

MEPs as Mediators: An Emerging Trend of Parliamentary Diplomacy?

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Paper presented at the European Union Studies Association Biennial Conference, May 2017

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Abstract:

Over the past few years, the European Parliament (EP) has begun engaging in a novel form of parliamentary diplomacy: political mediation. Through three case studies (Albania, Ukraine and Macedonia), this paper explores how EP parliamentarians have sought to help find solutions to political disputes in non-EU countries. The cases evaluate these mediation efforts according to four factors: the level of MEP involvement, the role of the EP's secretariat, the amount of cooperation with other EU actors, and the extent to which the EP arrived with a defined outcome in mind for the negotiations. The conclusion suggests that the EP's increased institutionalization and formalization of its mediation activities through a new stand-alone Mediation Service will lead the Parliament to undertake more such missions in the future—and with higher rates of potential success.

Introduction

The European Parliament (EP) has long been an active participant in the external policies of the European Union (EU). It not only exercises democratic control over the EU's more traditional foreign policy actors (the European Commission and the European External Action Service), but also engages with foreign actors on its own initiative. This activity is often referred to as parliamentary diplomacy—but the term is usually used in a narrow sense. In fact, the predominant focus of most research has been on the EP's *inter-parliamentary* diplomacy: its formal role within international parliamentary fora, or its institutionalized bilateral meetings with national legislative bodies outside the EU.¹ Yet the Parliament actively engages with non-EU actors in more informal ways, as well—something that scholars have begun to examine in greater detail.² This paper focuses on a particular subset of this type of non-institutionalized parliamentary diplomacy: political mediation.

The term mediation is used here in its broadest sense: as an activity in which the EP assists two sides in a non-EU country to settle their conflicts peacefully and reach a mutually agreeable solution. Whether this is called facilitation, mediation or assisted dialogue, the essential point is that the Parliament is engaged as a third party to settle political differences between political actors in a geographical area outside the EP's jurisdiction. In doing so, the EP is fulfilling a role that is unusual for legislatures—such assistance is more often offered by dedicated non-governmental organizations like the International Crisis Group or the International Mediation Institute. Mediation is thus a peculiar type of activity for the EP to engage in.

Moreover, the EP is poised to expand its work in this realm—it has created a unit within the General Secretariat's Directorate for Democracy Support to institutionalize the EP's newfound interest in acting as a political go-between. The EP's Mediation and Support Service is small, for now (it is literally a one-man show)—but it is already active in Macedonia, and has

¹ For an in-depth discussion of various forms of parliamentary diplomacy (each of which is still inter-parliamentary in nature), see Daniel Fiott: "On the Value of Parliamentary Diplomacy," *Madariaga Paper*, Vol. 4, No. 7, 2011.

² Lorinc Redei: *Normative Parliamentarians: The European Parliament's Role in the EU's Foreign Policy Process*, Ph.D. Dissertation, Central European University, 2013; Stelios Stavridis & Daniela Irrera (Eds.): *The European Parliament and its International Relations*, [Routledge](https://doi.org/10.1017/9781107300000), 2015.

been contacted to work on mediation in Tanzania.³ Therefore, one can expect the EP's mediation activity to increase in the coming years, which means lessons from its past experiences in this field are likely to be valuable for understanding similar initiatives in the near future.

Through a set of three case studies, this paper explores the details of the EP's mediation efforts in the past few years. This is very much an empirical endeavor—the goal is to describe and evaluate the actions of the EP in this realm, to understand how it functions as a mediating body. Therefore, the sections are largely based on internal EP documents and in-depth interviews conducted with EP staff who managed, oversaw or participated in these instances of parliamentary diplomacy.

The following sections thus trace three particular instances of EP mediation in its near abroad: the 2011 mediation between Albania's government and opposition parties, the 2012-2013 Cox-Kwasniewski mission to Ukraine, and the 2015 effort to bring Macedonia's main rival parties back from a political stalemate to resume parliamentary work in the legislature.⁴ To help develop meaningful comparisons among the cases, each section highlights the effects of four factors that influenced the success or failure of these mediation efforts: the nature of Members' involvement, the role of the EP's secretariat, the level of cooperation with other EU actors, and the extent to which the EP arrived with a defined outcome in mind for the negotiations.

