Influence beyond formal powers: The parliamentarisation of European Union security policy

The British Journal of Politics and
International Relations

1–15

© The Author(s) 2018

Reprints and permissions:

sagepub.co.uk/journalsPermissions.nav

DOI: 10.1177/1369148117747105

journals.sagepub.com/home/bpi

Guri Rosén¹ and Kolja Raube²

Abstract

The European Union's foreign and security policy is commonly described as an intergovernmental affair. Despite limited formal powers, several studies suggest that the European Parliament has increased its influence on the Union's foreign and security policy. This article argues that, to gauge the significance of parliamentary participation, it is necessary to look beyond the notion of formal parliamentary rights and to take into account informal influence. The analysis shows how informal avenues of influence are crucial at certain stages of the decision-making process, and points to factors that constrain and enable parliamentary impact. Furthermore, it emphasises the important role that parliaments play in scrutinising security policy, which is a crucial component of democratic governance. In this particular field where there is little legislation, the establishment of solid procedures and practices for oversight and control can also be a significant indicator of parliamentary influence.

Keywords

Common Foreign and Security Policy, European Parliament, European Union, informal influence, parliamentarisation, security policy

Introduction

The European Union (EU) is one of the few international organisations to have developed its own foreign and security policy. Some have argued that a reason for moving foreign policy-making to the EU level is to avoid the constraints of domestic democratic processes (Koenig-Archibugi, 2004). Thus, the EU's Common Foreign and Security Policy

¹ARENA Centre for European Studies, University of Oslo, Oslo, Norway

²Leuven Centre for Global Governance Studies, Leuven International and European Studies, University of Leuven, Leuven, Belgium

Corresponding author:

Guri Rosén, ARENA Centre for European Studies, University of Oslo, P.O. Box 1143, Blindern, 0318 Oslo, Norway.

Email: guri.rosen@arena.uio.no

(CFSP) is largely an intergovernmental affair.¹ Procedures differ from other policy areas as decisions are taken overwhelmingly by unanimity rather than qualified majority, the adoption of legislative acts is excluded, the European Commission is side-lined as policy initiator and the EU Court has limited jurisdiction. In most policy areas where decision-making power is transferred to the EU, the European Parliament's (EP) role has grown simultaneously. But despite increased foreign policy coordination and cooperation between member states at EU level, the formal powers of the EP have hardly changed since the CFSP was established in the early 1990s. Following Article 36 (Treaty on the European Union), the EP has the right to be consulted and informed on the main aspects and basic choices of the CFSP, ask questions and make recommendations to the EU executives. As a result, focusing on the EP's formal rights leads to the conclusion that its role is more or less negligible (e.g. Eeckhout, 2012; Hyde-Price, 2002).

Yet, the High Representative and Vice President of the Union for Foreign Affairs and Security Policy (HRVP), who is responsible for initiating and conducting the CFSP, has claimed her relationship with the EP to be 'an essential and valuable component of [her] work' (European Parliament, 2014). Although this claim might be written off as lip service, several studies argue that the EP has increased its influence on the CFSP (Herranz-Surrallés, 2011; Maurer et al., 2005; Raube, 2014; Riddervold and Rosén, 2015; Wisniewski, 2013). What is lacking from the existing literature, however, is a systematic assessment of this influence: *how does a parliament with a very limited set of constitutional competences gain influence on policy-making?*

Our ambition in this article is to gauge the importance of parliaments' formal and informal capabilities to exert influence, as well as to tease out conditions that constrain or enable parliamentary impact in the area of EU security policy. By doing so, we contribute to one of the overall objectives of this Special Issue, which is to explore parliamentary influence in security policies beyond the right to veto troop deployments and other formal sources of authority (Mello and Peters, 2018).

Using a conceptualisation of influence put forward by Russell and Cowley (2016), we focus on the various phases of the policy-making process—from its initiation through decision-making to implementation and evaluation. Our basic definition of influence is a 'causal relation between the preferences of an actor regarding an outcome and the outcome itself' (Nagel, 1975: 29). To illustrate how variants of influence manifest in practice, we analyse attempts by the EP to (1) shape CFSP institutional structures and procedures and (2) actually shape policies within this area. Although the EP is a particular parliamentary organisation, the lack of formal powers over foreign and security policy is a feature it shares with many parliaments around the world. Therefore, increasing our understanding of how it manoeuvres within those confines is of relevance to national parliaments as well. The analysis demonstrates how the EP makes an impact at several stages of the policy-making process, particularly through indirect and informal means. However, informal influence feeds off formal powers, by enabling participation at the policy formulation stage and by fostering arenas for participation and consultation. Proactive engagement is important, but so is the potential for parliaments to complement the diplomatic efforts of the executive. The article argues that only a broad perspective on security policy-making is likely to capture the potential for parliamentary influence, because parliamentary decision-making powers are commonly circumscribed. Furthermore, it emphasises the important role that parliaments play in scrutinising security policy, which is a crucial component of democratic governance. In this particular field where there is little legislation, the establishment of solid procedures and practices for oversight and control can also be a significant indicator of parliamentary influence.

