear to public opinion.** The Member States are not always happy about this and may find it irrelevant to express divergent positions. But in some cases they do not hesitate to use the Parliament as a sounding board when they need to draw attention to a sensitive issue or are in difficulty in the Council on an issue. In this way, the two institutions can complement each other. More generally, when the Council's position is very clear, the European Parliament often carries less weight; when the issues are more complicated or the Member States are not in agreement with each other, for example on Israel-Palestine or Armenia-Azerbaijan, it can contribute to the emergence of a European line (see below).

<sup>52</sup> To find out more about the Sakharov Prize  
<https://www.europarl.europa.eu/sakharovprize/fr/laureates/2021-2030>

<sup>53</sup> Interview with the author, 12 October 2023. Monica Frassoni was a Member of the European Parliament from 1999 to 2009.

## I SOME INFLUENCE ON THE POLITICAL AGENDA

When it comes to human rights, the European Parliament can influence the political agenda if it gets it right. It is undoubtedly largely thanks to MEP Raphaël Glucksmann's fight against the tragedy of the Uighurs and his ability to rally political forces around him that in September 2022 the European Commission presented a proposal for a regulation to investigate the use of forced labour in companies' supply chains and ban the sale in the EU of products found to contain such practices<sup>54</sup>.

On Nagorno-Karabakh, the insistence of MEPs enabled the issue to be placed on the public agenda despite the reluctance of Member States, a divided and paralysed Council and a Commission timid about the EU's gas needs. The diplomatic failure was obvious, but the emotion and the mobilisation were born in the European Parliament. The Parliament even reached a rare level of consensus in a resolution denouncing "the situation in Nagorno-Karabakh following the attack by Azerbaijan and the continuing threats against Armenia"<sup>55</sup>. While the UN Security Council was divided over the conflict between Israel and Hamas, the European Parliament was also able to adopt by an overwhelming majority, as early as October 2023, a resolution that clearly condemned the actions of Hamas, affirmed Israel's right to defend itself, recalled international obligations with regard to war and called for the protection of populations and humanitarian aid<sup>56</sup>.

This emphasis on values is not without its risks. **"Human rights are an important dimension of foreign policy, but not the only one"**, insists Arnaud Danjean MEP (FR/EPP)<sup>57</sup>. "The Treaties state that the interests and values of the Union

must be defended and promoted. We must therefore do everything we can to ensure that our values and interests correspond as closely as possible, that our interests are in line with our values and vice versa. Unfortunately, we know that this is not always 100% the case. However, the European Parliament has forgotten the word "interest" and has deliberately chosen, and not illegitimately, to consider foreign policy solely from the point of view of values. When you take this approach while being aware that foreign policy is not just that, you limit yourself. But the European Parliament considers that values cover the entire field of foreign policy and that it itself is invested with the entirety of this field: it therefore intends to play a role that is disproportionate to the actual scope of the issues it deals with". Other instruments, such as trade policy, are used to defend interests.

If it spreads itself too thinly and takes on all subjects, if it is unable to prioritise, Parliament is not heard, but its action is effective when it is well documented and prioritised. In the view of a great many MEPs, it is also urgent for the European Union itself to set an example and impose heavy penalties for violations of the rule of law in member countries.

## 2 • Support for the rule of law in third and candidate countries

### I MAJOR DEMOCRACY SUPPORT ACTIVITIES IN THIRD COUNTRIES

Another aspect of European parliamentary diplomacy concerns activities aimed at supporting democracy in third countries: electoral observation, which is its traditional pillar, assis-

<sup>54</sup> European Parliament press release on the Commission proposal on forced labour <https://www.europarl.europa.eu/news/fr/press-room/20231016IPR07307/vers-une-interdiction-par-l-ue-des-produits-issus-du-travail-force>

<sup>55</sup> Resolution of 5 October 2023 on the situation in Nagorno-Karabakh following the attack by Azerbaijan and the continuing threats against Armenia [https://www.europarl.europa.eu/doceo/document/TA-9-2023-0356\\_FR.html](https://www.europarl.europa.eu/doceo/document/TA-9-2023-0356_FR.html)

<sup>56</sup> European Parliament resolution of 19 October 2023 on the despicable terrorist attacks by Hamas against Israel, Israel's right to defend itself in accordance with humanitarian and international law, and the humanitarian situation in Gaza [https://www.europarl.europa.eu/doceo/document/TA-9-2023-0373\\_FR.html](https://www.europarl.europa.eu/doceo/document/TA-9-2023-0373_FR.html)

<sup>57</sup> Interview with the author, 13 October 2023. Arnaud Danjean has been a Member of the European Parliament since 2009 [https://www.europarl.europa.eu/meps/fr/96747/ARNAUD\\_DANJEAN/home](https://www.europarl.europa.eu/meps/fr/96747/ARNAUD_DANJEAN/home)

tance with *capacity building* for parliaments and mediation and conflict prevention<sup>58</sup>.

Mediation can take place within a single country, between political groups. A Member of the European Parliament can help to bring the government and the opposition to the same table, as was the case in the past in certain countries of the Western Balkans. It was in this context that the “Jean Monnet Dialogue”<sup>59</sup> was set up: under certain conditions and at the request of a country, MEPs help the parliament of a third country to develop a culture of dialogue between political factions, to better understand how a parliament works, to recognise the opposition and to respect the rights of all. Intra-parliamentary mediation is an activity that is well suited to the European Parliament, which is used to seeking and finding compromises from within.

More delicate, mediation can also concern a conflict between two countries. Such an activity requires a need for confidentiality that is incompatible with the light that Parliament sometimes seeks to shed on its own activities. Moreover, the High Representative rarely takes parliamentarians with him on his missions, including high-level parliamentarians and/or former foreign ministers who could be of help.

The European Parliament also helps third-country assemblies that request it to develop as democratic institutions, and thus to learn how a plenary session or a parliamentary committee works, and to grasp the ethical and other foundations of an assembly. The European Par-

liament, which has set itself the red line of not appearing to give lessons, invests a great deal in this activity, which lies at the crossroads of technology and politics, and enjoys genuine recognition from those who call on its expertise. To this end, MEPs organise conferences, seminars, training programmes and study visits for civil servants and elected representatives from third countries.