The number of cases in which the Parliament has engaged in international mediation is too small to establish necessary or sufficient conditions for EP success in this field. As the Parliament's mediation activities are still in their infancy, the examples serve rather to highlight the particularities and differences among past mediation efforts. This can, in turn, help understand how the Parliament's ventures are evolving, and what types of parliamentary mediation we are likely to see in the future.

Albania

The Parliament's Mediation Efforts

After the 2009 parliamentary elections in Albania, the Socialist Party of Albania (PS) accused the victorious Democratic Party (PD) of having meddled with ballot boxes during the polls. Although these types of post-election complaints were a usual occurrence in Albanian politics, this time the recriminations did not simply fade away, and the Socialists began to boycott the Albanian parliament, effectively keeping the legislature from functioning. This posed a problem for the EU in two ways: first, it stalled any legislative reforms that were required for Albania's progress in accession negotiations. Second—and more importantly for the EP—it obstructed the parliamentary process altogether, endangering democratic norms in the country.

At first, the Albanian parties attempted to instrumentalize their sister parties in the EP for their domestic purposes. The PS, led by Edi Rama, tried to use the S&D group in the EP to gain international support and legitimacy for its claims of voter fraud. Prime Minister Sali Berisha, in contrast, lobbied the EPP group to exert pressure on the PS by condemning its boycott.⁵ The challenge facing Members of the European Parliament (MEPs) was how to avoid uploading Albanians' domestic political conflict to the European stage, and instead get the two sides to engage in face-to-face talks to resolve their conflict. The EP approached this through the leadership of its political groups: Joseph Daul, then the leader of the European People's Party (EPP) group and Martin Schulz, then the group leader of the Socialists and Democrats (S&D) group, started cooperating on establishing contact between the feuding parties.

³ Author's interview with European Parliament Official, 8 January 2015, Brussels.

⁴ Macedonia's political crisis (and the EP's role in mediating between political parties there) continues today, but this paper focuses on the period that led to the agreement in July 2015 to set a date for new elections in April 2016.

⁵ See, for instance: Joseph Daul & Elmar Brok: Press Release: "Albania: EPP Group asks Albanian Socialist Party to end its boycott of Parliament," 10 February 2010.

After months of efforts on both sides, the EP finally sat down the main protagonists on 20 May 2010 at a restaurant in Strasbourg called *Au Crocodile*.⁶ Present at the meeting were Berisha and Rama, Daul and Schulz, EP Foreign Affairs Committee Chair Elmar Brok, Enlargement Commissioner Stefan Füle and a few staffers.⁷ Although the parties engaged in discussion, they neither signed nor committed to any formal agreement. Plans to reconvene a month later to hammer out a deal came to naught.⁸ Eventually, the two parties did come to an understanding, and the PS returned to parliament—but this happened without EP involvement. Thus the EP’s mediation efforts, while able to bring the parties to the (restaurant) table on one occasion, cannot be deemed a success.

MEP Involvement

In the case of the political crisis in Tirana, Albanian parliamentarians from the country actively sought out the help of MEPs in Brussels. This happened through the political groups of the EP—and, to an even greater extent, the European parties themselves: the EPP Party and the Party of European Socialists.⁹ But the EP’s mediation efforts only started when Daul and Schulz started cooperating on getting both sides to negotiate. The work was routed through their personal offices (i.e. their parliamentary assistants), and was never made “official” parliamentary business: for instance, the Foreign Affairs Committee (AFET) was never officially involved in this project. Elmar Brok took part in the dinner at *Au Crocodile*, but by personal invitation of Daul and Schulz, not by dint of his official position as AFET Chair. In addition, the body most obviously tasked with parliamentary diplomacy vis-à-vis Albania (the Parliament’s standing Delegation for Relations with South East Europe (DSEE)) was also absent from the EP’s mediation attempts. Although an EP resolution did eventually deplore the political crisis in Albania,¹⁰ it was the personal effort of Daul and Schulz that brought the two sides together—and it was their personal failure when no deal was agreed.