How to assess the EP's influence on EU security policy

Building on the definition of influence that we have cited, to have influence entails that one actor is able *intentionally* to change its environment. It does not presuppose conflict and the substitution of one action for another, which makes the exercise of influence distinct from the exercise of power. Still, there is an intimate relationship between influence and power because 'the two are often mutually reinforcing' (Bachrach and Baratz, 1963: 637). 'Policy-making power' often refers to parliaments' ability to formulate their own policies and replace suggestions from other actors (Norton, 1990). Exerting influence is not only limited to voting a proposal up or down but also includes affecting what problems are seen as more important and the scope of alternative solutions. Instead of focusing exclusively on decision-making—the stage of the policy-making process where decision-makers decide (not) to support a proposal—we suggest looking at the different phases of the policy-making process. Building on an article by Russell and Cowley (2016), the question is whether the EP has made a difference during the pre-decision phase (agenda-setting or problem-formulation) or the post-decision phase (implementation and evaluation). Accordingly, in addition to being able to change or modify decisions, influence encompasses (re-)defining issues, (re-)placing proposals on the agenda, affecting implementation, changing future policies through a process of evaluation or even current policies through the prospect of parliamentary scrutiny. At the same time, the functions of parliaments go beyond shaping policy. They also serve the purpose of controlling and overseeing governments and their agents. Influencing the creation and design of institutions and procedures is a more indirect way to affect the executive (see Lindsay, 1994). Institutional and procedural design may also have an effect on policy-making processes by constraining the executive's room for manoeuvre, for example, by budgetary means or through oversight exercises.

Pre-decision

The pre-decision stage is the period during which a proposal is being drafted. Influence at these initial stages of the policy cycle is about how a subject is identified, defined and processed by the system (see Peters, 1994). Similarly, decision-making processes often involve assessing various policy options, and the ability to determine the scope of the alternatives that are being assessed directs the eventual output (Schattschneider, 1960). In the words of Baumgartner et al. (2006: 960), studying policy agendas means giving 'attention to the dynamics of how new ideas, new policy proposals, and new understandings of problems may or may not be accepted in the political system'. In the realm of security policy, parliaments may exert influence through mandating political and diplomatic personnel, who are responsible for decision-making and implementation of foreign policy. For example, it has been argued that the EP can influence the HRVP, because the position is subject to a vote of confirmation by the Parliament.

Decision-making

Once a proposal is drafted, it enters the decision-making stage. At this stage, parliaments can exert influence by virtue of being veto players; that is, actors whose agreement is needed to change the status quo (Tsebelis, 2002). If the EP were able to influence decision-making in CFSP, it would have the power to reject, modify or replace (parts of) proposals from the EU executives; for example, decisions on general strategic direction of a policy or daily policy actions.² In procedural terms, accurate and timely reporting

Table 1. Stages of influence.

Decision-making stages		Indicators
Pre-decision	Problem-formulation	The EP identifies a problem that is subsequently entered into the policy-making process or instigates institutional reform. The EP's definition of a problem or issue becomes guiding to the policy-making process or the standard for institutional reform.
	Agenda-setting	The EP's concerns become part of the EU's CFSP agenda. The EP's concerns receive more/earlier attention than other issues on the CFSP agenda.
Decision-making	Participation in decision-making	The EP rejects (parts of) a policy or procedure that it does not agree to. The EP amends (parts of) a policy or procedure that it does not agree to.
Post-decision	Implementation	The EP's suggestions for how to implement a certain policy or procedure are (partly) incorporated by the EU executives.
	Evaluation	The EP's evaluation of a policy or procedure leads to the change of given policy or procedure.

EP: European Parliament; CFSP: Common Foreign and Security Policy; EU: European Union.

requirements and control measures both before and after the initiation of a policy can limit what governments are able to do without the support of parliament. For instance, the US Congress can influence foreign policy by conditioning the President's room for manoeuvre through legislation or by changing the rules of delegation to the executive (Kriner, 2018; Raunio, 2014). If the EP is able to change routines within CFSP, this influence could, in turn, also affect the content of policy.

Post-decision

After a decision is made, parliaments can exert influence by scrutinising and controlling the executive. In the EU, diplomatic personnel planning and implementing the CFSP are, for instance, scrutinised in separate parliamentary hearings (Raube, 2012). One may argue that the more formalised control instruments are, the more effective they will be, particularly if parliament can impose sanctions by, for example, pulling home troops and stopping payments. At the same time, in a recent study of how national parliaments supervise the CFSP, Huff (2015: 407) shows that the quantity and quality of actual supervision are not contingent on formal authority but depend on the willingness and ability to scrutinise their own governments' political decisions. In other words, scrutiny of political decisions and behaviour can have an impact even without the ability to impose sanctions because it puts pressure on future decisions. Sanctions may also encompass less formal consequences, such as naming and shaming through parliamentary questions that may have reputational costs (see Bovens, 2010: 952).

The different ways in which the European Parliament might make an impact on EU security policy are summarised in Table 1. Our framework focuses attention on two objects of influence—procedure and policy—and three different decision-making stages.

We also provide a set of stylised examples of what one might expect to observe empirically if the EP exerts influence on the CFSP. Analysing the EP's involvement in the EU's security policy using the framework below will help in assessing the importance of formal versus informal influence as well as to identify the constraints and enabling factors of parliamentary influence.

Our analysis primarily relies on studies that have identified instances of parliamentary influence on the CFSP. A large part of these works are our own previous research, but in this article we go into aspects of these analyses that have not been investigated systematically. Synthesising these findings in this article allows us to gauge the influence of the EP in a more comprehensive manner. In addition, we draw on secondary literature addressing the influence of the EP's role in security policy. Although we depend on the validity of the conclusions that others have drawn, the data are not primarily intended to measure *the extent of* the EP's impact. Our main aim is to provide an assessment of *how* the EP exerts influence, and we only include examples where the EP has made a difference in this article.³ It is difficult for one study to assess influence at all phases of the policy-making process (Dür, 2008: 561). Thus, combining previous findings into a new framework permits us to focus on new features of already existing research.

