

POLICY BRIEF

August 2018

Daniel Schade

Improved cooperation between parliaments in the EU

What role for interparliamentary conferences?

The aim of this policy paper is to contribute to the existing debate on the merits, pitfalls and challenges that come with giving national parliaments a further role in EU decision-making.¹ It focuses, in particular, on a relatively new format to foster parliamentary cooperation, namely that of interparliamentary conferences (IPC) which have been created for two distinct policy areas in the aftermath of the Lisbon Treaty. These are notably the IPC CFSP/CSDP, which focuses on the European Union's (EU) common foreign and security policy, and the IPC SECG, which deals with issues related to the eurozone's economic governance. Comparing and contrasting the IPCs to other international parliamentary gatherings, the Policy Brief suggests multiple venues for reforming the present IPCs to facilitate the fulfilment of their objectives.

The IPC's problems at a glance

The EU's political system has long been criticised over the democratic deficit in its policy-making.² Indeed, the process of European integration has long favoured executive actors over parliaments.³ One of the roles of the latter, however, is to control the activity of executive actors.

The European Parliament has, over time, gained significant competencies over regular EU legislation. Nonetheless, some policy areas such as foreign policy-making and the recent crisis-driven decision-making on issues such as the eurozone have once more sidelined this only directly elected institution at the EU-level. Thus, when it comes to such policy areas, citizens' interests in the EU are mostly indirectly represented through their governments only, instead of parliaments both at the national and EU level which they directly elected.

1. See for instance Kreilinger (2013): The new Inter-parliamentary Conference for Economic and Financial Governance. Policy Paper 100. Berlin: Notre Europe – Jacques Delors Institut. Auel/Neuhold (2017): "Multi-Arena Players in the Making? Conceptualising the role of national parliaments since the Lisbon Treaty". *Journal of European Public Policy* 24:10. Pp. 1547-1561. Jančić, ed. (2017): *National Parliaments after the Lisbon Treaty and the Euro Crisis: Resilience or Resignation?* Oxford: OUP.

2. See for instance Føllesdal/Hix (2006): "Why There is a Democratic Deficit in the EU: A Response to Majone and Moravcsik". *Journal of Common Market Studies* 44:3. Pp. 533-562.

3. See for instance Curtin (2014): "Challenging Executive Dominance in European Democracy". *The Modern Law Review* 77:1. Pp. 1-32.

The Lisbon Treaty has somewhat recognised this issue by giving the collective of national parliaments a more formal role in EU decision-making. At the same time, it enabled the set-up of IPCs specific to individual policy areas which were meant to allow national and EU parliamentarians to exchange information and coordinate their activity.

However, an analysis of their foundational documents, interviews with participating MPs and participant-observation at one IPC gathering reveals that their present organisation hinders their effectiveness in fulfilling their role. These issues are, among others: A lack of precision as to their official role and functioning and the absence of sufficient resources to provide for permanent administrative structures and translation. Finally, all national parliaments are allowed a similarly-sized delegation for one of the newly created IPCs. This means that the different sizes of the membership of individual parliaments and the population represented are ignored, and thereby reduce the representativeness of the institution.

To ensure that future interparliamentary gatherings fulfil their initial aim of facilitating interaction between national parliaments, as well as with the European Parliament, two main approaches can be envisioned:

- A fundamental overhaul of interparliamentary gatherings that could favour the interaction between political groupings over the current logic of national representation; or
- A system that ensures that these gatherings replicate democratic modes of decision-making within them, so as to increase their claim to representativeness vis-à-vis other actors within the EU.

Both approaches would necessitate a fundamental change in the positioning of national parliaments within the EU's political system. Nonetheless, some smaller changes can be implemented within the current set-up by parliamentary actors themselves. Such changes would favour the IPCs role as a means for information exchange and networking between similarly inclined MPs.

The genesis of the new IPCs with the Lisbon Treaty

Democratic governance has come to be one of the defining features of the academic and political debates on Europe in recent years. Whereas right-wing populists decry the outsized role of “unelected bureaucrats” in policy-making, those on the left have criticised decision-making on trade policy, fearing attempts to secretly pass treaties forcing EU member states to further liberalise large parts of their economies. These criticisms are often based in a larger fear of a loss of control and influence by traditional democratic actors and of scrutiny mechanisms.

