

The European Parliament's role in Foreign and Security Policies: lessons from the Russian invasion of Ukraine

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Executive Summary

- > The Russian invasion of Ukraine represents one of the most critical geopolitical developments in Europe's recent history and a major test for EU foreign and security policies.
- > Despite its modest competencies in EU foreign and security policies, the European Parliament has taken a prominent role in the EU's response to the conflict by, amongst others, hosting a series of high-level speeches and producing significant policy proposals on how to solve the crisis. With these actions, the Parliament has actively engaged in parliamentary diplomacy making full use of its competencies.
- > In the ongoing debate on the future of Europe, the conflict could serve as a catalyst for more parliamentary involvement in EU external action. While treaty changes to this effect are desirable in the long term, the Parliament can increase its role in the short term by establishing Liaison Offices in candidate countries and systematically creating special committees in cases involving conflict with major political, economic, or military repercussions for the EU.

Russia's attack on Ukraine represents a major geopolitical development in Europe's recent history. The European Parliament (EP) was one of the international and European institutions that reacted forcefully to the Russian attack. Quite prominently, the Parliament's President Roberta Metsola was the first European Union (EU) leader to visit Kyiv. Furthermore, the Parliament adopted numerous resolutions condemning Russian aggression and advocating closer ties between the EU and Ukraine. Cross-party cooperation in drafting these resolutions resulted in large

parliamentary majorities, in turn presenting the Parliament as a relatively monolithic institution.

Thus in this crisis, a united European Parliament has actively engaged in 'parliamentary diplomacy', defined as all "international activities undertaken by parliamentarians in order to increase mutual understanding between" international actors "to ... improv[e] the control of" the executive branch "and the representation of a people and to increase the democratic legitimacy of ... institutions" (Weisglas and de Boer 2007, 93-94). This is remarkable, primarily since the modest formal role given to the Parliament in EU foreign and security policies has often meant that it has been overlooked in public debates, media coverage, and academia. It raises the broader question of whether the Russian invasion of Ukraine could provoke a shift in the Parliament's role in foreign and security affairs.

To address this question, this policy brief examines the main tools the Parliament has at its disposal in EU foreign and security policies, their implementation in the Russo-Ukrainian war, and the potential of said conflict to change the role the EP plays in EU Common Foreign and Security Policy (CFSP). It makes three recommendations for concrete steps to further advance the Parliament's ambition to gain a more prominent place in EU foreign and security policies. We argue that the Parliament must create more Liaison Offices in candidate countries to increase its presence on the ground, systematically establish special committees when a conflict has major political, economic, or military consequences for the EU, and continue advocating for the co-decision procedure in foreign and security matters.

The European Parliament's toolbox in foreign and security policies: legal and political framework

The European Parliament has limited competences in foreign and security policies, where it only needs to be consulted and "may address questions or make recommendations to the Council or the High Representative" (Articles 24(1) and 36 of the Treaty on the European Union (TEU)). Reviewing the main tools at its disposal in foreign and security policies, this section demonstrates that, despite the limitations imposed

by the Treaties, the Parliament is actively engaged in this area.

Parliamentary committees

The Parliament engages with the Union's foreign and security policies through its 20 committees, three sub-committees, two special committees, one committee of inquiry, and 45 delegations. While each committee or sub-committee deals with external aspects of EU internal policies, several are exclusively dedicated to EU foreign affairs. The most important of these is the Parliament's Committee on Foreign Affairs (AFET), which is "responsible for the promotion, implementation and monitoring of the Union's foreign policy" (Annex VI(I) of the European Parliament's Rule of Procedure 2022b, 153). In practice, it organises fact-finding missions to third countries, meets parliamentary counterparts around the world, and defines and promotes the Parliament's positions, values, and interests. It has two sub-committees, focusing on human rights (DROI) and security and defence (SEDE) respectively.

President of the European Parliament

The President of the European Parliament has some powers in foreign policy, including the ability to address the European Council and represent the Parliament on the international scene. In this capacity, they can meet with heads of state and government, ministers, peers from other parliaments, and high-level interlocutors: "This is a pivotal tool that allows the ... President to acquire first-hand information on sensitive topics, to intervene on major international events, and express his/her opinion on any matter that he/she considers important" (Gianniti and Lupu 2017, 49).