Furthermore, we have chosen to focus on a set of cases that are key to the development of the CFSP, both in procedural and policy terms. First, we examine the EP's influence on institutional structures and procedures. Here, we focus on the EP's relationship with the HRVP and the European External Action Service (EEAS) as well as the EP's budgetary powers and access to information. Second, we assess how the EP shapes actual policies by focusing on a set of cases that cover different dimensions of EU security policy and that have dominated the EU's security agenda over the past decade, including the EU's relations with Ukraine, the naval operation NAVFOR Atalanta and the new Global Strategy.

When and how does the EP influence the CFSP?

The EP's influence on institutions and procedures

The EP is in many ways more similar to the US Congress than it is to the parliaments of Union member states. The EU's political system resembles that of the American separation of powers in that no government emanates from the EP, and Members of the European Parliament (MEPs) are not bound to their party leaders or dissolved if the executive is subject to a vote of confidence (Hix and Høyland, 2014: 591). Arguably, the EP also has fewer opportunities to influence EU policy through bicameral partisan channels and is therefore dependent on inter-institutional processes to influence EU policy. The EP is renowned for its continuous battle to seek its own empowerment, and as is shown below, it has been strategic in using its decision-making powers to indirectly shape CFSP procedures and practices according to its preferences.

Pre-decision phase

Security policy is an area dominated by executive powers. A particular disadvantage of parliaments is that they have difficulty accessing information about what their governments are doing—or plan to do. Thus, Raunio and Wagner (2017: 9) have argued that

‘much of parliamentary activity focuses on getting timely and accurate information’. When the EU’s Common Security and Defence Policy (CSDP) was established in the late 1990s, access to documents that would allow the EP to oversee what the Council was doing became one of its key ambitions. In 2002, the two parties concluded an agreement whereby five MEPs would be allowed to peruse sensitive CSDP documents.⁴ The negotiations took 2 years, and many member states were very reluctant to share information with the EP. What is important to note, however, is that before the Council presented its first draft proposal for an agreement, a consensus on the need for privileged parliamentary access to documents was established (Rosén, 2015). Although the Council was initially opposed to giving the EP access to sensitive documents, the Parliament managed to convince a majority of member states that ‘there had to be some kind of mechanism for parliamentary access’ (Rosén, 2015: 389). Although the EP had to surrender on some of its demands during the subsequent negotiations, the debate about whether the EP should have access to sensitive information or not was off the table. This outcome illustrates how influence can be achieved during the pre-decision phase by defining the starting point for future talks.

Decision-making phase

With few formal powers available, a major strategy for the EP in the decision-making phase has been to link its demands in the area of security policy to other issues over which it has authority. Here, we focus on two cases that are not only illustrative but also essential to the role of the EP: the relationship to the HRVP, described as ‘the most important inroad the EP has on the CFSP’ (Crum, 2006: 387), and the authority over the CFSP budget, which many have highlighted as a chief instrument for the EP. The main task of the HRVP is to propose policies to, as well as to lead, the Foreign Affairs Council, or the meetings of EU national foreign ministers. In addition, (s)he is responsible for representing the EU vis-à-vis third parties and international organisations, conducting the CFSP and carrying out the mandate of the Council.⁵ To deliver on all these tasks, the EEAS—composed by staff from the Council and Commission, as well as seconded national diplomats—assists the HRVP. The creation of the EEAS was meant to ensure a more effective and coherent foreign and security policy in the EU. It was set up after the entry into force of the Lisbon Treaty in 2009, and the EP was supposed to be consulted in the process, while the decisive actors remained the Council and the Commission. Despite this formally reduced role, the EP was able to link the final decision on the EEAS to the EEAS budget and staff regulations over which it had co-legislative powers, making clear that it would vote them down unless the Council met its demands (Raube, 2012; Wisniewski, 2013).

The EP used so-called own-initiative reports (see European Parliament, 2009, 2001) to signal its preferences. Two important documents emanated from the negotiations between the EP and the HRVP, which testify to the EP’s influence on the institutional structure of the EEAS and procedural relations with the HRVP. First, with the ‘Statement by the High Representative in the Plenary of the European Parliament on the Basic Organisation of the EEAS Central Administration’ (SCA), the HRVP accepted the EP’s request to integrate a human rights department in the EEAS and better representation of female diplomats as well as personnel from Eastern and Central European member states.⁶ Furthermore, the Parliament suggested that crisis-management units in the Commission and the Council should be integrated in the EEAS under the authority of

the HRVP. It was important to the EP, as the SCA confirms, to bring together such units in one new directorate and avoid intergovernmentally driven crisis-management policies (Raube, 2012: 77–78).

Second, the EP used the opportunity to shape its future working relationship with the HRVP. One of the Parliament's key allegations was a lack of political accountability of the new service, and it made it an absolute demand to extend the EP's scrutiny and control over EU foreign and security policy (Raube, 2012). In the Declaration on Political Accountability (DCA), it was agreed that in case (s)he could not appear in parliament, only political staff would replace the HRVP, and future heads of EU delegations would have to be heard (in camera) by the EP before being sent abroad. Finally, not only the setup of the EEAS but also future reviews and revisions, including its crisis-management structures, would be closely scrutinised by the EP by taking on a co-legislative role on the EEAS and any of its future revisions. Thus, using formal decision-making powers in an indirect manner increased the EP's influence at the decision-making stage. It meant that the EP could shape its relations with the HRVP and the EEAS and tie this new organisational structure closer to the EP, which deviates from the initial intention. Hence, rules and procedures were established according to the EP's preferences.