Indeed, the European Parliament (EP) has not (yet) achieved the full role played by parliaments within traditional democratic systems at the national level. It has, over time, gained powers so as to strengthen the EU's so-called input legitimacy. This was amidst fears among European leaders that the EU's mere output legitimacy by making policy choices benefitting its citizens no longer satisfied them to support the political project. Nonetheless, these powers do not cover all policy areas within the traditional remit of parliaments yet, and the low salience and voter turnout for EP elections means that this parliament's claim to representativeness is lower than that of parliaments at the national level. In turn, this means that decisions in certain of the EU's policy areas are scrutinised less by directly legitimated parliamentary actors than if they were to be taken at the national level.

This dynamic is ultimately down to the fact that the process of European integration has traditionally empowered executive actors over legislatures,⁴ leading to a power imbalance between those entities at the European level. Despite important power shifts towards the EP, today this problem is still particularly pronounced in policy areas such as foreign and security policy. This policy area has not been integrated into the EU's regular mode of legislative decision-making, which would give the EP significant powers in this area. The same dynamic could be observed more recently in the crisis-driven decision-making responding to the eurozone crisis.

4. See Curtin (2014).

The Lisbon Treaty as the latest fundamental change to the functioning of the EU's political system, has, however, recognised the increased role of parliaments in the EU. Given its further empowerment of the EP and the formal recognition of a role for national parliaments in EU decision-making it has even been labelled as the "treaty of parliaments".⁵ This milestone in the EU's development has particularly encouraged national parliaments to cooperate on the scrutiny of EU legislation. The so-called yellow card mechanism, the Early Warning System (EWS) allows for national parliaments to voice their concern about a possible violation of the principle of subsidiarity in a planned piece of EU legislation. It has even been argued that these new powers amount to setting up a "virtual third chamber"⁶ composed of national parliaments for legislative decision-making that would be unique in the world.

An important innovation of the Lisbon treaty was the fact that it recognised interparliamentary conferences—bringing together national parliaments and the EP—as an important format to strengthen European democracy and decision-making. It did so by formalising the role of two existing IPCs, the "EU Speakers Conference", a gathering of the head of the EU's parliaments, as well as one bringing together individual parliaments' EU affairs committees, "COSAC". In addition, it created the possibility for the creation of new policy-specific bodies and specifically called for the set-up of one focused on the EU's CFSP and the Common Security and Defence Policy (CSDP). This resulted in the eventual creation of two IPCs, the IPC CFSP/CSDP and the IPC SCEG, as well as Article 13 Conference, dealing specifically with issues related to the eurozone's economic governance.⁷

Possible roles for inter-parliamentary assemblies in the EU: An overview

These IPCs, however, were not given a formal decision-making role in the EU's political system, severely limiting their capacity to play a formal role in the scrutiny of executive decision-making in the EU. Nonetheless, as is argued in this section, they can serve to facilitate information exchange and networking between the EU's distinct parliamentary actors.

The gradual empowerment of the EP and the recognition of national parliaments as legitimate participants in EU decision-making were introduced to respond to the overall weakness of parliamentary scrutiny of EU decision-making. Whereas parliaments at the national level use established mechanisms to control their national executives, the EP has gradually developed similar strategies towards the European Commission and the Council of the EU. However, these still stand largely in isolation. Executives, on the other hand, regularly meet, exchange and collaborate within the Council setting. When it comes to the EU's foreign policy, these then even take formal decisions without direct involvement of parliamentary actors. Parliaments, on the other hand, lack such regular and formal formats for exchange between them.

It is in this context that the IPCs as new entities within the EU's institutional set-up need to be considered. While the Treaty of Lisbon did not provide for the new IPCs to play a formal role in the EU's decision-making system, these can, however, serve as a means of information exchange and coordination between them so as to counter the information advantages held by the executive actors represented within the Council. A document prepared by COSAC recognises the exchange of information and best practices, the coordination of EU scrutiny activity and cooperation with third countries as the main purposes of the IPCs.⁸

5. See Brok/Selmayr (2008): "Der "Vertrag der Parlamente" als Gefahr für die Demokratie? Zu den offensichtlich unbegründeten Verfassungsklagen gegen den Vertrag von Lissabon". *Integration* 31:3, Pp. 217-234.

6. See Cooper (2012): "A 'Virtual Third Chamber' for the European Union? National Parliaments after the Treaty of Lisbon". *West European Politics* 35:3. Pp. 441-465.