Another fundamental element of this parliamentary diplomacy is election observation<sup>60</sup>. For this purpose, MEPs are attached to long-term missions whose infrastructure and equipment they use: these may be long-term EU missions (EU EOMs) or international missions (IEOMs) organised by the Office for Democratic Institutions and Human Rights of the OSCE (Organisation for Security and Cooperation in Europe)<sup>61</sup>. They themselves spend an average of four to five days on the ground: they arrive before the election to meet the various stakeholders, observe the voting process and the count, and then work with the technical team on the assessment, to which their experience as elected representatives lends political credibility.

These missions are carried out solely at the request of the third country concerned, and the head of the mission is always a Member of the European Parliament who must understand the subtleties of the country, grasp the role of local and national bodies, the electoral commission, the authority that will validate the elections, find his or her place in the event of the elections being contested, and produce a report. When all goes well, Parliament gives a kind of democratic

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<sup>58</sup> On this subject, read the European Parliament’s brochure on support for democracy in the world. <https://www.europarl.europa.eu/cmsdata/212764/GDS-Brochure-FR-REV-web.pdf>

<sup>59</sup> More information on the Jean Monnet Dialogue for Peace and Democracy on the European Parliament website <https://www.europarl.europa.eu/globaldemocracysupport/en/mediation-and-dialogue/jean-monnet-dialogues>

<sup>60</sup> Every year, several parliamentary delegations are sent to third countries to observe elections or referendums. This is an autonomous decision by the EP, but subject to conditions. Observation is based on its overall strategy of supporting democracy and is linked to complementary pre- and post-election activities. [https://www.europarl.europa.eu/cmsdata/212761/Election-observation\\_FR.pdf](https://www.europarl.europa.eu/cmsdata/212761/Election-observation_FR.pdf)

<sup>61</sup> The European Parliament plays a key role in election observation: it is consulted by the High Representative on the identification and planning of EU Election Observation Missions (EU EOMs), on their follow-up and on the appointment of EU Chief Observers. He also deploys election observation delegations, which are fully integrated into these missions. Regular dialogue on missions and related issues takes place between the EEAS, the European Commission and the European Parliament within the framework of the Parliament’s Democracy and Elections Group. The European Parliament also plays an important role in the political follow-up to mission recommendations. See the European Union Election Observation Handbook, third edition, June 2016 [https://www.eods.eu/library/Handbook\\_French.pdf](https://www.eods.eu/library/Handbook_French.pdf)

validation to an election in another country in terms of its own values and principles. It can also uncover problems of fraud. All the European Parliament's election observation delegations operate under the aegis of the Democracy Support and Election Coordination Group<sup>62</sup>.

## **I A POSITION STRONGLY IN FAVOUR OF EU ENLARGEMENT**

**By influencing the governance of the candidate countries, enlargement policy promotes democratisation and helps to impose high standards in this respect.** During accession negotiations, the European Parliament itself pays close attention to issues relating to respect for the rule of law and human rights, as well as to everything to do with institutional reforms and democratic standards, helping to strengthen the EU's credibility on these issues.

Despite the fact that this is a quasi-exclusive competence of the Council, it devotes a great deal of time to enlargement issues, making maximum use of the latitude given to it by the Treaty (Article 49 TEU). It must be informed of any formal application by a country to join the EU, and its approval is required before an accession treaty is concluded by the Council and ratified by the Member States, although it cannot amend it<sup>63</sup>. Although it does not formally give its agreement until the end of the process, it is in fact involved in the discussions and can draw on various instruments.

Each year, following the Commission's reports, MEPs adopt resolutions in which they express

their views on the relevance and modalities of future enlargements; some candidate countries sometimes criticise them for not taking sufficient account of the progress made in meeting the requirements for EU membership. Despite this, the European Parliament is traditionally in favour of the enlargement process and in November 2022 adopted a Recommendation in which it considers that enlargement "is the most effective instrument of the Union's foreign policy and one of its most successful policies" and remains "a strategic and geopolitical investment"<sup>64</sup>.

Through its budgetary powers, it also has a say in the financial aspects of the process and in the amounts set aside for the Instrument for Pre-Accession Assistance. Finally, through its delegations, it maintains bilateral relations with the parliaments of all the countries concerned and sometimes plays a facilitating role, for example in bringing together the political parties in Northern Macedonia and Serbia. It is supported by its permanent rapporteurs, appointed by the Committee on Foreign Affairs for all candidate and potential candidate countries.

Parliament is also fully involved in the neighbourhood policy and monitors its implementation through annual reports and regular exchanges of views with senior officials, experts and civil society players<sup>65</sup>. As the budgetary authority, it can also influence the amounts allocated to the financial instruments concerned. Its approval is also required for the conclusion of all Stabilisation and Association Agreements (signed with certain Western Balkan countries) and all new trade agreements. Before giving its final

<sup>62</sup> Co-chaired by the chairs of the AFET and DEVE committees, this group of 15 MEPs oversees Parliament's action to strengthen democracy and human rights beyond the Union's borders, organises election observation missions, and adopts an annual work programme, which defines priority countries and regions and identifies thematic areas. See the decision of the Conference of Presidents of 13 September 2012 [https://www.europarl.europa.eu/RegData/publications/reg/2012/0002/EP-PE\\_REG\(2012\)0002\\_EN.pdf](https://www.europarl.europa.eu/RegData/publications/reg/2012/0002/EP-PE_REG(2012)0002_EN.pdf)

<sup>63</sup> For more information, see the European Parliament's factsheets <https://www.europarl.europa.eu/factsheets/fr/sheet/167/l-elargissement-de-l-union>

<sup>64</sup> European Parliament recommendation of 23 November 2022 on the new EU enlargement strategy [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0406\\_FR.html](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0406_FR.html)

<sup>65</sup> The European Neighbourhood Policy (ENP) applies to Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Palestine, Syria, Tunisia and Ukraine. It aims to strengthen prosperity, stability and security for all, and is based on the values of democracy, the rule of law and respect for human rights. It is a bilateral policy between the EU and each partner country, accompanied by regional cooperation initiatives: the Eastern Partnership and the Union for the Mediterranean.



approval on 9 June 2021 to the creation of the new neighbourhood, development cooperation and international cooperation instrument NDI-CI-Europe in the World (see above), it had also ensured that it would be more closely involved in defining its main strategic objectives and monitoring its implementation through a high-level geopolitical dialogue with the Commission.