The Role of the EP Secretariat

Due to the reasons cited above, the mediation did not make use of the EP Secretariat. The staff of AFET, the DSEE and the EP’s Office for the Promotion of Parliamentary Democracy was left out of the mediation efforts. In fact, even the permanent staff of the political groups who dealt with the Balkans was excluded from the work.¹¹ In this regard, the mediation was truly the work of two individual MEPs, and their handful of personal assistants. In interviews, these assistants concede that they did not altogether trust the apolitical Secretariat with information they gleaned from their political sources in Albania, which made cooperation with such civil servant staff members much more difficult.¹²

Cooperation with Other EU Actors

Daul and Schulz did not draw the Commission or the fledgling European External Action Service (EEAS) into the discussions with Rama and Berisha. Although Enlargement Commissioner Füle was present at the dinner, coordination with his office had been minimal

⁶ Letter from Joseph Daul & Martin Schulz to Prime Minister Sali Berisha, 19 May 2010.

⁷ Author’s interview with European Parliament Official, 8 January 2015, Brussels.

⁸ Joseph Daul & Martin Schulz: Press Release, 16 June 2010.

⁹ The European party organizations are transnational parties, which help national party members cooperate with their European counterparts on various issues on their respective political agendas. The EP’s political groups are the organized groupings or coalitions of MEPs, who are each elected under their own national party banners. Although some political groups in the EP (such as the European People’s Party) are closely tied to their European party organizations, the two remain distinct organizational entities. At times, they can even work at cross-purposes.

¹⁰ European Parliament: *Resolution on Albania*, 8 July 2010.

¹¹ Author’s interview with European Parliament Official, Brussels, 20 May 2014.

¹² Author’s interview with European Parliament Official, Brussels, 30 November 2015.

before then.¹³ The Albanian parties to the dispute were not, therefore, confronting a united EU front that would have clearly connected the need for political compromise with Albania's progress towards EU membership. Daul and Schulz were unable to offer carrots (such as the timely conclusion of visa waiver negotiations that were ongoing at the time) or sticks (such as freezing accession negotiations) to spur the two sides to an agreement, since this would have required prior consultation with the Commission.

EP Position on Preferred Outcome

Finally, the EP mediation in this case was limited to ensuring that the two politicians actually met to try and resolve their differences. Daul and Schulz (as also evident in their invitation letter) did not lay out a draft agreement, or arrive with suggestions for a possible compromise.¹⁴ Their strategy was merely to start the negotiation process between the two sides. Given this handicap, the MEPs could do little more than urge Berisha and Rama to keep talking—the EP did not establish a direction in which it could have tried to push the feuding parties to move.

Ukraine

The Parliament's Mediation Efforts

In 2010, the presidential elections in Ukraine returned Viktor Yanukovich to office. After defeating his long-term rival Yulia Tymoshenko and securing a ruling majority in the parliament, the newly elected president tightened his grip on power by dismantling institutional checks and balances, increasing pressure on the media, and adopting constitutional changes that significantly expanded the President's powers. In addition, the Ukrainian government launched a criminal investigation against former Prime Minister Tymoshenko—a popular figure in Western capitals—and members of her cabinet. In October of 2011, Tymoshenko's conviction to seven years' imprisonment for abusing her office caused dismay throughout the EU.¹⁵

While these political developments were unfolding, the EU was negotiating an Association Agreement (AA) with Ukraine, which it concluded in 2011. The Tymoshenko trial, however, as well as various anti-democratic measures by the Yanukovich government, prevented EU leaders from taking the subsequent ratification steps. On the one hand, the EU could not compromise its values and principles on democracy and the rule of law by continuing the ratification process with an increasingly repressive Ukrainian government. On the other hand, turning the EU's back on Kyiv risked pushing Yanukovich into withdrawing support for the AA and seeking a more favorable arrangement with Moscow via its proposed Customs Union. The success of the upcoming Eastern Partnership summit in Vilnius in November 2013 thus seemed directly dependent on the ability of the EU to deliver the signature of the AA with Ukraine.