7. It is discussed in detail in Kreiling (2013).

8. COSAC (2008): "Guidelines for Inter-Parliamentary Cooperation in the European Union". Lisbon: Conference of Speakers of European Union Parliaments. <http://www.ipex.eu/IPEXL-WEB/dossier/files/download/082dbcc54b222e18014b53e6a34d399b.do>

When considering the possible roles of these IPCs in absence of a formal decision-making capacity in more detail, four distinct functions for interparliamentary conferences in the EU can be identified:

1. Facilitate national parliamentarians' access to information on EU and other member states' policy-making, as well as the positions of other parliaments and political parties on particular policy issues;
2. Disseminate best practices on the resolution of policy issues in a national context and the transposition of EU legislation in the national context;
3. Establish and maintain interparliamentary networks to facilitate coalition-building between parliaments and usage of parliaments' formal roles in EU and national decision-making;
4. Exert direct political influence through the coordination of parliamentary activity.

While all of these functions are important, the role of access to information needs to be emphasised, as information asymmetries between parliamentary actors reduces their capacity to become involved in transnational policy-making in the first place. The various information sources allow parliamentarians to gain new insights and to consider new perspectives on and effects of EU policy-making. It is on that basis that best practices from elsewhere can then be considered. The creation of networks can help render information exchange practices more common and regular and may, in the long run, help to establish interparliamentary information exchange as a standard practice. Lastly, such direct contacts between parliamentarians may, in turn, facilitate the coordination of parliamentary activity at the national level. At the basic level this may include a cooperative gathering of information from national executives, or jointly working on triggering the yellow card procedure. Parliaments could, however, also increase their power by joining forces in threatening vetoes on international agreements requiring national ratification or using one national parliament's superior scrutiny and veto powers in certain areas to serve as a replacement for their collective lack of scrutiny power vis-à-vis the Council of the EU.

MAIN ROLES OF IPCS

1. Facilitation of access to information on EU-level and member state policy-making
2. Dissemination of best practices from other national contexts
3. Establishment of interparliamentary networks
4. Exertion of political influence through the coordination of parliamentary activity

Challenges to parliamentary cooperation in practice: The experience of the interparliamentary conference on foreign and security policy (IPC CFSP/CSDP)

While even in absence of formal decision-making powers at the EU level, the IPCs could have a useful role in theory, the experience of the IPC CFSP/CSDP serves as an illustration as to why the current set-up of the IPCs prohibits it from fulfilling this role in practice. The current issues are based mostly on structural choices made as a result of conflicts between national parliaments and the EP at the moment of the IPC's creation.⁹ This, combined with the fact that the political cultures and modes of organisation differ radically across national parliaments in the EU, are the primary reasons as to why the contribution of the IPC CFSP/CSDP to the scrutiny of the EU's foreign policy has been limited so far.

The analysis of the problems of the current IPC CFSP/CSDP outlined below is based on several sources. Official documents helped to gain an overview over the broad functioning of the conferences. Furthermore, formal interviews were conducted with 14 MPs, MEPs and national administrators who regularly attend these conferences. The national parliaments covered through the interviews were those of Austria, France and

9. Herranz-Surrallés (2014): "The EU's Multilevel Parliamentary (Battle) Field: Inter-parliamentary Cooperation and Conflict in Foreign and Security Policy". *West European Politics* 37:5. Pp. 957-975.

Germany, with government and opposition MPs both interviewed in length. This was supplemented by this author's participation as an observer at the IPC CFSP/CSDP gathering in Malta in April 2017. This stay was also used to conduct less formal short interviews with further MPs and parliamentary administrators from other countries present during the IPC.¹⁰

STRUCTURAL CHOICES: PREVENTING CONTINUITY AND FORMALISATION

When the IPC CFSP/CSDP was first set up in 2012, the initial choice on the format and functioning were made in discussions between the national parliaments of the member states and the EP. This was necessary as the Lisbon Treaty only sets out the creation of policy-specific IPCs and the IPC CFSP/CSDP in particular, without defining how these are meant to operate in practice. The parliamentary actors entered the negotiations with differing priorities and wishes: Whilst the EP wanted to safeguard its primary role in the scrutiny of EU policy-making, national parliaments aimed at preserving their own influence.

Rather than focussing on how IPCs could generate an added-value for parliamentary actors both at EU and national level, discussions mostly revolved around structural elements such as whether the European Parliament should be allowed a larger delegation. These discussions were thus indicative of the power relationships between parliaments, and this conflict ultimately made its way into the IPC's adopted rules of procedure, as explained below:¹¹

This conflict between the parties was the reason why the IPC was neither given a constant chairmanship, nor was a permanent secretariat set up to organise the conferences and its gatherings to provide a more durable structure. This would have been in line with standard practice for similar parliamentary bodies in other international organisations such as NATO, the Council of Europe or the OSCE. Rather, both the chairmanship and secretarial role was assigned to the parliament of

the EU member state holding the EU's rotating Council presidency, to be exercised in close cooperation with the European Parliament.