The European Parliament pays particular attention to certain countries. This is the case with Ukraine, with which it has had close ties since 2014<sup>66</sup>. In 2021, it adopted resolutions on the Russian deployment along the Ukrainian border, sent a delegation of members of the AFET and SEDE committees to Kiev at the end of January 2022, adopted a very firm resolution after the Russian invasion in February 2022 - which the delegations then passed on to their counterparts around the world - and called for strong and effective sanctions. In June 2022, it also adopted a declaration reiterating its call for Ukraine to be granted candidate country status for EU membership, awarded the Sakharov Prize to the Ukrainian people in 2022 and twice invited the Ukrainian President. It has also provided technical and in-kind assistance to the Ukrainian parliament, developed communication tools and taken concrete steps to support civil society. Previous election observation missions were sent to Ukraine in 2014, 2015 and 2019. **In November 2023, the European Parliament also signed a Memorandum of Understanding with its Ukrainian counterpart, the *Verkhovna Rada*, reaffirming its unwavering solidarity with the Ukrainian people and the joint commitment of the two assemblies to freedom and democracy.**

### 3 • A Parliament that is trying to position itself on defence issues

#### I A VERY ACTIVE DEFENCE SUB-COMMITTEE

When it comes to defence, which is the guarantor of national sovereignty, MEPs have little room for manoeuvre and still have to contend with a highly intergovernmental approach that is closely regulated by the Treaties. In its 2022 annual report, the Parliament therefore expressed its desire to be more closely involved in decision-making on the Common Security and Defence Policy and defence industrial policy, and called for the creation of a fully-fledged “Defence Council”.

**It has already succeeded in playing a role that goes beyond its prerogatives thanks to a very active SEDE subcommittee, which makes the best use of the tools at its disposal to make its voice heard<sup>67</sup>:** the possibility of addressing the High Representative and the Council; informal meetings with the EEAS; the participation of its chair in informal meetings of defence ministers - which is not provided for in the texts but which Josep Borrell has set up; meetings with ministers and other leaders. The SEDE Subcommittee also systematically visits CSDP missions and operations to see what is working well or poorly on the ground; MEPs return with recommendations that are examined by the High Representative and his staff.

Although the European Parliament did not play a direct role in the design of the Strategic Compass - which is intended to provide the EU with an ambitious action plan for strengthening security and defence policy by 2030 - it is regularly informed of the progress of the process and is able to give its opinion, particularly at the briefings given by the SEDE subcommittee. It also tries to assert itself as a full partner in meeting

<sup>66</sup> For more information on relations between the European Parliament and Ukraine, see the European Parliament's factsheet <https://www.europarl.europa.eu/factsheets/fr/sheet/171/trois-voisins-du-partenariat-oriental-l-ukraine-la-moldavie-et-la-bielorussie>

<sup>67</sup> See the composition of the Defence sub-committee, 2019-2024 term <https://www.europarl.europa.eu/committees/fr/sede/home/members>



security challenges, and to this end organises debates, hearings and seminars on issues such as civilian and military deployment, international crises, multilateral security frameworks, arms control and the fight against terrorism.

## I CO-DECISION POWERS OVER THE DEFENCE INDUSTRY

The new geopolitical environment could also contribute to changing the situation. While the revival of European defence in the 2000s focused mainly on the operational side, which was primarily the responsibility of the High Representative and the military committees, **Europe now has ambitions in the area of capabilities and industry, which are the subject of legislative proposals.** The European Parliament is therefore trying to see how, through co-decision programmes, it can obtain a greater right of scrutiny over subjects with a strong geopolitical dimension.

The real power in this area lies with the sectoral committees, mainly ITRE, which has sole responsibility for the European Defence Fund, for example; but as co-leader of the new instruments EDIRPA - designed to encourage joint procurement in the EU defence industry - and ASAP - the action to support the production of munitions in Europe - the SEDE sub-committee has had its legislative baptism of fire in recent years. The choice of Article 173 (co-decision) allows Parliament to have an immediate impact on the negotiations and to have a say on aid to the European defence industry<sup>68</sup>. In January 2023, the AFET and ITRE committees and the SEDE sub-committee proposed tripling the budget allocated to EDIRPA. "What is different today is that when it comes to European defence, a certain number of subjects, such as the European Defence Fund or joint purchases

of munitions and military equipment, are dealt with using Community money. This gives the European Parliament a say in how this money is used", explains Nathalie Loiseau<sup>69</sup>.

If Europe continues to adopt, under the codecision procedure, instruments for developing the European defence industry and exporting part of this production to other countries, the European Parliament will be able indirectly to exert an influence on defence policy through dossiers relating to industry, the budget or the internal market. Everything will depend on the legal bases chosen by the Commission.

## I REFLECTIONS WITH A VIEW TO A POSSIBLE DEFENCE COMMITTEE

Discussions are also under way within the institution with a view to setting up a fully-fledged defence committee that would be the legitimate counterpart of the European Commission's new Directorate-General for Defence Industry and Space (DG DEFI), in line with the scrutiny function exercised by Parliament, and would benefit from the expertise of both. Aside from the problems of disinformation and foreign interference, this new commission could include everything to do with the defence industry and would therefore have legislative powers.

This would enable the European Parliament to better position itself vis-à-vis the Council on key geopolitical issues such as transatlantic relations, projection capabilities, public procurement and the defence industrial base. But nothing has yet been decided, especially as some MEPs would like to keep the defence industry within the ITRE Committee. It is therefore an internal and political battle that is currently being waged.

<sup>68</sup> The Union's action in the field of the European defence industry is based on Article 352 of the Treaty on the Functioning of the European Union (TFEU), which applies when the European Treaties do not clearly indicate which measures would enable one of the Union's objectives to be attained. Article 173 TFEU provides a legal basis for the Union's industrial policy. However, progress in applying internal market rules to the defence equipment market has been limited by Article 346(1) TFEU, which states that "any Member State may take such measures as it considers necessary for the protection of the essential interests of its security which are connected with the production of or trade in arms, munitions and war material ...".