Against this background, the EP appointed a high-level monitoring mission to observe the next round of appeals in the disputed Tymoshenko criminal trial—one that was seen by many as a bellwether of the Ukrainian legal system. The mission consisted of two envoys: former EP President Pat Cox and former President of Poland Alexander Kwasniewski, who were assisted by a member of the EP President's cabinet, along with a few experts from the EP's Secretariat. Although the original mandate of the mission only authorized it to monitor Tymoshenko's trial, the envoys rapidly expanded this remit to include engaging the government in discussions about the problem of selective justice in general. This eventually led to Cox and Kwasniewski acting as a go-between not only between the EU and the Ukrainian authorities, but also as a facilitator of talks between the Ukrainian government and the domestic opposition on

¹³ Author's interview with European Parliament Official, Brussels, 30 November 2015.

¹⁴ Author's interview with European Parliament Official, Brussels, 12 October 2015.

¹⁵ See, for instance: High Representative for the European Union's Foreign and Security Policy Catherine Ashton: "Speech on the Situation in Ukraine," European Parliament, Brussels, 12 October 2011.

the reform of the judiciary, and—after the October 2012 parliamentary elections failed to live up to international standards—also on changes to the electoral law.¹⁶

In this role, the Cox and Kwasniewski worked with both the government and the opposition to find compromises that could lead to the adoption of those reforms which the EU had made a precondition for signing the AA. As Cox himself recalled, “we became a key point of exchange between not only Brussels and Kiev, but also between the Ukrainian government and the opposition, who basically were not speaking to each other at the time but would each speak to us.”¹⁷ The mission’s Ukrainian interlocutors interpreted the task of the envoys in the same way: as the then Foreign Minister, Leonid Kozhara, put it at the time, “today it is the only unbiased mission from the EU—impartial and non-related to any party.”¹⁸

The mediation effort met with some success: the Ukrainian government adopted a new law on the bar and legal practice (August 2012), a new criminal code (November 2012), some constitutional amendments (October 2013), and a new electoral law (November 2013).¹⁹ Nevertheless, all these achievements seemed secondary to the mission’s primary goal—securing the release of Tymoshenko. Cox and Kwasniewski never attained this goal, and after Yanukovich backtracked on the AA deal, triggering the Maidan protests, these smaller reforms were overtaken by events.

MEP Involvement

Quite interestingly for an example of parliamentary diplomacy, the Cox-Kwasniewski mission did not involve any sitting MEPs. EP President Martin Schulz had set up the mission with Ukrainian Prime Minister Mykola Azarov, when the latter visited the EP in May 2012. Not only were the envoys themselves not sitting MEPs, the strange genesis of the mission also meant that they were not directly accountable to MEPs, either. The mission reported to the Conference of Presidents (which brings together the leaders of all the EP’s political groups), but was not obliged to brief AFET, the Delegation for Relations with Ukraine, or a plenary session of all MEPs—which meant it could operate independently of most EP Parliamentarians’ preferences. This gave the envoys a great amount of flexibility, which they could use to tailor their mediation activities according to their estimation of what would be most effective.²⁰

The Role of the EP Secretariat

The role of the EP services was also limited to a small number of people. A member of President Schulz’s cabinet, one advisor from the EP’s legal services, and two policy specialists from the Directorate General for External Policies made up the entire supporting cast for the mission—which is noteworthy given that the envoys traveled to Ukraine 27 times over the 18-month lifetime of the mission. Nevertheless, the input of the secretariat was important: these staff members kept the envoys informed of day-to-day political developments in Ukraine, and accompanied and prepared them for their meetings with the Ukrainian government and opposition.²¹ In addition, the EP Secretariat staff established regular contact with its counterparts in the EEAS—which allowed for a greater level of cooperation and collaboration between the work of the envoys and that of the Commission and EEAS staff who were dealing with the Association Agreement’s ratification process.

¹⁶ For a more in-depth treatment of the evolution of the Cox-Kwasniewski mission from monitoring to mediation, and what the mission means for parliamentary diplomacy writ large, see Redei and Romanyshyn, forthcoming.

¹⁷ Pat Cox, speaking in an interview: Jacek Ciesnowski: “The EU is Going through a Big Test: Interview with Pat Cox,” *Warsaw Business Journal Observer*, 2 October 2014.

¹⁸ Leonid Kozhara, quoted in “Kozhara: Kyiv Interested in Work of Cox-Kwasniewski Mission until Vilnius Summit,” *Kyiv Post*, 14 November 2013.