Given the desired frequency of its meetings (twice annually), this means that every single IPC has to be organised by different parliamentary actors who have no prior experience in the task at hand. Furthermore, situating the IPC outside the confines of the existing structures of the EU's institutions means that some of their resources, such as for translation services, are not available to IPC organisers. As a consequence, the organising parliament is required to provide documents and simultaneous interpretation into English, French and the parliament's own language. This means that IPCs are not held in all EU languages spoken by the parliamentarians.

“The issue of representation has also been a bone of contention at the time of the IPC's set-up.”

The issue of representation has also been a bone of contention at the time of the IPC's set-up. Ultimately, it was agreed that EU member state parliaments may send delegations of six parliamentarians each, while the EP may be represented by a delegation of up to 16 members. This equal representation of EU member state parliaments once more diverges from established practice in other contexts such as the NATO Parliamentary Assembly, where delegation sizes vary based on factors such as the population of individual countries. The choice made thus sees all participating parliamentarians as being equal, while the size of the population which they represent is not taken into account in the voting rights of the different participating parliaments. This eventually creates an imbalance in the representation of the different national parliaments in the IPC setting.

Where the IPC is similar to other such gatherings is its openness to parliaments from non-EU member states. Non-EU-member parliaments may send smaller delegations of up to 4 of their members with an observer

10. All individuals interviewed were promised anonymity. I do want to thank them for being open to discuss this topic with me, and for being enthusiastic to share ideas on how the IPCs could be improved.

11. IPC CFSP/CSDP (2014). *Rules of procedure of the Inter-parliamentary conference for the Common Foreign and Security Policy and the Common Security and Defence Policy*. Rome: Senate of the Republic.

status, therefore allowing for the consideration of views and information from the EU's candidate countries, neighbours and non-EU NATO countries.

Whilst this is a gain in transparency, it does not help the IPC's size issue: If all EU member state parliaments use the full size of their delegation to each IPC CFSP/CSDP gathering, then those would become rather large meetings with up to 184 delegates, and therefore larger than some national parliaments. This makes it more difficult for individual parliamentarians to develop structured contacts with their peers, as would be required to foster a regular exchange of information and cooperation. This difficulty is reinforced by the fact that the most IPC gatherings so far, and including the one in Malta, have been organised around long plenary sessions on relatively broad topics. This makes having a real exchange of views on a specific topic more difficult as there is not even time for every MP present to intervene at least once.

While the issue of representation is clearly formulated in its rules of procedure, which includes clauses on elements such as voting rules, this is not the case for the actual proceedings of the IPC's meetings. This is once more due to the underlying tensions at the time of its set-up. First and foremost, the rules of procedure do not clearly define an output from the IPC, as these state that the conference may eventually adopt a document setting out conclusions but is not obliged to do so. This, in addition to the issue of representativeness further reduces the opportunity for the IPC CFSP/CSDP to at least have an informal voice in EU foreign policy.

The unclear nature as to how such a document can exactly be passed by the conference is also a further deterrent to its effective operation. While the rules state that decisions are supposed to be taken by consensus, the way in which this is framed has regularly led to lengthy debates at IPC gatherings. While some argue that consensus would be based on the support of all heads of the attending delegations, this is contested by individual MPs who want to see this based on the support of every single MP attending the IPC, which makes it practically impossible to pass such a document.

Aside from giving the EU's High Representative on the CFSP/CSDP a voice at IPC gatherings, the rules of procedure also do not set out what kinds of topics ought to be addressed in its sessions, and what formats the meetings are supposed to take. In practice this means that each organising parliament could alter the set-up of the IPC's, although over time priority has been given to gatherings in a plenary setting, while setting aside a few rather short slots for workshops. In those, parliamentarians discuss more specific topics within the EU's foreign policy, but attendance at each one of those workshops is solely based on personal interest and no attendance record is taken. This means that there is no formal setting within which individual MPs can identify their counterparts working on similar policy areas. While this can, of course, be done informally at the workshops themselves, these always involve a high degree of self-selection.