<sup>69</sup> Interview with the author, see above.

Whatever future developments there may be, the intergovernmental approach should remain at the heart of foreign and defence policy. There are national sensitivities on these issues, and everyone tends to want to reproduce their own system. France, for example, will always be more concerned than countries such as Germany or Italy to preserve the EU Council's freedom of manoeuvre on the choice of a particular CSDP operation or mission. Today, the Parliament can express an opinion on the merits of an external operation, but this is still no more than a simple consultation. And there will undoubtedly always be Member States that refuse to give the European Parliament more power in defence matters, particularly in the countries of Eastern Europe, which do not have a highly developed parliamentary tradition in these matters.

# 4.

Credibility to be  
strengthened to protect  
itself and carry weight  
on the international stage

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## 1 • Third countries between fear, interest and indifference

### I A ROLE AS CO-LEGISLATOR THAT SOMETIMES AROUSES GUILTY INTEREST

The European Parliament therefore has various levers of influence on the international stage. The most important of these relate to areas that do not come under foreign policy as such, but under co-decision, and therefore its activity in approving agreements, regulations or directives relating in particular to trade policy or the external aspects of certain internal policies.

The presence in the Chamber of numerous foreign interest groups, both governmental and non-governmental, is proportional to the potential impact of certain legislative projects, as were or are those relating to copyright, personal data, the carbon adjustment mechanism at borders, the blacklist of tax havens or market access. **Third countries are primarily interested in the Parliament as co-legislator on texts that not only apply to the whole of the EU and therefore condition trade and investment within the single market but are often imposed on a global scale by the force of European normative power.** Like the Member States themselves, they therefore invest heavily in the Parliament, which is a communication channel where debates are held in public, where meetings and texts are accessible to all, and where it is easy to create networks and meet MEPs who will relay any concerns and requests to their national authorities.

This interest can sometimes take less legitimate forms and take the form of attempts at disinformation or destabilisation. As shown by the Qataragate affair (see below), certain third countries do not hesitate to use illegal means to try to influence the legislative process or texts in preparation. In February 2023, several MEPs, including President Roberta Metsola and MEP

Pierre Karleskind (FR/Renew), were the target of an attempted cyber attack by the Vietnamese government using Predator spyware, an attack allegedly linked to the institution's stance against illegal fishing<sup>70</sup>.

### I A DOUBLE-EDGED REPUTATIONAL WEAPON

Third countries also watch what happens in Strasbourg for its resonance effect, likely to create a majority opinion on one subject or another. Every Thursday of plenary session, the European Parliament adopts three urgent resolutions on specific cases of violations of human rights, democracy and the rule of law, which give rise to lively debates within the Parliament.

**“The European Parliament’s resolutions are rich: we call a spade a spade, a dictator a dictator, we say things and name them. The people we denounce are rightly annoyed by this, because it strengthens opposition in their countries: that counts, even if it is sometimes only a moral reinforcement. Above all, these resolutions put pressure on the executives of the 27 Member States.** When, for example, the European Parliament calls for tougher sanctions against Russia, this counts in the capitals. And some Member States rely on the Parliament to push their partners”, notes Bernard Guetta<sup>71</sup>.

These emergency resolutions, which are not binding on the executive, often contain more political and clear-cut positions than those of the Council, which is obliged to juggle different parameters. The European Parliament is always more radical in the expression of its opinions, particularly on foreign policy, because it has internalised the lack of normative power of its positions. Its voice is dissonant, clearer and less constrained by national interests.

This difference is partly linked to the decision-making model: the European Parliament votes on its resolutions by a simple majority,

<sup>70</sup> Press release from Pierre Karleskind, Renew MEP  
<https://www.pierrekarleskind.eu/presse/mes-communiqués/le-deputé-européen-pierre-karleskind-cible-d'une-cyberattaque-vietnamienne/>

<sup>71</sup> Interview with the author, see above.

whereas the Council decides unanimously on foreign policy issues. Some see this as a useful tool for creating a diplomatic balance of power that could even be better exploited by the High Representative to move one or other issue forward, as the US Secretary of State does with Congress.

These resolutions have less impact than Council statements, which may be more polished but are analysed as an important signal by diplomats and the country concerned. But they have a strong media resonance and can damage the reputation of the countries singled out. Some do not care and play the scorn card because they do not have the public opinion or media to use them; others, on the contrary, are disturbed or furious, especially as social networks can give these texts a high profile and Parliament tries to translate them into the languages of the countries concerned (Russian, Arabic, Farsi, etc.).

The countries around the southern Mediterranean are particularly sensitive to what the European Parliament has to say ; in September 2023, Tunisia banned five members of the AFET Committee from entering its territory, following a plenary debate during which Tunisia's "democratic backsliding" and the "controversial" agreement that the Commission had concluded with Tunisia on migration a few months earlier were denounced. However, such bans on visits are relatively rare, with authoritarian states often preferring to prevent delegations from meeting with particular opponents or civil society figures.

**It also happens that third countries, once informed of a draft resolution against them, intervene beforehand to prevent MEPs from writing it or to convince them to soften the wording.** It is not uncommon in such circumstances for their ambassadors to intervene, for pressure groups to call MEPs or to harass them with emails. Some countries, generally authoritarian, also see these resolutions as an undue interference in their internal affairs and take issue with governments, accusing them of not "keeping" their MEPs.

## **I RESOLUTIONS THAT CAN HAVE A COUNTER-PRODUCTIVE EFFECT**

Urgent resolutions can thus become a source of vulnerability for the European Parliament when they provide a pretext for certain third countries to influence its agenda and its activity. The problem is compounded by the fact that the origin and drafting process often lack transparency. The initiative for these texts generally comes from an MEP who, in a parliamentary committee, asks the coordinator of his or her political group to put the subject on the agenda. At the Conference of Presidents, each of the political groups comes up with three proposals; three resolutions are finally adopted, without it always being clear what is behind them or what the reasons are. What's more, urgent resolutions are often very long, even though they should not normally exceed 500 words and should focus on individual cases rather than countries.