The EP has also used its powers over the CFSP budget to establish new arenas for interacting with the EU executives. It did so through inter-institutional agreements, which are described as 'crucial instruments for the extension of parliamentary competencies in [the CFSP]' (Maurer et al., 2005: 177). The success of the EP's bargaining strategy is partly due to the interaction between a growing level of CFSP activity and the readiness on the part of the EP to delay the budgetary process. Potential delays cause stress for the more impatient Council, leading it to succumb to the demands of the EP.

In 2005, for instance, the EP demanded concessions in return for funding the EU's activities in Iraq and Afghanistan (Rosén, 2014). The ensuing Inter-institutional Agreement of 2006 established so-called joint consultation meetings, where the EP is informed about the budgetary implications of CFSP activities. According to the EP, these meetings 'symbolise the coming together of Parliament's consultation/scrutiny role and budgetary authority in the area of CFSP' (European Parliament, 2010). Thus, the formal powers of the EP, although limited, have facilitated the establishment of new procedures for information and consultation that allow the EP to scrutinise the executive.

Post-decision phase

The EP has more influence on the institutional and procedural aspects of the CFSP than one would expect based on the EU treaties as well as the inter-institutional agreements. Although the intention was that the joint consultation meetings would be used to share technical, budget-related information, they have become more of a pretext to discuss the political aspects of the CFSP, including security and defence. In other words, during the implementation of agreed-upon procedures, the EP has been able to expand actual practice. At the request of the EP, the extent of the information shared has increased, and political discussions during the meetings between the EP and the executive have been institutionalised (Rosén, 2014). A similar development is found in the relationship between the EP and the HRVP. In the context of the above-mentioned agreement on access to sensitive documents in the area of security and defence, the HRVP or her staff meets with a small group of MEPs allowed to peruse classified documents. This arrangement has also developed into something more than an exchange of documents. The HRVP

gives regular oral briefings to these MEPs and the arrangement is described as ‘very interactive’, as the HRVP engages with the MEPs in answering questions and justifying positions (Rosén and Stie, 2017). What characterises the description of these informal meeting-places is that trust matters. Over the years, the EP has cultivated its relationship with the Council, the HRVP and the EEAS. For example, it has gone to great lengths to prove that it is able to respect the sensitive nature of security policies by not leaking secret information. Thus, building upon rules and procedures that are negotiated at the decision-making stage, the EP has managed to exert further influence on the development of informal practices for consultation and information.

A final aspect of how the EP influences the CFSP at the post-decision stage is its evaluation of the foreign policy activities of the executive; that is, scrutinising what the Council, the HRVP and also what the Commission have been doing. In July 2013, the HRVP released a review of the EEAS, describing the achievements and potential improvements of the newly created service (European External Action Service (EEAS), 2013). Prior to its release, in a situation of growing criticism of how the EEAS was organised and managed, key MEPs issued a report with recommendations for the upcoming review (European Parliament, 2013). The report not only reminded the HRVP of her duty to implement the DCA but also drew attention to the identification of an ‘appropriate structure’ that would integrate and coordinate units responsible for different tasks within the area of security and defence. In her own review, the HRVP did take Parliament’s view of a lack of integrated structures across policy instruments and including CSDP structures (so-called ‘Kortenbergs-structures’) into account (see EEAS, 2013: 20) and acknowledged the critique of her initial idea of managing the EEAS in view of the CSDP structures. This result illustrates how the post-decision phase might be linked to the pre-decision phase as review processes are converted into new initiatives. Furthermore, the EEAS staff are regularly invited to the meetings of the Committees on Foreign Affairs and Security and Defence. Special representatives are habitually involved in briefing the EP, and the EP also conducts hearings with ambassadorial-level staff from the EEAS before they are sent abroad. These activities have had a bearing on the hierarchy of actors to whom members of the EEAS pay attention. Although the Commission, Foreign Affairs Council and European Council are most important, the European Parliament is ranked as more important than the member states, big or small (Henökl, 2015: 691).

Taken together, at the decision-making stage, the EP has successfully relied on its *formal* powers to establish agreements as well as new rules and procedures for regulating relations between the EP and the EU executives. However, during both the pre- and post-decision phases, it has exerted important *informal* influence that has allowed it both to set the standard for the negotiations with the Council (pre-decision) and develop norms and practices for parliamentary involvement in the CFSP (post-decision). Overall, the EP has ample opportunity to raise any concerns regarding the CFSP through its regular contact with the HRVP and her staff. Beyond the importance of these procedures and practices for the process of information sharing and accountability, the subsequent question is how these procedures and practices translate into impact on policy-making.

Influence on policy-making

As described above, the EU’s legal framework makes clear that the influence of the EP on foreign-policy decision-making is not formally foreseen. Foreign policy, and particularly

security policy, is largely driven by events. As Peters et al. (2014) have pointed out, the EP's institutions are not part of the Union's crisis response routines. Hitherto, its efforts to be consulted prior to military missions have also not been very successful (Herranz-Surrallés, 2014). When Russia invaded the Crimean peninsula or Islamist terrorists attacked Paris, the EP was not at the centre of attention. But although the EP might be left out of the loop when crisis hits, it does not necessarily mean that it is unable to affect policies at the pre- and post-decision stages.

Pre-decision phase

Recent research on the EU's relations with Ukraine emphasises how in the period before the crisis it was the EP that was shaping the Union's diplomatic efforts towards Ukraine. These studies demonstrate how the EP may contribute to defining foreign policy-making through early involvement. While an Association Agreement between the EU and the Ukraine had been ready since 2008, several member states were hesitant to ratify against the background of perceived anti-democratic initiatives by the government of President Viktor Yanukovich. Because member states were unable to come to agreement on how to deal with Ukrainian authorities, the EP suggested it send two representatives to observe the trial of former Prime Minister, Julia Tymoshenko. Former EP President Pat Cox and former Polish President Aleksander Kwasniewski were chosen as envoys (Fonck, in press). Although the two were to some extent independent from the EP, they were accompanied by EP staff, reported to the leaders of the EP's political groups and were in close contact with the Committee on Foreign Affairs throughout the mission (Nitou and Sus, 2017: 9). Over time, the EP also managed to extend the purpose of the mission from observing a single trial to 'eventually become a mediator in Ukrainian domestic politics' (Redei and Romanyshyn, 2016: 7). Even though it might be argued that this case is a special one, it serves to illustrate the potential of parliamentary influence on policy formulation.