At the same time, the intensive use of the plenary format has meant that in practice debates focus on very large topics within the broad context of EU foreign policy which renders it impossible to exchange any substantial information. For instance, rather than debating specific aspects of EU foreign policy on the EU's agenda, such as a launching a specific CSDP operation, or prolonging sanctions against a third country, the agenda at its Malta session included topics such as the European Neighbourhood Policy, and threats in the Mediterranean and the Middle East. This set-up and the general nature of debates diverges importantly from the parliamentary assemblies of other international organisations and renders much of the IPC's activity subject to the interpretation of the organising parliament and the good-will of all participants.

“The initial set-up of IPCs render much of the IPC's activity subject to the interpretation of the organising parliament and the good-will of all participants.”

A brief analysis of the functioning of the IPC SECG, the EU's second new IPC focusing on Eurozone governance issues, points to similar difficulties. While functioning much like the IPC CFSP/CSDP, a major difference is that

no limits for the sizes of individual participating delegations exist, possibly rendering issues related to the selection of participating parliamentarians even more acute.

NATIONAL PARLIAMENTS: VARYING CAPACITIES TO TAKE PART IN INTERPARLIAMENTARY COOPERATION

The underlying choices in the IPC's set-up eventually determine how individual parliaments can participate in them. However, the diversity of national parliaments in the EU, including the differing sizes of their membership, are a similarly large hurdle to the facilitation of interparliamentary cooperation. Whereas some large and well-endowed parliaments such as the German Bundestag with its currently more than 700 members are natural and active participants at IPC gatherings, this will be much more difficult for a parliament of only 69 members, as is the case in Malta.

Considering the organisation of the IPC itself, smaller parliaments with limited resources will find it much more challenging to take up the task. These parliaments can rely on the support of the European Parliament's Foreign Affairs Committee administration to a degree, but their inexperience and lack of resources ultimately reduces their ability to shape its agenda when confronted with outsourcing parts of the IPC's organisation.

This diversity of organisational patterns is also problematic given the vague nature of the IPC's rules of procedure. Whereas some IPC chairs have set agendas based on very specific topics of discussions, others have tried to eschew them to avoid political confrontation. The problem is particularly visible in the handling of the optional conference conclusions. While these appear to be highly relevant for some organising parliaments, others, such as the Estonian parliament which organised an IPC in 2017, has dropped these altogether. In any case this means that the proceedings of each and every IPC are down to individual choices and debates and no standard operating pattern has been established (yet).

Overall, the general, inaccessible, broad and formal nature of plenary discussions at most of the IPC's meetings has meant in practice that little actual dialogue

ensues between parliamentary actors. The format itself entices speakers to give statements of a very general nature, which often renders these largely irrelevant for attendees from other parliaments. When specifics are mentioned, or divergent political views emerge the large size of the IPC plenary then does not allow for actual discussions of such topics between MP, as discussions will jump from one topic to the next without the possibility for clustering debates or intervening multiple times. This issue could be witnessed at the IPC gathering in Malta in 2017 and was mentioned by multiple of the MPs who regularly attend these conferences.

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Another element of concern here is the IPC's language regime. Not all parliamentarians elected in the EU have a working knowledge of the IPC's official languages, English and French. This means that national parliamentarians either have to self-select based on these language skills, or that national parliaments can decide to provide additional simultaneous interpretation at their own expense as foreseen in the rules of procedure. This, taken together with other costs such as travel expenses, ultimately means that parliamentarians hailing from well-endowed parliaments have an easier access to those gatherings. Some may even be accompanied by assistants or parliamentary administrators who can facilitate parliamentarians' activity at the IPC.

To exemplify this issue, the example of the IPC's gathering in Malta can be used where the German parliament provided for simultaneous interpretation into German in collaboration with the Austrian parliament, while no such service was available for Polish parliamentarians. This meant in practice that some Polish parliamentarians could not actively follow or participate in discussions at the IPC, thus reducing the IPC's utility as a hub for information exchange.

The overall weakness of the set-up of IPCs was also recognised by multiple parliamentarians and officials interviewed, fearing that this could ultimately result in a low utility of the IPC for parliamentarians and have a negative impact on attendance rates. This is a dangerous prospect overall, as this underlines parliaments' power asymmetry compared to executive actors which can rely on the work of highly trained civil servants used to international settings of negotiations and cooperation, such as in the European Commission.

The way in which the organisation and coordination of IPCs is handled within individual parliaments is also highly diverse, rendering its purpose as a tool to disseminate information across European parliaments' more difficult. While delegations to the IPCs are fixed for some EU parliaments in advance, meaning that at least in theory attendees could partake regularly in them, others, such as the French National Assembly or the House of Commons in the UK set up new delegations before each meeting based on individual parliamentarians' desire to participate.