In order to avoid abuses, some MEPs suggest tightening the rules for tabling resolutions and requiring them to be approved by a minimum number of MEPs representing a minimum number of political groups, or even abolishing them. Others propose improving the content and form of resolutions. Based on the concept of "clear work" developed by legal experts, MEPs are considering how to produce more effective, punchier and better organised resolutions. Another problem stems from a certain lack of maturity on the part of the institution, which does not always realise the impact of what is said in these texts. In July 2023, for example, the Parliament adopted a rather harsh emergency resolution against human rights in Kyrgyzstan, which considerably dampened the atmosphere of the AFET Committee's trip two weeks later.

If it wants to avoid such incidents and gain in weight and credibility on the international stage without abandoning its role of defending human rights, **Parliament should also ensure that these resolutions are better timed both to the deadlines of the Commission, the Council and the EEAS and to the parliamentary agenda** so as to avoid, for example, scuttling reports that have been informed and prepared over a long period. Another more general approach would

be to limit the number of urgent resolutions on human rights and own-initiative reports on foreign policy, which tend to multiply because MEPs do not have the power to legislate in this area<sup>72</sup>.

## 2 • The lessons of Qatargate

### I A CASE THAT REFLECTS ATTEMPTS AT INTERFERENCE BY THIRD COUNTRIES

As a co-legislator, the European Parliament is highly courted. It is also courted as a vocal player, with extensive media coverage that can damage its reputation. It is therefore important that the rules governing its relations with external bodies, whether European or not, governmental or not, economic or not, are strictly regulated. **The Qatargate alleged corruption scandal shows that Parliament is not immune either to attempts at foreign interference or to attempts at corruption by some of its members<sup>73</sup>.** This risk is also linked to the digital and technological revolution, which is turning cyberspace into a field of confrontation between states.

First reported in December 2022, the Qatargate erupted following allegations that third countries had tried to gain influence with the Parliament<sup>74</sup>. While investigating suspicions of corruption on the part of Moroccan agents within the European Parliament, Belgian intelligence services discovered that Qatar could also be involved: several current and former elected representatives and members of their

entourages (including the former chairman of the subcommittee on human rights, Antonio Panzeri) are suspected of having received money from these two countries in an attempt to influence certain decisions and positions in their favour. These elected representatives are said to have acted as Trojan horses.

The two countries singled out (who dispute the accusations) are said to have set up a network of influence within the European Parliament: Qatar for image reasons linked to the conditions of the foreign workforce, and Morocco for political reasons, linked in particular to the need to gain maximum political support in Europe in order to have its sovereignty over the Spanish Sahara recognised, and to the desire to influence certain resolutions in order to have certain passages deleted that were deemed too critical of Morocco, particularly in terms of human rights.

The investigation is continuing and still contains many grey areas. At this stage, it would appear that the scandal is confined to a handful of MPs, far from the devastating image for the institution that was initially projected.

### I A 14-POINT REFORM PLAN

These revelations, which were widely reported in the media, nevertheless sent shockwaves through the Union. The European Parliament reacted swiftly, adopting a resolution on 15 December 2022 on the suspicions of corruption by Qatar, in which it strongly deplored “the fact that the decisions adopted by the committees and the plenary assembly with regard to Qatar may have been unduly altered by corruption

<sup>72</sup> As soon as they represent at least 5% of Parliament, MEPs can put to the vote a resolution on a topical issue, or an emergency resolution tabled at the last minute to denounce a specific case of human rights abuse. Read the article by Jade Grandin de l'Eprevier published in L'Opinion on 4 October 2023 <https://www.lopinion.fr/international/le-parlement-europeen-donne-t-il-trop-de-lecons>

<sup>73</sup> On this subject, read the articles in Le Monde and Euractiv on the latest annual report by the French parliamentary intelligence delegation. [https://www.lemonde.fr/politique/article/2023/11/02/ingerences-etrangees-les-parlementaires-appellent-l-ensemble-de-la-societe-a-sortir-du-deni\\_6197840\\_823448.html](https://www.lemonde.fr/politique/article/2023/11/02/ingerences-etrangees-les-parlementaires-appellent-l-ensemble-de-la-societe-a-sortir-du-deni_6197840_823448.html) [https://www.euractiv.fr/section/institutions/news/un-rapport-parlementaire-appelle-a-sortir-de-la-naivete-et-du-deni-en-matiere-dingerences-etrangees/?utm\\_source=Euractiv&utm\\_campaign=e538a31bb1-](https://www.euractiv.fr/section/institutions/news/un-rapport-parlementaire-appelle-a-sortir-de-la-naivete-et-du-deni-en-matiere-dingerences-etrangees/?utm_source=Euractiv&utm_campaign=e538a31bb1-)

<sup>74</sup> “Qatargate: tout comprendre au scandale de corruption qui touche le Parlement européen”, Toute l'Europe, 3 October 2023 <https://www.touteleurope.eu/institutions/qatargate-tout-comprendre-au-scandale-de-corruption-qui-touche-le-parlement-europeen/>

and undue influence” and that this had led to “a lack of ambition on the part of the European Parliament”, altered by corruption and undue influence” and that this had led to “a lack of ambition in defending the human rights of thousands of migrant workers who have died on construction sites and hundreds of thousands of people whose fundamental rights are being violated in Qatar”<sup>75</sup>.

In February 2023, it then approved an update of the title and responsibilities of the INGE special committee on “foreign interference in all EU democratic processes, including disinformation”<sup>76</sup>, which had led to the resolution of 9 March 2022 stressing the need to combat foreign interference in electoral processes<sup>77</sup>. The special INGE2 committee led to the adoption of the resolution of 13 July 2023 calling for stricter rules on transparency, for example with regard to travel offered by foreign countries to officials of EU institutions<sup>78</sup>. The MEPs drew up an uncompromising assessment of the situation, identifying Russia and China, for example, as “the main sources of foreign interference in Europe”. On the basis of these recommendations, **the European Parliament then drew up a 14-point reform plan, which includes strengthening the rules on the transparency of MEPs’ declarations of private interests, conflicts of interest and declarations of meetings with representatives**<sup>79</sup>.