In a similar manner, the EP has been able to shape the discourse on the new Global Strategy (European Council, 2016) and related defence initiatives of the EU. Following up on an outdated Security Strategy from 2003, the European Council invited the HRVP to produce a new strategy by 2016, and in anticipation of the new document, the EP initiated an own-initiative report in September 2015 (European Parliament, 2016a). Most importantly, the EP's report signalled its willingness to align itself with the general lines of the strategy that encompass instruments over which the EP has legislative powers. As a result, it is likely that larger parts of the 'Global Strategy', including security and defence, cannot be implemented without the support of the EP.

An example is the Commission proposal for a European Defence Fund, which is meant to support European Defence by means of joint research and capabilities (European Commission, 2016). The EP has been explicit about its support for using the Union's budget to increase European defence capabilities through research and technology. In one of its resolutions, it underlined that the EP 'exercises legislative and budgetary functions as well as political control and consultation functions, and is thus called upon to play a key role in framing the European Defence Union' (European Parliament, 2017). The Commission has incorporated several of the EP's proposals into its own plans for the European Research Fund (European Commission, 2017), which illustrates another aspect of how the EP's influence works indirectly through its budgetary powers, and also by its proactive approach at an early stage in the policy-making process.

In contrast, when the EU was preparing the EU Maritime Security Strategy (EUMSS), the EP's influence was miniscule (Riddervold and Rosén, 2016). The EUMSS is a comprehensive strategy under the EU's Security Strategy targeting the global maritime domain. It was initially intended to have a security and defence focus, but ended up as a cross-sectoral policy, driven forward by the Commission. Although the EP's rapporteur was in contact with the EEAS from an early stage, MEPs did not get involved in the drafting process of the joint communication, which defined the strategy. Part of the reason is that in contrast to the EEAS and the Commission, the EP viewed the EUMSS as a security and defence initiative. Although the EP supported the Commission's comprehensive approach, it did not complement the Commission's strategy by engaging a broader range of committees (Riddervold and Rosén, 2016). This case indicates that the EP's policy influence is dependent on factors such as personal engagement, and also the weight of the 'power of the purse', and the importance of being able to draw on formal powers, albeit indirectly. The example of Ukraine illustrates how EU parliamentarians can shape the policy agenda through informal means when they enter the policy-making process at an early stage and when there is a lack of a clear official policy.

Decision-making phase

The subsequent question then is whether the EP's ability to influence policy formulation and setting the agenda can be carried over to the decision-making stage? In the Ukraine case, the EP's role dwindled as the crisis escalated and the EU executives took charge of the policy-making process (Nitou and Sus, 2017). In the case of NAVFOR Atalanta, Peters et al. (2014: 441) argue that the EP's role was confined to drawing up own-initiative reports and that it 'only became involved after key decisions of crisis response planning had already been made'.⁷ This late involvement demonstrates how the EP's ability to affect EU policies through formal avenues is circumscribed. Although the EP keeps pushing to extend its participation in the decision-making processes in the field of foreign policy, its success has been limited. The EP can allocate resources over the CFSP budget but apart from such indirect instruments, there are few opportunities for it to exert direct influence on foreign policies. Thus, the EP continues to have very little direct decision-making power, particularly over policy-making processes. Two recent court cases further substantiate the limitations of the EP's role in the CFSP. Subsequent to the Council's conclusion of international agreements on the extradition of pirates with Mauritius and Tanzania, the EP argued that the agreements were invalid because it had not given its consent. The Court agreed with the Council that the right of the EP to consent to international agreements does not encompass the CFSP, which confirms the continued isolation of the CFSP and endorses the EP's lack of decision-making powers in this area.⁸

Post-decision phase

However, the EP does exert influence on the content of policies at the post-decision-making stage, both through implementing policies and by conducting parliamentary diplomacy. First, in the case of Atalanta, the EP influenced the implementation of the operation through its insistence on a more comprehensive approach to the issue of piracy. In sharp contrast to the EU's Maritime Security Strategy, the EP's approach was broad from the outset, and committees such as Transport and Tourism, and Fisheries were very

active. Eventually, this approach caught on with the member states as well and became official EU policy. Moreover, in 2011 the EP used its legislative powers to instruct the European Maritime Safety Agency to forward information to Atalanta (Riddervold and Rosén, 2016). Another example of the EP's implementing powers is the external financing instruments, which are used to fund (among other things) the EU's security initiatives and peace-building efforts in partner countries. These instruments are set up for a 7-year period and the EP is not involved in their day-to-day operation. However, during mid-term reviews, if amendments are made, the EP gets involved. Thus, if the Commission wants to prevent the EP from vetoing its changes, it will bring the EP on board during the review process. Moreover, the Commission is obliged to come to Parliament to explain how it has taken the EP's viewpoints into consideration in its programming documents (Rosén, 2016).