If the IPCs are to serve as venues for information exchange and networking between MPs, however, then this would be much improved by having the same MPs attend on a regular basis. Furthermore, a formal choice of delegates in some parliaments similar to the selection of committee membership ensures that both government and opposition MPs would be represented at the IPC meetings. This would then allow MPs from other countries to gain insights into the divergent views present within each EU member state parliament. Yet, this is much more difficult to ensure where participation is more ad-hoc.

The ever-changing nature of IPC meetings and actors responsible for them, as well as the diversity of national parliamentary procedures, makes it more difficult to ensure an even preparation and follow-up in all EU member states. In some member state parliaments, it has become customary to meet ahead of an IPC gathering and formulate amendments to suggested conference conclusions where these are available, or formulate discussion points for the plenary sessions. In others, however, there is no preparation whatsoever. Similarly, only some parliaments have set-up a systematic follow-up to IPC gatherings such as disseminating

conference conclusions, intervening on the subject in a committee meeting, or provide a short-written activity summary, while most others do not formally consider IPC activity.

This leads to a situation where, rather than ensuring that parliaments can increase their knowledge about foreign and security policy in the EU through attendance at IPCs, any possible insights are likely to remain isolated from wider parliamentary considerations unless individual parliamentarians become personally involved.

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MAIN CHALLENGES FOR IPCS

- Representation by similarly-sized national delegations only
- Unclear rules of procedure as to IPC proceedings
- General nature of discussions unfit to discuss complex policy issues
- Discontinuity of IPC practice through a rotating organisation
- Language diversity of participating MPs and lack of translation resources
- Different capacities of national parliaments to partake in IPC meetings

Improving the set-up and the impact of IPCs

While the set-up of the current IPC is somewhat problematic in terms of fulfilling its role as a formal facilitator for information exchange between parliaments in the EU, conversations with attendees and the fact that their organisation is highly malleable, at least in theory, means that there is a clear space for improving the IPC in its current form.

While some of the changes that could be implemented would require a more fundamental overhaul of the rules of procedure, and therefore require a consensus between all participating parliaments in the EU, other reforms could be put in place by an organising parliament – in the hope of setting a positive precedent for future IPC gatherings. The suggestions below first suggest some fundamental changes, the implementation of which would be difficult in the short to medium term, however, followed by smaller changes that could still improve the IPC gatherings significantly.

“The current set-up of the IPCs counters the logic of the European Parliament which attempts to foster a European political space based on party groupings rather than national interests.”

RECOMMENDATION 1: MAKING IPCS MORE RELEVANT BY BRINGING POLITICS IN

A fundamental issue with the IPCs current set-up is that it takes into account national parliaments as actors that primarily represent national views, as well as the EP as a body primarily representing the EU. This at least formally ignores the existence of different political colours and parties and the importance of individual parliamentarians. Therefore, the set-up of the IPCs goes counter to the logic of the European Parliament which attempts to foster a European political space based on party groupings rather than national interests.

OPTION 1: GIVE EUROPEAN PARTIES A GREATER ROLE IN IPCS

One fundamental way to strengthen the role of inter-parliamentary cooperation would be to provide a space for Europe’s political groupings within the conferences. Much like MEPs sit in the EP’s political groups, rendering the presence of European party families visible could be the basis for more political IPC gatherings. This is in contrast to the current logic of delegations sent to the IPCs where the delegation and its leader primarily represent their parliaments, rather than their parties. Organising IPC gatherings around this logic would not only emphasise information exchange between similar-minded parliamentarians, but also help to overcome the differing views between the EP and national parliaments. While this would inevitably reduce the opportunities for interaction with MPs from different backgrounds, many attendees have voiced their desire to establish closer connections to colleagues who share a similar outlook on general political matters. Furthermore, there are precedents for attempts to establish such cooperation between European party families, such as the “Progressive Europe” project, which brings together MEPs and MPs belonging to social democratic parties across the EU.¹² Discussions amongst politicians with a similar outlook should allow for a dialogue that is focused on policy content, rather than broader and more abstract questions.