¹⁹ Author’s interview with European Parliament Officials, Brussels, 16 and 28 September 2015.

²⁰ Author’s interview with Pat Cox, Brussels, 21 October 2015.

²¹ Author’s interview with European Parliament Official, Brussels, 16 September 2015.

Cooperation with Other EU Actors

At first, the mission was regarded with some suspicion by other EU actors, in particular the EEAS.²² But as the envoys continued to gain access to Yanukovych—something the EU’s other actors found hard to achieve—the mission delivered tangible results, such as securing the release of Valerij Ivashchenko, a former defense minister who had also been put on trial. Subsequently, cooperation became more intense—and the EP’s mediation mission started to work hand-in-hand with EU officials handling the ratification process for the Association Agreement. For instance, the EP mission was instrumental in inserting wording into Council conclusions about Ukraine having to address problems of “selective justice” as a criterion for signing the Agreement.²³ Conversely, Commissioner Füle, who was spearheading the Commission’s negotiations with Yanukovych, was able to pass messages to Yanukovych via the envoys.²⁴ By the end of its mediation efforts, the EP mission had thus become “part of the EU foreign policy toolbox.”²⁵

EP Position on Preferred Outcome

Cox and Kwasniewski did not enter the mediation on Ukrainian judicial reform with a set agenda or menu of legislative changes required by the EU. But they had some general principles that they could rely on to push for agreement. These stemmed primarily from the Venice Commission, which had prepared detailed opinions regarding the requirements for the various reforms of the electoral law, public prosecutor’s office and judicial independence.²⁶ The mission’s legal advisor (from the EP Secretariat) was also helpful in ensuring that these recommendations made it into the envoys’ talking points when meeting with Ukrainian government and opposition representatives. Therefore, although the EP did not have a specific list of demands it attempted to impose on the Ukrainian parties, it nevertheless was able to push the two sides in the general direction of the reforms they needed to adopt, rather than merely facilitating the process of negotiations itself.

Macedonia

The Parliament’s Mediation Efforts

In the spring of 2015, Macedonian parliamentary politics also threatened to come to a standstill. The opposition Social Democratic Union of Macedonia (SDSM), led by Zoran Zaev, accused the party in government, the Internal Macedonian Revolutionary Organization—Democratic Party for Macedonian National Unity (VMRO-DPMNE), and its Prime Minister Nikola Gruevski of wire-tapping thousands of citizens. Zaev’s party started releasing these tapes in February, to which Gruevski responded by labeling him a traitor, alleging he was using foreign intelligence services to discredit his administration and threatening a coup. The SDSM then began to contact MEPs in its sister party, the S&D, to try to line up international support behind its claims.

The situation escalated, with protests and counter-protests that also spread into the north of the country, where tensions between ethnic Albanians and Macedonians were turning violent.

²² Author’s interview with European Union Officials, Brussels, 13 and 14 October 2015.

²³ Council of the European Union: “Conclusions,” 18 November 2013, p. 7.

²⁴ Author’s interview with European Commission Official, Brussels, 30 September 2015.

²⁵ Author’s interview with European Union Official, Brussels, 14 October 2015.

²⁶ See, for instance, the European Commission for Democracy Through Law (Venice Commission) & the OSCE/Office for Democratic Institutions and Human Rights (OSCE/ODIHR): “Joint Opinion on the Draft Law on Election of People’s Deputies of Ukraine,” 17 October 2011; Venice Commission: “Opinion on the Draft Law on the Public Prosecutor’s Office of Ukraine,” 15 October 2012; Venice Commission: “Opinion on the Draft Law on the Amendments to the Constitution, Strengthening the Independence of Judges and on the Changes to the Constitution Proposed by the National Assembly,” 15 June 2013.