The Conference of Presidents also approved guidelines to support MEPs and staff in their relations with representatives of third countries (practices regarding access, missions and meetings with certain countries which are sanctioned by the EU, which sanction MEPs or which are named in ongoing legal proceedings related to the European Parliament) and to clarify the rules concerning urgent debates on human rights in plenary in order to protect against undue interference. Amendments to the Parliament’s Rules of Procedure were also adopted in September 2023<sup>80</sup>.

## I A REFORM THAT MUST BE CONTINUED

A new Qatargate remains a possibility, however, and many concerns remain about the way the institution operates<sup>81</sup>. The current reform imposes traceability on MPs, but not on all of their interlocutors. Corruption can therefore be channelled through non-governmental organisations that benefit from opaque funding.

Some elected representatives therefore feel that the measures taken in recent months are too piecemeal and do not address the root of the problem. “By deliberately adopting a purely moral and values-based approach to foreign policy, the European Parliament is exposing itself to a kind of systematic bias in favour of anything that comes from civil society. But

<sup>75</sup> Resolution of 15 December 2022 on suspicions of corruption by Qatar and, more generally, the need for transparency and accountability within the European institutions [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0448\\_FR.html](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0448_FR.html)

<sup>76</sup> Setting up the INGE 2 committee [https://www.europarl.europa.eu/pdfs/news/expert/2023/2/press\\_release/20230210IPR74716/20230210IPR74716\\_fr.pdf](https://www.europarl.europa.eu/pdfs/news/expert/2023/2/press_release/20230210IPR74716/20230210IPR74716_fr.pdf)

<sup>77</sup> Resolution of 9 March 2022 on foreign interference in all EU democratic processes, including disinformation [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0064\\_FR.html](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0064_FR.html)

<sup>78</sup> Resolution of 13 July 2023 on recommendations for the reform of the European Parliament’s rules on transparency, integrity, accountability and the fight against corruption [https://www.europarl.europa.eu/doceo/document/TA-9-2023-0292\\_FR.html](https://www.europarl.europa.eu/doceo/document/TA-9-2023-0292_FR.html)

<sup>79</sup> Implementation table for the EP’s 14-point reform plan <https://www.europarl.europa.eu/news/files/ep-implementation-progress-of-14-points-reform-25-Sept.pdf>

<sup>80</sup> These changes include: a strengthened ban on all activities by MEPs that would constitute lobbying; greater transparency regarding ideas, suggestions and contributions from external actors; tougher sanctions for breaches of the code of conduct; a wider scope for MEPs’ mandatory declarations of meetings with third parties; clearer rules to avoid conflicts of interest; and greater transparency in MEPs’ financial declarations, including <https://www.europarl.europa.eu/news/fr/press-room/20230911IPR04919/le-parlement-renforce-les-regles-d-integrite-transparence-et-responsabilite>.

<sup>81</sup> One year after the Qatargate affair, the Ombudsman points out the remaining concerns about Parliament’s new ethics framework”, press release of 11 December 2023 <https://www.ombudsman.europa.eu/fr/press-release/fr/178994>



some associations have very specific political agendas. In its response to Qatargate, the Parliament missed the real issues. It focused on issues of transparency and the integrity of MPs, whereas there is a problem linked to NGOs, a word that is never mentioned in the proposed reforms. **Another weakness stems from the structural vulnerability created by the gap between the European Parliament's ambitions and claims in foreign policy matters and its real powers.** It is also in this chasm that foreign interference and potential attempts at corruption infiltrate", says Arnaud Danjean<sup>82</sup>.

**Further reforms will therefore be needed to address the remaining problems and reduce the risk of foreign interference and corruption.** In the meantime, this scandal has not called into question the EU's relations with Morocco and Qatar, which cover many subjects of common interest, such as the fight against terrorism and illegal immigration<sup>83</sup>. Despite this, it seems to have encouraged MEPs to take a harder line. In January 2023, just a few weeks after the scandal broke, the Parliament adopted a resolution calling on Morocco to respect press freedom<sup>84</sup>. And it was partly under this pressure that on 12 December 2023 the European Commission presented a package of legislative and non-legislative measures to defend democracy, aimed at countering the threats of disguised foreign influence weighing on the democratic life of EU Member States<sup>85</sup>. Belgium could take advantage of its Presidency of the Council of the EU to obtain an agreement on the text from the 27 Member States by the end of June 2024.

### 3 • Consideration to be given to the role of the European Parliament in the CFSP

#### I COMBATING THE PERVERSE EFFECTS OF MEDIA COVERAGE

The European Parliament's ability to influence external action also depends on individual skills. In fact, expertise is high. On the one hand, there is a significantly higher proportion of elected representatives with an interest in international affairs than in national parliaments. Secondly, the AFET Committee, in particular, includes a large number of former heads of state, prime ministers, foreign or defence ministers, who have a wealth of experience in this area. **The institution also benefits from a wide variety of backgrounds, points of view and geopolitical positions, which has increased further since the 2004 enlargement to include the countries of Central and Eastern Europe.** The media are also taking a greater interest in the Parliament, reporting more on its work and increasingly quoting and inviting MEPs, including during prime time.