OPTION 2: INCREASE THE IMPORTANCE OF INDIVIDUAL MPS IN IPCS

Another opportunity to strengthen the role of individuals in the IPCs without necessarily embracing the concept of representation by political parties would be to give individuals a larger role in the IPCs themselves. To do so, the functioning of the IPC would have to be adapted to operate in a manner similar to NATO’s or the OSCE’s Parliamentary Assembly, which work in different committees, vote by majority and give every individual attendee the opportunity to easily participate in discussions. Even if the documents adopted at the IPCs still have no legal status, IPCs would still gain in

12. *Das Progressive Zentrum* has helped organise interparliamentary conference with social democratic MPs and Presidents of the Parliaments in Berlin in early 2019. The next *#Progressive Europe* Conference will take place in January 2019.

legitimacy. After all, the gatherings would be based on actual detailed discussions between all attendees and could thus more easily feed back into other political processes. For instance, in a committee focused on the CFSP, the EU's on-going operations could be discussed one by one, while another committee dedicated to EU sanctions policy could debate the merits and pitfalls of extending sanctions against certain third states. Some attendees have also confirmed that this would result in an increased engagement on their part in IPC discussions.

Both of the two options mentioned above would necessitate a more formal grounding for the IPC, meaning a permanent secretariat, and possibly an elected chairmanship to provide continuity and stability. None of this would function, however, without solving the issue of language and simultaneous interpretation. If MPs cannot communicate with one another, then any attempt to increase the role of IPCs is futile. In this case some pragmatism would be required on the part of the EU's institutions, as an interpretation pool for all of the EU's official languages already exists within the EP.

**RECOMMENDATION 1:
BRINGING POLITICS INTO THE IPCS**

Option 1: Representation by political parties

- Recognition of the party politics behind EU policies
- Structure IPC representation and recognition around European party families
- Provide formal spaces for party family exchanges

Option 2: Make individual MPs count through committee work

- Introduction of formal committee structures and committee work into the IPCs
- Committee discussions on concrete policy issues and related texts to be adopted
- Create feedback mechanisms for their dissemination in national political processes

**RECOMMENDATION 2:
IMPROVING THE IPCS PROCEDURES**

In absence of adopting these suggestions, which would require fundamental changes to the set-up of the IPC, organising parliaments could also modify their IPC within the confines of the current rules of procedure. These changes would need to emphasise the informal aspect of the IPC and its primary role as a means of information exchange and networking. Ultimately any changes introduced successfully in such a way could then set a precedent for future IPCs.

There is already an ongoing debate which aims to improve IPC gatherings in such a way. A study for the EP on how to improve cooperation between EU parliaments on human rights is a useful starting point for this endeavour aimed at reducing "IPC fatigue".¹³ Indeed, the first two suggestions made below are somewhat similar to the general suggestions related to the improvement of IPCs in this document.

First, IPC organisers should set the date of the IPC in close consultation with other parliaments. This could ensure that no clash with important national events occurs and thus motivate higher attendance rates from all EU parliaments. This is particularly important as all attendees interviewed have made it clear that IPCs rank lowly in their list of priorities, given that these do not provide immediate electoral reward or other benefits for their work as an MP.

Second, the agenda and organisation of IPCs should be focused around few but very specific discussions possibly taking place primarily within informal subgroups of the IPC. This would avoid the exchange of statements of a general nature, while allowing smaller groups of MPs to have meaningful conversations. Knowing that precise issues will be debated should motivate parliamentarians to prepare accordingly and attend.

Third, as long as the underlying issues related to the conference's decision-making is not resolved, organising parliaments should avoid the effort to develop and coordinate conference conclusions as foreseen in the rules of procedure. Rather, informal discussion

13. Wouters et al. (2014): "Enhancing cooperation between the European Parliament and EU national parliaments on human rights policy". Study PE 433.789. Brussels: European Parliament. P. 50.

summaries could be prepared. This would provide a guide to the variety of views existing on a topic within the EU and avoid lengthy discussions as to how the rules of procedure ought to be interpreted.

Fourth, the informality and confidential exchanges on specific topics should be embraced much more at IPCs. Such exchanges allow parliamentarians to let their political guard down and can therefore serve to develop genuine insights into others' thinking and develop contacts beyond their natural alliances. This is already practiced to a degree in the form of parallel workshops at existing IPCs and has been acknowledged by many attendees as one of the best elements of the present IPCs. In consequence, the role of similar, albeit even more focused informal discussions with an expert input should be strengthened.

There is a precedent for the use of such meetings outside of the IPC format in the "Mercator European Dialogue" format. Its aim is to bring together parliamentarians from EU parliaments of all political colours to discuss subject-specific issues on a regular basis in an informal setting to facilitate exchanges.¹⁴ Its focus on bringing together diverse groups of MPs on a regular basis shows the desire of parliamentarians to gain general insights into political views and developments across the EU.