The structural influence of the EP on EU foreign affairs

According to Articles 314 and 322(1) of the Treaty on the Functioning of the European Union (TFEU), the EU budget and its implementation are subject to co-decision, granting budgetary powers to the Parliament, which also extend to civilian CFSP. This 'power of the purse' provides "an alternate method to steer policy-making in the direction favoured by the EP" even when it is kept out of decision-making procedures (Kleizen 2016, 27).

In practice, the Parliament uses its budgetary power to put forward its priorities and pressure EU Member States to take them into account. During the 2021-2027 Multiannual Financial Framework negotiations, for example, it managed to increase the budget allocated to humanitarian aid and the Neighbourhood, Development and International Cooperation Instrument, which finances a significant part of the Union's external action. Furthermore, the Parliament strongly advocated aligning the EU's internal policies to its external commitments, such as the Paris Agreement.

The Parliament also has a significant role in appointing officials involved in EU external relations, namely through its power to confirm nominations made by the European Council. Not only do the absolute majority of Members of the

EP (MEPs) need to support the candidacy of the President of the European Commission, but the whole College of Commissioners is also subject to a vote of consent (Article 17(7) TEU). Hence, the Commissioners-designate, including the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission (HR/VP), must be heard by the relevant parliamentary committees before being confirmed.

Finally, according to Article 36 TEU, the Parliament regularly discusses foreign and security policy matters with the HR/VP through various forms of consultations, such as a biannual debate on the implementation of the Union's CFSP. It can additionally ask questions or make recommendations to the Council or the HR/VP on EU foreign and security policies.

The European Parliament and Russia's invasion of Ukraine

How does the European Parliament use the abovementioned toolbox in practice? To answer this question, we look into the the Parliament's role in the EU's response to the 2022 Russian invasion of Ukraine. We discuss three key aspects illustrating the Parliament's influence: President Zelensky's speech to MEPs on 1 March 2022, European Parliament President Metsola's visit to Kyiv in April, and the EP's policy output.

President Zelensky's speech to the European Parliament

On 1 March 2022, a full hemicycle witnessed Ukrainian President Volodymyr Zelensky deliver his first (virtual) international speech in front of an extraordinary plenary session. While it might seem unsurprising that Ukraine considered it meaningful to address the EU as its main political and economic partner at an early stage, the symbolic value of choosing the Parliament as a venue over the other EU institutions cannot be underestimated. It emphasises the latter's relevance as a powerful institutional interlocutor in EU foreign policy, at a time when the EU's unity was questioned. The presence of the most prominent political actors in EU external relations at this event, such as the Presidents of the European Commission and the European Council, the HR/VP, and several European Commissioners, supports this viewpoint.

President Metsola's visit to Kyiv on 1 April 2022

Elected President of the European Parliament in January 2022, Roberta Metsola positioned herself as an active EU leader in the conflict. Notably, she was the first high-level EU actor to travel to Kyiv and speak in the Ukrainian Parliament, the Verkhovna Rada, on 1 April 2022. There, she touched upon a broad range of foreign policy topics, such as supporting Ukraine's ambition to become a candidate country. Her speech was not mere rhetoric as the Parliament had already called on the EU to grant Ukraine candidate status from 1 March onwards, being the first EU institution to do so. While awaiting the European Commission's opinion and the European Council's endorsement of Ukraine's membership application, the Parliament continued to advocate that Ukraine is part of Europe.

Metsola's visit was politically well planned and timed. The Parliament's plenary session debated the latest developments of the war and the EU sanctions against Russia a couple of days after her visit. During that debate, she received cross-party praise for raising the Parliament's voice in Kyiv, thus outshining other EU high-level actors who visited the Ukrainian capital in the weeks following her mission.

Most importantly, Metsola indirectly conveyed the Parliament's willingness to assume a more significant role in EU foreign and security policies. In so doing, she acts within the existing legal framework to convey a message on policy areas that (partially) fall outside the Parliament's remit. She does so by appealing to and building her whole communicative strategy around the EU's guiding values, which the Ukrainian people aspire to in their resistance against Russia.