A second aspect of the EP's impact on the implementation of foreign policies is its direct contact with third parties. Parliamentary diplomacy, in one sense, contradicts what we understand as diplomatic activity, or a dialogue between state representatives (Weisglas and De Boer, 2007). When part of traditional diplomacy, the parliament's activities will largely overlap with what takes place at the pre-decision stage (policy formulation), as seen in the case of Ukraine, which gives it a formal character. But there are also instances of direct EP diplomacy, and such efforts might not always correspond with the EU's official position. In the case of Kosovo, for example, Redei (2015) shows how the EP expressed clear support for independence in contrast to the Council, which was split on the issue. Moreover, he adds, the EP did not settle for making public statements, but was also in direct contact with the parliamentary assembly in Kosovo, putting pressure on the EU's response.

Because the EP is not bound by the same norms and conventions as regular diplomats, its representatives 'can convey messages to third countries that the latter cannot as well as have access to civil society actors that diplomats cannot reach' (Rosén, 2014: 19). In the case of Ukraine, Nitou and Sus (2017: 76) describe a 'privileged channel of communication' where the EP's 'envoys were free to speak on different levels—parliamentarian, governmental, judicial—with the ruling elites and with the opposition'. According to Redei (2014: 4), 'One of the most visible of the EP's institutional powers is its ability to use its parliamentary diplomacy to set diplomatic and protocol precedents that subsequently put pressure on other EU institutional actors'. However, the EP also uses its instruments to substantiate the EU's diplomatic efforts. The EP's 'Cox-report' from 2016, for example, guides the Ukrainian Parliament towards greater institutional capacity and constitutional reform, showing how the EP aims to impact on the implementation and dissemination of European principles on the ground (European Parliament, 2016b).

In light of this growing influence on CFSP implementation, the EP appears to be re-organising to accommodate future diplomatic activities and has institutionalised 'democracy support' as part of its parliamentary diplomacy. A European Parliamentary Mediation Support unit, situated in the EP's secretariat, has been established to underpin the EP's diplomatic efforts, including pre- and post-crisis mediation and institution-building. Founded in 2012 within the new 'Democracy Support' directorate, the work of the mediation unit is in line with the EP's work to support democracy around the world and its engagement in conflict prevention and mediation (European Parliament, 2017). The unit contributes to the EP's work in the field, including observation, monitoring and follow-up of elections in third countries, parliamentary capacity building in pre-accession countries,

promoting human rights and initiating and supporting processes of mediation, facilitation and dialogue.

The preceding section illustrates the EP's ability to influence policy-making through proactive activities, linking legislative powers to security decisions, and the direct involvement with third-party actors in conflict management. At the same time, it shows that the EP lacks clear decision-making powers. In the concluding discussion, we suggest some factors that condition the effectiveness of the various ways in which the EP influences CFSP, and how they may shed light on constraints and enablers of parliamentary impact on foreign and security policy in general.

Conclusion

Our analysis has mapped how the EP influences the CFSP in the various phases of the policy-making cycle. Using this approach showed that the EP has more influence than one would expect considering its formal decision-making powers. While the existing literature is ambiguous about the EP's impact on the CFSP, studying *how* it exerts influence contributes to clarifying this issue by shedding light on both the opportunities for and limitations of the EP's impact. We have illustrated how the EP is able to exert influence in all phases of the policy-making process and how informal means of influence play a key role, particularly for participation at the policy formulation stage (pre-decision), in fostering norms and practices for consultation and the exchange of information. The same holds when the EP engages individually and in a way complementary to the diplomatic efforts of the EU executives. Thus, when studying the role of parliaments in security policy, one should not forget that the decision to launch civil and military operations is only a fraction, albeit a very important one, of the activity that takes place in the realm of security policy. Only a broad perspective on security policy-making can detect a potential parliamentarisation in a policy field that is seen as a function of the executive proper.

Although the EP may be more eager to position itself in opposition to the executive than other parliaments, the analysis highlights the general importance of the parliaments' oversight, scrutiny and control functions. This role is often overlooked in the current literature on parliamentary involvement and influence on foreign and security policy that focuses on 'war powers' and troop deployments. In other words, the task of parliaments is not only to authorise policies but also to hold the executives accountable for their activities. Since these aspects are co-constitutive of democratic governance, the oversight and control functions of parliaments deserve greater attention. Our analysis illustrates that the cultivation of the informal relations between parliaments and executives is key to receiving necessary information, which is an important currency in the realm of security policy. Furthermore, informal norms and practices appear to be important constituents of building trust between parliamentarians and executive agents.

Synthesising a broad range of findings from the existing literature also allows us to highlight some of the factors that appear to affect how the EP influences the CFSP, and that are likely to be relevant for national parliaments as well. Being a supranational parliament, the EP is particular in its origin and composition, but its lack of formal powers in the area of security policy is a feature it shares with many parliaments around the world. First, we have demonstrated that there is a crucial link between formal powers and informal processes. For the EP, this link is particularly important in establishing informal procedures and practices for participation in the CFSP decision-making process mainly with regard to information and consultation. Once informal procedures and practices are

set up, parliament is eager to follow up and uses these processes to shape policy-making in the implementation phase of security policies as well.

A second identified factor crucial to the assertion of influence in security policy is a proactive parliament, which chimes with arguments made by Huff (2015). Not only through issuing resolutions or pursuing certain cases or issues areas but also with a view to parliamentary diplomatic activities, the EP uses its particular expertise as well as standing to get involved and exert influence—even in areas where it lacks formal powers in the first place. Individuals, the EP President or MEPs, or the institution as a whole can instigate attempts to get an issue on the formal agenda. Attempting to influence policy formulation is time-consuming, however, especially in cases where there are few incentives for the policy-makers to come to parliament. The HRVP and EEAS have a whole apparatus ready to coordinate across both institutions and policy areas; the EP does not. The parliament lacks a general capacity to talk to the right people at the right time and to demonstrate that it has the appropriate and significant knowledge to make a valuable input. Yet, this constraint is also common to most parliaments.

