



BULLETIN

No. 53 (506), 20 May 2013 © PISM

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Dealing with the EU Democratic Deficit: Lessons from the Interparliamentary Conference for CFSP/CSDP

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In the ongoing debate on the euro crisis, the strengthening of democracy in EU affairs is often presented as a precondition for securing the adopted solutions. This has led to discussions on the role and place of parliaments in the EU's institutional architecture. While still in gestation, the Interparliamentary Conference for the Common Foreign and Security Policy has already succeeded in dealing with democratic constraints in this area of EU activity. The operating procedures of this structure, laboriously worked out, can be instructive for other potential forums of parliamentary cooperation on the EU level.

The current EU crisis has many dimensions. Beyond the obvious economic aspect, there is also a political crisis manifested by a constant decrease in public support for the European project. Thus, the need for greater transparency at EU level, alongside the need to strengthen European citizens' capacity to influence the EU decision-making process, is present in the debate on tackling the crisis. Inter-parliamentary cooperation, combining national perspectives and the European Parliament's (EP) role is one option to take into account, especially in those areas of EU activity in which decisions are taken on different levels (national and EU), as is the case with Common Foreign and Security Policy (CFSP).

A Double Democratic Deficit within the CFSP. The CFSP is a special case when it comes to democratic scrutiny. Foreign and security policies are among the traditional prerogatives of a sovereign executive. Furthermore, they require by their nature a high level of confidentiality and flexibility as well as rapidity in decision-making. Excessive parliamentary involvement would thus be in contradiction to the effective implementation of these policies. Nevertheless, as decisions can have a very direct impact on citizens (i.e., those concerning the use of force), as well as having implications for a wide range of social activities, it is inevitable that there must be a degree of parliamentary scrutiny to justify them and improve the transparency of the decision-making process.

As cooperation within CFSP remains inter-governmental in nature, the role of overseeing policy implementation by governments is carried out by national parliaments. Due to these parliaments' limited access to the relevant information, the fact that EU foreign policy issues are unlikely to swing national elections and thus are seldom a priority for parliaments, and the complex set-up of the relevant parliamentary committees which deal with EU affairs, individual parliaments have difficulty in monitoring the development of EU activity in the area of foreign and defence policy. Moreover, the various competences and procedures of the national assemblies in carrying out scrutiny over foreign and security policies hamper cooperation between parliaments on these matters.

As for the EP, its treaty competences with regard to CFSP accountability remain weak, and neither is it entitled to substitute national parliaments. However, this institution has powers and capacities of value in the framework of inter-parliamentary cooperation. These include access to sensitive documents, rights of control over the budget of the European External Action Service (EEAS) and non-military spending in the CFSP/CSDP headings, and the opportunity to scrutinise EU diplomatic personnel, all of which are the strongest assets of the Parliament. The EP is also well-placed to monitor cross-pillar interactions with CFSP-related policies such as trade or development, and offers expertise expressed in the form of reports that help influence the conceptualisation of EU action. Thus, the added value of interparliamentary cooperation derives from the complementary competences and capacities of national parliaments and the EP.

A Cooperation Model in the Making. As the Lisbon Treaty remains vague on how to scrutinise CFSP/CSDP, and national experiences in this field are too diverse to serve as benchmarks, the decisions that underpinned the creation of the Inter-parliamentary Conference for CFSP/CSDP reflect a range of political concerns. These include: the nature of the policy field, different national expectations of this forum, lack of trust among shareholders, the EP's attempts to strengthen its position in the area of CFSP/CSDP, the existing experiences in parliamentary cooperation at the EU level, and the imperative of avoiding excessive new costs in times of budgetary constraints. The price for this diffuse agenda was paid in the form of minimal institutionalisation, a weak foundation for the exercise of scrutiny, unanimity as a conference rule and the non-binding character of the adopted conclusions.

The main value of the conference was to create an issue-oriented platform, the potential of which lies not only in the possibility of exchanging information or allowing dialogue, but also in organising inter-parliamentary hearings and preparing policy suggestions. The cyclical nature of the meetings (held at six-monthly intervals) should potentially shape the process of inter-parliamentary cooperation, helping in due course to eliminate the rivalry between national parliaments and the EP. Although the option of extraordinary meetings arranged when necessary has been foreseen, given the complexity to convene such a large body is hard to imagine that it will be used often. This would, however, be of benefit to the conference, which will remain a body for the shaping of long-term debate. Furthermore, the flexibility of the conference's composition allows the parliaments to delegate those participants with the best expertise. Decision taken after long inter-parliamentary turf wars to grant the EP wider representation (16 members, compared to each national parliament's six), pose no risk to national interests because of the principle of consensus. Rather, it brings value in the form of possible expertise in CFSP-related issues.

Despite the fact that the compromise on the operation of the platform has muddied its structure, the establishment of a review procedure has provided a means to fine-tune its functions over time. This has enabled parliaments not only to initiate a substantial debate but also to determine the final shape of the conference based on the first practical experience of cooperation. The responsibility for the meetings lies mainly in the hands of the conference's presidency—linked to the rotating presidency of the EU Council—which provides the secretariat and thus acts as agenda-setter in deciding on the meeting's structure, the problems for the agenda, and the external guests to be invited. The fact that the presidency is based on semi-annual rotation is an expression of weak institutionalisation, and as such can affect the conference's long-term efficacy, but this only emphasises the need for sound cooperation between the presidency and the EP. Furthermore, while bearing in mind the Lisbon Treaty logic, constructive relations between the presidency, the EP and other national parliaments also prevent the conference from becoming a typical presidency event.

Conclusions and Recommendations. The first year's experience of the CFSP/CSDP conference proves that, while increasing transparency and fostering inter-institutional debate, the protagonists have also articulated an ambition to participate more constructively in ongoing CFSP-related debates, such as the EEAS review and the December European Council dedicated to defence issues. If the deputies are able to reinforce each other in this undertaking, to take into account the perceptions of others, to exchange the necessary information and expertise, and to agree on ambitious recommendations to be passed to the EU institutions, the conference will live up to its rationale. Such an action would also have a positive impact on the CFSP itself. For this policy to be internally stronger system, all possible perspectives must be taken into consideration.

The success of the inter-parliamentary undertaking also depends on a number of organisational choices. Structuring the meetings to enable in-depth, problem-oriented discussions and the active involvement of parliamentarians focusing on strategic issues and ongoing debates, paying attention to constructive interactions—hearing rather than reporting—with national executives and the EEAS representatives are all of significance.

Among the conference participants, the EP's ambitions, which stem from its efforts to strengthen its position within the CFSP/CSDP, can potentially bring about different effects. If this institution operates transparently, in compliance with the expectations of the national deputies and in cooperation with the presidency, it can serve as a positive stimulus for the development and strengthening of the conference. Otherwise, the level of mutual distrust will continue to increase, leading eventually to a stalemate. The EP should, however, maintain a high profile and diverse delegation in order to justify its wider representation and prove the importance it attaches to this form of cooperation.

The conference's start-up model can easily be adopted by other inter-parliamentary forums. While dealing with completely different policies and problems they may, however, meet comparable tensions that mire the negotiations on procedural and operational issues.

Poland should strive to be among the strongest players within the conference, by delegating the deputies with the best expertise and contributing constructively to substantive debates and those on the future shape of the conference. This year, Polish input to inter-parliamentary debates would be especially recommended with regard to the future of the EEAS and EU defence policy. From the Polish perspective, the conference can also stimulate deeper bilateral and trilateral parliamentary cooperation with other EU Member States, which has growing potential with regard to EU affairs.