Policy output

While this does not receive much media attention, various European Parliament bodies are engaged in major efforts to deal with the consequences of Russia's attack on Ukraine, complementing the EU's general response to the conflict. In general, all Parliament committees have discussed the war and tried to provide responses to matters falling within their respective areas of competence. In particular, the AFET Committee and the SEDE sub-committee have addressed the topic. Their preparatory work has resulted in different kinds of policy output. First, the Parliament completed several Ukraine-specific legislative files related to the EU budget and international trade as co-legislator under the ordinary legislative procedure. Examples include macro-financial assistance to Ukraine, the increased pre-financing from recovery fund resources, and temporary trade liberalisation for Ukrainian products.

Moreover, the Parliament adopted twelve resolutions on Ukraine between March and June 2022. They mainly focus on how the EU can assist Ukraine in the short and long term and reflect upon the consequences of the Russian invasion on Europe and its Eastern partners. In its resolutions, the Parliament pays particular attention to underreported aspects of the war, such as its impact on children, young people, women, internally displaced people, and the EU transport and tourism sectors. Furthermore, the resolutions contain recommendations that go beyond the solutions discussed in the European Commission and the Council. Examples include a full embargo on Russian oil, coal, nuclear fuel, and gas imports, creating an 'Economic Relief Package for Businesses', and establishing a special tribunal for the crime of aggression committed against Ukraine.

Finally, the Parliament adopted a set of recommendations on the future of the EU's foreign and security policies. In general, these recommendations urge the Council and the HR/VP to draw lessons from the Russo-Ukrainian conflict and strengthen the Union's external action, as well as parliamentary scrutiny thereof. For instance, the Parliament

has proposed that it should be involved in implementing and reviewing the European Peace Facility and the Strategic Compass. The Ukraine-specific recommendations include supporting the investigation of war crimes committed by Russia in Ukraine, providing weapons to the country, reviewing and strengthening the mandate of the EU's advisory mission there, and discussing security guarantees for Ukraine.

Why is the Parliament an important interlocutor for Ukraine?

Several dynamics explain why the Parliament is an important interlocutor for Ukraine. The Parliament already had solid relations with the country before the war, mainly through the EU-Ukraine Association Agreement and Ukraine's participation in the EU's Eastern Partnership and several EU programmes. The EU-Ukraine Association Agreement established a Parliamentary Association Committee that regularly meets and exchanges views. For the European Parliament, 16 (mostly Eastern European) MEPs sit on the Committee and are tasked with monitoring and strengthening the relations between the EU and Ukraine. Since the Russian invasion, it has increased its meetings quantitatively and changed its approach qualitatively. Lately, it conducts its work mainly through interparliamentary meetings with the Ukrainian Parliament rather than via ordinary meetings. Thus, it regularly exchanges views with the representatives of the Ukrainian people, getting first-hand information about the situation in the field and ensuring co-ownership in the EU's policy towards Ukraine.

Furthermore, the EU, with the Parliament at the forefront, and Ukraine have been developing a persuasive narrative that Ukraine belongs to the 'European family', in other words adheres to European values. This discourse arguably paved the way for Ukraine to receive candidate status. However, further research must show if this narrative has translated into overwhelming support for EU membership.

According to a poll conducted in eleven Western and Central regions of Ukraine in May 2022, nearly nine out of 10 interviewed people believe that Ukraine should pursue EU accession (Ilko Kucheriv Democratic Initiatives Foundation 2022). Europeans share this feeling, as 71 percent of them concur with the view that "Ukraine is part of the European family" (European Commission 2022, 65). Fundamental tenets of that discourse are that, since the Russian invasion of Ukraine represents the return of war on the territory of a European state, it also embodies an attack on European values and identity. This might also explain why the reaction of the EU institutions, and especially the European Parliament, has been much more robust than for crises taking place outside the European continent.

What future role for the European Parliament in EU foreign and security policies?

The European Parliament's forceful reaction to the Russo-Ukrainian conflict may be interpreted as part of a broader attempt to gain further relevance in EU foreign and security

policies. To this end, the EP uses its current competencies to the maximum. If this trend is set forth, it prompts the question of the Parliament's future role in EU foreign and security policies. To answer it, we discuss three possible ways in which the EP's role could be further enhanced.