As a supranational parliament, the EP has some idiosyncrasies that limit the range of instruments it can exercise to influence the EU executive. Although it can use external events to put pressure on the EU's member states, it does not have the same opportunity to mobilise public opinion, as do other parliaments, because there is no common European public to which it can appeal. The fragmentation of the EU electorate makes it hard to employ naming-and-shaming strategies to make an impact, for example. Nevertheless, this study can be used as a point of departure for analysing the interplay between formal and informal influences in national contexts as well. Future research on parliaments in security policy should study the division of labour between parliaments and executives in the diplomatic realm, as well as when, why and to what extent their efforts tend to converge or deviate. It should also take seriously parliaments' function as overseer and scrutiniser—both formally and informally.

Funding

The author(s) received no financial support for the research, authorship and/or publication of this article.

Notes

1. The Common Foreign and Security Policy (CFSP) also includes the Common Security and Defence Policy (CSDP).
2. The ability to determine when, where and how a decision is debated can also be depicted as a form of agenda-setting power that takes effect during the decision-making stage. Our focus is mainly the policy agenda at the pre-decision stage.
3. There are of course also abundant examples where the European Parliament (EP) has not had any type of influence on CFSP activity. However, we argue that studying influence across stages of policy-making fills a large gap in the academic literature on CFSP/CSDP. A task for further research will be to identify the conditions under which parliaments are influential across the various stages.
4. OJ C 298, 30.11.2002.
5. The HRVP is also Vice President of the Commission and coordinates the portfolios on external relations.
6. OJ L 311/1, 26 November 2010.
7. Other studies display similar findings. See Portela (2015) and Grip (2013).
8. ECJ cases C-658/11 and C-263/14.

References

- Bachrach P and Baratz M (1963) Decisions and nondecisions: An analytical framework. *American Political Science Review* 57(3): 632–642.

- Baumgartner F, Green-Pedersen C and Jones BD (2006) Comparative studies of policy agendas. *Journal of European Public Policy* 13(7): 959–974.
- Bovens M (2010) Two concepts of accountability: Accountability as a virtue and as a mechanism. *West European Politics* 33(5): 946–967.
- Crum B (2006) Parliamentarisation of the CFSP through informal institution-making? The fifth European Parliament and the EU High Representative. *Journal of European Public Policy* 13(3): 383–401.
- Dür A (2008) Measuring interest group influence in the EU: A note on methodology. *European Union Politics* 9(4): 559–576.
- Eeckhout P (2012) The EU's Common Foreign and Security Policy after Lisbon: From pillar talk to constitutionalism. In: Biondi A, Eeckhout P and Ripley S (eds) *EU Law after Lisbon*. Oxford: Oxford University Press, pp. 266–291.
- European Commission (2016) 'European Defence Action Plan', Communication to European Parliament, European Council, Council, European Economic and Social Committee and the Committee of the Regions, Brussels, 30. November 2016 COM(2016) 950 final.
- European Commission (2017) *Ex-ante evaluation accompanying the document proposal for a regulation of the European Parliament and of the Council*. SWD (2017) 228 final, 7 June. Brussels: European Commission.
- European Council (2016) Shared vision, common action: A global strategy for the European Union's foreign and security policy. Report, European Council, Brussel, 28 June.
- European External Action Service (EEAS) (2013) *EEAS Review*. Brussels: EEAS.
- European Parliament (2009) Report on the institutional aspects of setting up the external action service. Report, European Parliament, Brussels, 20 October.
- European Parliament (2010) Proposal for a Council decision establishing the organisation and functioning of the European External Action Service. Report, European Parliament, Brussels, 6 July.
- European Parliament (2013) Recommendation to the High Representative of the Union for Foreign Affairs and Security Policy and Vice President of the European Commission, to the Council and to the Commission on the 2013 review of the organisation and the functioning of the EEAS. Report, European Parliament, Brussels, 26 April.
- European Parliament (2014) *Highlights from the European Parliament hearing of Federica Mogherini*. PE 536.416, 6 October. Brussels: European Union.
- European Parliament (2016a) EU in a changing global environment—A more connected, contested and complex world. Report, European Parliament, Brussels, 29 March.
- European Parliament (2016b) Report and Roadmap on internal reform and capacity-building for the Verkhovna Rada of Ukraine. Report, European Parliament, Brussels, September 2015–February 2016.
- European Parliament (2017) *Constitutional, legal and institutional implications of a Common Security and Defence Policy: Possibilities offered by the Lisbon Treaty* (Resolution of 16 March 2017 on constitutional, legal and institutional implications of a common security and defence policy: Possibilities offered by the Lisbon Treaty). Report, INI20152343, 16 March. Brussels: European Parliament.
- Fonck D (in press) Servants or rivals? Uncovering the drivers and logics of the European parliament's diplomacy during the ukrainian crisis. In: Raube K, Wouters J and Müftüler-Bac M (eds) *Parliamentary Cooperation and Diplomacy in EU External Relations*. Cheltenham: E. Elgar.
- Grip L (2013) The European Parliament and WMD non-proliferation: Policy-making processes and decision-making outcomes. *European Foreign Affairs Review* 4(1): 563–583.
- Henökl T (2015) How do EU foreign policy-makers decide? Institutional orientations within the European External Action Service. *West European Politics* 38(3): 679–708.
- Herranz-Surrallés A (2011) *The contested 'parliamentarisation' of EU Foreign and Security Policy: The role of the European Parliament following the Treaty of Lisbon*. PRIF Report No.104. Frankfurt am Main: Peace Research Institute Frankfurt.
- Herranz-Surrallés A (2014) The EU's multilevel parliamentary (battle) field: Inter-parliamentary cooperation and conflict in foreign and security policy. *West European Politics* 37(5): 957–975.
- Hix S and Høyland B (2014) Political behaviour in the European Parliament. In: Martin S, Saalfeld T and Strøm K (eds) *The Oxford Handbook of Legislative Studies*. Oxford: Oxford University Press, pp.591–608.
- Huff A (2015) Executive privilege reaffirmed? Parliamentary scrutiny of the CFSP and CSDP. *West European Politics* 38(2): 396–415.
- Hyde-Price A (2002) Decision-making under the second pillar. In: Arnulf A and Wincott D (eds) *Accountability and Legitimacy in the European Union*. Oxford: Oxford University Press, pp.41–62.
- Koenig-Archibugi M (2004) International governance as new *raison d'État*? The case of the EU Common Foreign and Security Policy. *European Journal of International Relations* 10: 147–188.