There is a less optimistic vision of the institution's development. Some parliamentarians would join the AFET Committee solely for the prestige and visibility it offers and would come less to obtain information or engage in dialogue with the High Representative than to assert their own truths about a particular area or country. Others would put forward increasingly strong ideological pre-suppositions without questioning the realism of their demands. In fact, the European Parliament is prone to certain excesses, for example when,

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<sup>82</sup> Interview with the author, 13 October 2023 cf. above

<sup>83</sup> The news website Politico has devoted several articles to the affair. [https://www.politico.eu/article/morocco-corrupt-european-parliament-union-qatargate-bribery-scandal-eu/?utm\\_source=email&utm\\_medium=alert&utm\\_campaign=Inside%20Morocco%E2%80%99s%20efforts%20to%20corrupt%20the%20European%20Parliament](https://www.politico.eu/article/morocco-corrupt-european-parliament-union-qatargate-bribery-scandal-eu/?utm_source=email&utm_medium=alert&utm_campaign=Inside%20Morocco%E2%80%99s%20efforts%20to%20corrupt%20the%20European%20Parliament) [https://www.politico.eu/article/qatargate-antonio-panzeri-useful-idiot-still-work-inside-eu-parliament/?utm\\_source=email&utm\\_medium=alert&utm\\_campaign=Qatargate's%20useful%20idiots%20still%20work%20inside%20EU%20Parliament%C2%A0](https://www.politico.eu/article/qatargate-antonio-panzeri-useful-idiot-still-work-inside-eu-parliament/?utm_source=email&utm_medium=alert&utm_campaign=Qatargate's%20useful%20idiots%20still%20work%20inside%20EU%20Parliament%C2%A0)

<sup>84</sup> On 19 January 2023, the European Parliament adopted three resolutions on respect for human rights in Brazil, Morocco and Nagorno-Karabakh. See the press release <https://www.europarl.europa.eu/news/fr/press-room/20230113IPR66659/violations-des-droits-humains-au-bresil-au-maroc-et-au-haut-karabakh>

<sup>85</sup> See the Communication from the European Commission [https://commission.europa.eu/document/5d470456-641c-4248-951c-0ff1d52627fe\\_en](https://commission.europa.eu/document/5d470456-641c-4248-951c-0ff1d52627fe_en)



in a report on Somalia, it relays certain demands of the ENVI committee on the use of fertilisers and pesticides instead of giving priority to security. The politicisation of an institution that used to be described as a little too technical is a good thing, but it does encourage the parties to send more generalist, less specialised and even more militant profiles.

This development is also reflected in the quality of certain debates. The broadcasting of committee meetings certainly makes for greater transparency, but whereas in the past elected representatives were often content to ask a question and/or raise an issue, some of them now make peremptory statements, which they then post on social networks. In the long term, the European Parliament runs the risk of losing part of what makes it original and rich, namely the exchange of views, the ongoing co-construction and the search for compromise.

## I JOINING TEAM EUROPE

Several resolutions adopted in recent years have also stressed that the European Parliament should be part of **Team Europe**, a “Team” initially designed to respond to the Covid-19 pandemic and made up of EU institutions and services (including EU delegations), EU Member States (including their implementing agencies and public development banks), the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD)<sup>86</sup>. This approach, which has become the backbone of the European Union’s programming for the years 2021-2027, makes it possible to combine what is done collectively across the EU and what the Member States are doing through their bilateral actions.

The European Parliament would like to join this structure, not in order to arrogate to itself a role in foreign policy that is not provided for in the

Treaties or to lose its institutional autonomy, but in order to have more solid and effective consultation mechanisms in this area. In the meantime, it could make better use of the existing tools that provide it with the means, including informal means, to keep itself informed. Consultation mechanisms exist in particular within the framework of the budgetary control exercise and the regular dialogues that take place with the respective committees on the monitoring of the implementation of the various programmes and instruments.

If the Parliament wants its action to be as useful as possible in achieving the EU’s objectives, this can only be achieved through closer coordination at political and administrative level. This is still far from being the case, and when MEPs prepare missions, reports or initiatives, it is up to them to go fishing for information. They find themselves in the position of requesters, as if they did not have a legitimate voice to be part of more established discussion structures.

Within the European Parliament’s Directorate-General for External Relations, a unit is trying to make up for these shortcomings and to oil the inter-institutional wheels, create more systematic mechanisms for collaboration and increase awareness of what the European Parliament is doing among the other institutions.

It would also be important to further strengthen cooperation between MEPs and the EEAS. This presupposes that MEPs treat the information they receive with the utmost care. However, in a multicultural environment, not everyone has the same definition of communications security or the ability to manage classified information. **The European Parliament, around its Committee on Economic and Monetary Affairs, has had the opportunity in the past, for example during the financial crisis, to show that it was capable of working quickly and in complete confidentiality.**

<sup>86</sup> Team Europe-Team Europe was initially designed to ensure a coordinated and comprehensive response by the EU and its Member States to the Covid 19 pandemic and its consequences. This new approach has become the backbone of the Europe in the World financial instrument and its programming.

For more information on this subject, see the European Commission website

[https://international-partnerships.ec.europa.eu/policies/team-europe-initiatives\\_fr](https://international-partnerships.ec.europa.eu/policies/team-europe-initiatives_fr)

But it still needs to change in this area if it is to play a role in foreign policy and defence issues; in the United States, the government shares intelligence with Congress, but it does so according to draconian rules. For its part, in recent years the Commission has not hesitated to use Article 122 of the Treaty on the Functioning of the European Union (TFEU), which allows the Council to adopt legislative proposals very quickly without involving the European Parliament, to deal with the health crisis and the war in Ukraine. This was the case for the joint purchase of vaccines against Covid-19 and the capping of gas prices<sup>87</sup>.

## I LAUNCHING INSTITUTIONAL REFORMS

Lastly, institutional reforms could be launched in response to the prevailing sense of frustration among some elected representatives in foreign policy matters about the gap between their desire to act and the strict institutional limitations. The European Parliament could be given a greater role in defining priorities. It could also increase its right to information on trade policy. Some witnesses recall that during negotiations on the draft Free Trade Agreement between Mercosur and the EU (still under discussion), MEPs were sometimes obliged to request information from their Brazilian counterparts.

**In order to prevent a single leader from being able to block the entire process, one option would also be to abolish the unanimity rule**

**that currently prevails in CFSP matters** - except for certain CSDP operations with an executive mandate, which would continue to be decided solely by the heads of government. Nine Member States, including France, Germany and Italy, advocate qualified majority voting for CFSP matters<sup>88</sup>.