EP Liaison Offices at the centre of EP diplomacy

The European Parliament should establish Liaison Offices in candidate countries, such as Ukraine, Moldova, North Macedonia, Montenegro, Albania, and Serbia, to strengthen its parliamentary diplomacy. Despite their budgetary implications, Liaison Offices would strengthen Parliament's role in foreign and security policies by increasing the EU's presence in the regions. The Eastern Partnership and Western Balkan countries live in a hazardous political, economic, and security environment, subject to the influence of Russia and China.

Establishing parliamentary Liaison Offices is no panacea as the idea is already well known. In Washington D.C., such an office handles various tasks, including enhancing EP-US Congress cooperation, reinforcing reciprocal ties, and identifying issues of mutual interest between the two Parliamentary assemblies. However, a Liaison Office does not replace the local EU Delegation but rather complements it via, amongst others, establishing a parliamentary network.

The main tasks of the EP Liaison Offices would be assisting the parliamentary assemblies of the candidate countries in their road towards EU membership. Hereby, they can establish close links with the legislative power, in turn increasing the mutual understanding between the EU and the candidate countries. Furthermore, they would enable the Parliament to acquire more and timelier first-hand information and promote its interests in the candidate countries.

Systematic establishment of an EP special committee

The Russian attack on Ukraine has made it clear that crisis management requires a place to discuss the cross-cutting consequences of a conflict and to ensure smooth interaction between the EU institutions. Therefore, in line with Rule 207 of its Rules of Procedure, we argue that the Parliament should systematically create a special committee in case of a conflict with major political, economic, or military implications for the EU. The principal aim of these special committees would be to meet with experts and representatives from other (EU) institutions, to exchange about the latest developments in the conflict, and to prepare Parliament's response. While the Parliament can decide the size of these special committees on a case-by-case basis, we recommend a small membership representing all political groups proportionally.

Establishing special committees presents several advantages. Firstly, it centralises all crisis-related information and all relevant expertise in a single venue, representing the parliament's equivalent of a crisis cell. Furthermore, it allows Parliamentarians to (further) specialise in the crisis and discuss its multifaceted consequences, as well as prepare a

response to it. Finally, its duration is, in principle, limited to one year, allowing for sufficient time to deal with the dispute's first phase(s). The Parliament can always decide to extend the special committee's duration.

Co-decision procedure in the EU's foreign and security policies

In the long term, the Parliament should strive for the Union's CFSP to be subjected to the co-decision procedure, granting it voting rights in policy decisions. This recommendation builds upon the Parliament's standpoint that parliamentary supervision of EU external action should be reinforced (European Parliament 2022a, 25). It would help increase the EU's "collective political and economic weight, speaking with one voice and acting in a unified way", as stated in the Conference on the Future of Europe's final report (Conference on the Future of Europe 2022, 66).

Extending the co-decision procedure to CFSP would mark a natural follow-up of the work the EP does through its committees and delegations. Furthermore, it would shift the power equilibrium among the institutions. As the only directly elected EU institution, the Parliament would help address concerns about the lack of transparency in EU foreign policy decisions, helping to reduce the EU's 'democratic deficit'. As a result, MEPs would increasingly communicate EU foreign and security policies to national constituencies, in turn engaging the public at large. Eventually, it would further enhance the role of EU values in CFSP, provided that the Parliament will continue to prioritise them in its policies.

Conclusion

The Russian invasion of Ukraine is one of the largest military conflicts the European continent experienced in the last three-quarters of a century, requiring the EU to critically assess its foreign and security policies. Reacting to this crisis, the European Parliament contributes to reinforcing the ties between the EU and Ukraine through various forms of parliamentary diplomacy, increasingly placing foreign and security policies at the core of its work. In its substantial policy output, the Parliament highlights underreported aspects of the conflict while contributing to the narrative that Ukraine is part of the European family.

The conflict illustrates that the Parliament can play a more prominent role in the Union's foreign and security policies if it thoroughly uses all instruments at its disposal and builds upon its image as the 'guarantor' of the EU values. Within the existing legal framework, the Parliament could additionally step up its relations with third countries by, amongst others, establishing Liaison Offices. Furthermore, if the geopolitical situation requires it, the systematic creation of a special committee dealing with conflicts having major consequences for the EU could be beneficial. Lastly, EU foreign and security policies should be subject to co-decision in the long run. This would allow the Parliament to become a first-rate actor in the Union's external affairs, strengthening the EU on the international scene.

Further Reading

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