- Kriner DL (2018) Congress, public opinion, and an informal constraint on the commander in chief. *The British Journal of Politics and International Relations* 20(1): 52–68.
- Lindsay J (1994) *Congress and the Politics of U.S. Foreign Policy*. Baltimore, MD: Johns Hopkins University Press.
- Maurer A, Kietz D and Völkel C (2005) Interinstitutional agreements in the CFSP: Parliamentarisation through the back door? *European Foreign Affairs Review* 10(2): 175–195.
- Mello PA and Peters D (2018) Parliaments in security policy: Involvement, politicisation, and influence. *The British Journal of International Relations and Politics* 20(1): 3–18.
- Nagel JH (1975) *The Descriptive Analysis of Power*. New Haven, CT: Yale University Press.
- Nitou C and Sus M (2017) The European Parliament's diplomacy—A tool for projecting EU power in times of crisis? The case of the Cox-Kwasniewski mission. *Journal of Common Market Studies* 55(1): 71–86.
- Norton P (1990) Parliaments: A framework for analysis. *West European Politics* 13(3): 1–9.
- Peters D, Wagner W and Glahn C (2014) Parliamentary control of CSDP: The case of the EU's fight against piracy off the Somali coast. *European Security* 23(4): 430–448.
- Peters G (1994) Agenda-setting in the European community. *Journal of European Public Policy* 1(1): 9–26.
- Portela K (2015) Member states' resistance to EU foreign policy sanctions. *European Foreign Affairs Review* 20(3): 39–61.
- Raube K (2012) The European External Action Service and the European Parliament. *The Hague Journal of Diplomacy* 7(1): 65–80.
- Raube K (2014) Parliamentarisation approach: Parliamentary control in EU foreign policy. In: Wilga M and Karolewski P (eds) *New Approaches to EU Foreign Policy*. Oxon: Routledge, pp.125–142.
- Raunio T (2014) Legislature and foreign policy. In: Martin S, Saalfeld T and Strøm K (eds) *The Oxford Handbook of Legislative Studies*. Oxford: Oxford University Press, pp.543–566.
- Raunio T and Wolfgang W (2017) Towards parliamentarisation of foreign and security policy?. *West European Politics* 40(1): 1–19.
- Redei L (2014) Precedents, parties, personalities: The European Parliament's role in EU Foreign Policy, paper presented at the European Union in International Affairs Conference, 22–24 May, 2014.
- Redei L (2015) The European Parliament as a diplomatic precedent-setter: The case of parliamentary relations with Kosovo. In: Stavridis S and Irrera D (eds) *The European Parliament and Its International Relations*. Oxon: Routledge, pp.272–285.
- Redei L and Romanyshyn I (2016) Policy entrepreneurs in parliamentary diplomacy: EU shuttle diplomacy before the Ukraine crisis. In: *ISA international convention, Atlanta, GA*, 17 March.
- Riddervold M and Rosén G (2015) Beyond intergovernmental cooperation: The influence of the European Parliament and the Commission on EU foreign and security policies. *European Foreign Affairs Review* 20(3): 399–417.
- Riddervold M and Rosén G (2016) Trick and treat: How the Commission and the European Parliament exert influence in EU foreign and security policies. *Journal of European Integration* 38(6): 687–702.
- Rosén G (2014) *A budgetary advance: The European Parliament's growing role in EU foreign policy*. ARENA Working Paper 9/14. Oslo: ARENA. Available at: <http://www.sv.uio.no/arena/english/research/publications/arena-working-papers/2014/wp9-14.html> (accessed 26 November 2017).
- Rosén G (2015) EU Confidential: The european parliament's involvement in EU security and defence policy. *Journal of Common Market Studies* 53(2): 383–398.
- Rosén G (2016) Making the EU do right? The European Parliament's impact on EU foreign policy. In: *Paper presented at the UACES 46th annual conference, London*, 5–7 September.
- Rosén G and Stie AE (2017) Not worth the net worth: The democratic dilemmas of privileged access to information. *Politics and Governance* 5(3): 51–61.
- Russell M and Cowley P (2016) The policy power of the Westminster Parliament: The 'parliamentary state' and the empirical evidence. *Governance* 29(1): 121–137.
- Schattschneider EE (1960) *The Semisovereign People*. New York: Holt.
- Tsebelis G (2002) *Veto Players. How Politics Institutions Work*. Princeton, NJ: Princeton University Press.
- Weisglas F and De Boer G (2007) Parliamentary diplomacy. *The Hague Journal of Diplomacy* 2(1): 93–99.
- Wisniewski E (2013) The influence of the European Parliament on the European External Action Service. *European Foreign Affairs Review* 18(1): 81–102.