Fifth, exchanges between parliamentarians from as many different EU member states should be encouraged. While the informal parts of the IPCs can already serve as a catalyst for interparliamentary networking, some of the IPCs meeting formats could serve as a form of parliamentary 'speed-dating' to introduce each other to one another.

**RECOMMENDATION 2:
SMALLER PROCEDURAL CHANGES**

1. Coordination of IPC meeting dates with parliamentary agendas
2. Set concrete IPC agenda items to be discussed in detail
3. Replace the conference conclusions with informal discussion summaries to avoid procedural discussions
4. Prioritise small informal and confidential discussions outside of plenary meetings
5. Establish means to link MPs from different EU countries to foster the networking character of IPCs

14. *The Mercator European Dialogue* is a network of 150+ members of parliaments from across approximately 20+ member states. The network convenes twice a year in different European cities and its members participate in regular, multilateral and thematic activities. This European dialogue platform is a project by The German Marshall Fund of the United States (GMF) in cooperation with the Barcelona Centre for International Affairs, the Istituto Affari Internazionali in Rome, and the Hellenic Foundation for European and Foreign Policy in Athens and is funded by Stiftung Mercator and since 2017 also by the King Baudouin Foundation.

Conclusion

If one is to measure the contribution of the current IPCs against their desired role set out by parliamentarians themselves, then the present organisation of IPC focused on rather general formal discussions emphasizing national delegations prohibits a successful format of discussion, particularly in regards to the gathering and dissemination of information for MPs on the policy areas covered by individual IPCs. This is problematic as national parliaments' activity in the scrutiny of EU policy-making relies on privileged access to information. While this may be forthcoming on matters related to a national government's position on any given EU policy, gaining an overview over facts and the state of play in other EU member states is much more difficult.

Fortunately, there are multiple avenues to improve the functioning of interparliamentary conferences. While some solutions require a fundamental overhaul over the IPCs' structures and are therefore more difficult to implement, other recommendations can be adopted freely by the parliaments organising the individual IPC meetings.

The policy recommendations either focused on introducing party politics or emphasising their informal nature listed above could also be applied to the EU's second IPC on economic and financial governance, as well as any future IPCs in other policy areas in which national parliaments will continue to play an oversight role.

It is important to note, however, that these IPCs with their lack of formal decision-making powers in the EU's policy-making system will only ever be able to play a limited role within these formal constraints. If it is indeed desired to increase the contribution of national parliaments to the scrutiny of EU policy-making, then ultimately the entire set-up allowing national parliaments to participate in policy-making at the EU level will have to be put to a close scrutiny in potential future EU treaty revisions.

Given that such a fundamental overhaul of the role of national parliaments in the EU is unlikely in the near future, due consideration should therefore be given to strengthen other areas of parliamentary cooperation, be they formal or informal. New forms to remodel formal bilateral parliamentary cooperation, such as in the discussions surrounding the reform of the French-German Elysée Treaty, can play a role in this. At the same time, using the experience of existing formats such as "Progressive Europe" or the "Mercator European Dialogue" could provide the basis for innovation in interparliamentary cooperation in the EU.

The Author



Daniel Schade is a visiting fellow at the *Democracy Lab* of *Das Progressive Zentrum*. He works as a researcher and lecturer on European Politics at the Otto von Guericke University Magdeburg, and an occasional lecturer at Sciences Po Paris and the Vienna School of International Studies. He holds a PhD in International Relations from the London School of Economics and Political Science (LSE). His work is concerned with EU foreign policy and the role of parliaments in the EU's political system.

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Das Progressive Zentrum launched the *Democracy Lab* in April 2017. It offers a space for creative, interdisciplinary and international exchange as well as network-building. As a collaborative platform, it aims at translating ideas coming from civil society into practical recommendations for decision-makers in the field of democratic innovation. The Lab's projects cover a wide range of topics, from digital democracy, the engagement of young people in politics to the issue of representativity and trust.

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Imprint:

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Issue: August 2018

Das Progressive Zentrum e.V.
Werftstraße 3, 10577 Berlin, Germany
Chairs: Dr. Tobias Dürr, Michael Miebach,
Katarina Niewiedzial
V.i.S.d.P.: / Executive Director: Dominic Schwickert

www.progressives-zentrum.org
mail@progressives-zentrum.org
www.facebook.com/dasprogressivezentrum
twitter: @DPZ_Berlin

Editors: Sophie Pornschlegel

Design: 4S and Collet Concepts
Layout: Daniel Menzel