In his recent report on enlargement<sup>89</sup>, the Chairman of the Foreign Affairs Committee of the French National Assembly, Jean-Louis Bourlanges, stresses the importance of a substantial extension of qualified majority voting in an enlarged Europe, but underlines the difficulty of applying this rule to issues involving potentially very antagonistic positions, which is sometimes the case in foreign policy. “When it comes to decisions on the least consensual areas, the best thing would be to make greater use of the positive abstention or enhanced cooperation procedures, even if it means making them simpler and more operational. More realistic and undoubtedly more useful to the Union’s progress would, however, be the extension of qualified majority voting to all questions relating to the multiannual financial framework, the Union’s budget and own resources”, notes the report. The subject is also addressed in the report by the Franco-German group on the institutional reforms of the EU, published in September 2023, which recommends, for the common foreign and security policy, “continuing to give priority to seeking consensus and using qualified majority voting only as a last resort”<sup>90</sup>.

<sup>87</sup> Article 122 provides that “Without prejudice to the other procedures laid down by the Treaties, the Council, on a proposal from the Commission, may decide, in a spirit of solidarity between Member States, upon measures appropriate to the economic situation, in particular if severe difficulties arise in the supply of certain products, notably energy”. “Where a Member State is in difficulties or is seriously threatened with severe difficulties caused by natural disasters or exceptional occurrences beyond its control, the Council, on a proposal from the Commission, may grant, under certain conditions, Union financial assistance to the Member State concerned. The President of the Council shall inform the European Parliament of the decision taken.”

<sup>88</sup> Read the Euractiv article of 5 May 2023 [https://www.euractiv.fr/section/politique/news/neuf-etats-membres-sassocient-pour-promouvoir-le-vote-a-la-majorite-qualifiee-en-matiere-de-politique-etrangere/?\\_ga=2.132945479.893140658.1700456457-81770765.1697545644](https://www.euractiv.fr/section/politique/news/neuf-etats-membres-sassocient-pour-promouvoir-le-vote-a-la-majorite-qualifiee-en-matiere-de-politique-etrangere/?_ga=2.132945479.893140658.1700456457-81770765.1697545644)

<sup>89</sup> On this subject, see the report by Jean-Louis Bourlanges on the motion for a European resolution on the follow-up to the conference on the future of Europe [https://www.assemblee-nationale.fr/dyn/16/rapports/cion\\_afetr/l16b1526\\_rapport-fond](https://www.assemblee-nationale.fr/dyn/16/rapports/cion_afetr/l16b1526_rapport-fond)

<sup>90</sup> The Report of the Independent Franco-German Expert Group on European Union (EU) Reforms was presented to EU European Affairs Ministers on 19 September 2023. [https://www.diplomatie.gouv.fr/IMG/pdf/rapport\\_fr-de\\_reformes\\_cle036f48.pdf](https://www.diplomatie.gouv.fr/IMG/pdf/rapport_fr-de_reformes_cle036f48.pdf)

In order to bring greater clarity and rationality to the process, some politicians also envisage a system in which the High Representative would hold all executive power in foreign policy matters and could, in return, be directly overruled by the European Parliament (and not, as at present, only via collective censure of the Commission), which would gain significant power. In their view, the Commissioners could be recruited from among the Members of the European Parliament, which would create a closer relationship between the two institutions. Such a scenario is not on the agenda at the moment, but it could provide useful food for thought on the reforms to be undertaken before the next enlargement.

# Conclusion

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In her study on *“The international diplomacy of the European Parliament, a lever for the parliamentaryisation of the European Union”* (see above), Marie-Cécile Cadilhac points out that “from a historical point of view, the external relations of the European Community/European Union have unquestionably been the poor relation of the parliamentaryisation of the EU (...) the rise in power of the European Parliament enshrined in the successive revisions of the Treaties having, for a long time, essentially concerned the internal policies of the Union”. With the Treaty of Lisbon, it continues, the European Parliament has become “a key player in the Union’s external action”, thanks in particular to the generalisation of the ordinary legislative procedure, which means that its approval is almost systematically required at the stage of concluding international agreements; but “grey areas remain, such as the marginalisation of the European Parliament in the field of the Common Foreign and Security Policy (CFSP) or its exclusion from the negotiation and implementation phases of the European Union’s external agreements”.

**In fact, the European Parliament’s role in foreign policy remains closely circumscribed by the Treaties and the Member States’ desire to preserve their sovereignty in this area. Over the years, however, it has succeeded in asserting itself on the international stage thanks to deliberate strategies aimed at redrawing the balance of power, finding new rights for itself or making maximum use of existing rights. To achieve this, it draws on a number of resources: the development of a network in third countries, the expertise and skills of its elected representatives, a tradition of consensus that facilitates external and transparent dialogue, access to delegations and partisan federations, and the legitimacy of an institution that is often seen as a moral authority guided by the values and promotion of human rights. It is thus increasing its right of scrutiny over the CFSP, not hesitating to blackmail in areas where it has powers, such as the budget or the approval of treaties<sup>91</sup>.**

If the leaders of the Member States set about reforming the Treaties, the Parliament will have a card to play tomorrow in order to obtain a greater role in defining the priorities of foreign policy and to assert itself in an increasingly tense international context.

“Ukraine has opened the eyes of many people and brought about a shift in public opinion that was immediately transmitted to the European Parliament. The European Parliament, and this is a good thing, now seems ready to ‘get its hands dirty’ and make conscious choices that do not systematically come under the heading of private morality and the camp of the Good”, says former MEP Alain Lamassoure<sup>92</sup>. But, notes Jean-Louis Bourlanges<sup>93</sup>, “MEPs have a certain tendency to give in to an idealistic UN conception of their role, and find it very hard to accept the logic of confrontation. The problem behind all this is that the European Union was not built to wage war but to make peace. We are in the business of benevolence, goodwill, what Emmanuel Macron calls naivety. But today, between Putin and Trump, the roadmap is different”.

The next European elections will also have an international dimension, and will largely determine whether or not a truly powerful Europe is established. **Faced with these challenges, the European Parliament that emerges from the polls will itself have to make a choice: to become a player with real influence on the external scene, at the risk of no longer giving the same priority to defending values, or to remain a voice of protest that is certainly strong but not always audible.**

<sup>91</sup> To be read: *Emergence of the European Parliament as a Diplomatic Mediator: Conceptualising, Exploring and Explaining Parliamentary Diplomacy in EU Foreign Policy*. Daan FONCK, KUL

<sup>92</sup> Interview with the author, see above.

<sup>93</sup> Interview with the author, see above.

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