Given that in 2001 the EU had to intervene militarily to quell ethnic fighting there, this was cause for great concern in Brussels. This time, the impetus for involvement came from the Commission: Enlargement Commissioner Johannes Hahn announced (apparently without consulting the EP) that MEPs would help broker a deal.²⁷

This time, three MEPs and their offices were involved: Richard Howitt (S&D), Eduard Kukan (EPP) and Ivo Vajgl from the Alliance of Liberals and Democrats for Europe (ALDE). At first, the mediation looked similar to the Albanian case described above: a number of contacts between the MEPs' assistants and representatives of VMRO-DPMNE and SDSM followed. Then in May, the MEPs met with the Macedonian party leaders in Strasbourg, who held a long exchange of views and parted without resolving any of their outstanding differences. After failing to organize another meeting with the three MEPs and the Macedonian party leaders due to incompatible schedules, Commissioner Hahn traveled to Skopje by himself, and quite publicly failed to get a deal signed.²⁸

At this point, the EP involved its Secretariat, specifically its brand-new Mediation Unit. This provided the mediators some political cover (they were now on an official EP mission that had been condoned by the Conference of Presidents) as well as some material resources (since the Mediation Unit could use its budget to support the effort). Five weeks later, the joint EP-Commission effort led to a resolution of the crisis, with details of new elections agreed by both parties.²⁹ The mediation can thus be called a success.³⁰

MEP Involvement

In this instance, MEPs were involved from the beginning of the mediation, alongside the Commission, which had initiated the EU's involvement. The talks themselves were organized by the MEPs' staff, and were conducted by the Members themselves. At a certain point, however, the logistical difficulties of setting up meetings slowed the pace of mediation efforts, and progress seemed to stall.³¹ It was at this point that Commissioner Hahn took the reins and traveled to Skopje by himself, to try and reach an agreement without the MEPs present—and he failed.³² Once the EP re-engaged, however, it helped broker a deal in a relatively short amount of time. This suggests that the presence of MEPs is vital to these types of political mediation, as will be discussed below.

The Role of the EP Secretariat

As with the Albania case, the initial attempts were run entirely through the cabinets and personal offices of Hahn and the three MEPs who were leading the negotiations. After Hahn's failed attempt at reaching a deal, however, the EP "institutionalized" the mediation effort much more heavily, by involving its Mediation Unit.³³ This meant that more EP resources could be used for the mission, since the staff of this unit could focus the entirety of their efforts on planning and preparing talks—including paying for flights. Moreover, this institutionalization meant that the

²⁷ Author's interview with European Parliament Official, Brussels, 12 October 2015.

²⁸ For the diplomatic language announcing the failure, see European Commission: Press Release: "Statement following the meeting of Commissioner Hahn with the political leaders of the former Yugoslav Republic of Macedonia," 10 June 2015.

²⁹ European Commission: Press Release: "Agreement in Skopje to Overcome Political Crisis," 15 July 2015.

³⁰ Since that agreement, Macedonian politics has been marked by instability, violent protests, and a renewed deadlock between government and opposition parties. Elections were only finally held in December of 2016, and no government has been formed since. MEPs, together with Commissioner Hahn, have periodically attempted to mediate in the crisis throughout the past year. This case study, however, only looks at the original mediation attempt that led to the July 2015 agreement to hold new elections in spring of 2016.

³¹ Author's interview with European Parliament Official, Brussels, 30 November 2015.

³² Author's interview with European Parliament Official, Brussels, 12 October 2015.

³³ Author's interview with European Parliament Official, Brussels, 12 October 2015.

mediation became official Parliament business—its profile was raised from an ad-hoc activity of three individual MEPs to an instance of parliamentary diplomacy endorsed by the Conference of Presidents.

Cooperation with Other EU Actors

The EP's interactions with the Commission were mixed in this case. First, Commissioner Hahn surprised the EP with his announcement proposing that MEPs help mediate in the crisis, without prior consultation of the Members concerned. Subsequently, he bypassed the MEPs when he traveled to Skopje to hammer out an agreement without EP input. Nevertheless, the Commission's active role also helped keep the pressure on the Macedonian parties: the fact that Commissioner Hahn spent so much of his political capital and attention on the instability in Macedonia made it clear to both sides that the EU was displeased with the political situation there. The Commission holds most of the levers over the EU's enlargement policy, which may have provided some pressure to force the parties to agree to a compromise.

EP Position on Preferred Outcome

Unlike during the Albania mediation, the EP arrived at the meetings with its Macedonian partners armed with a more proactive approach. Especially once the Mediation Unit took over the planning of the talks, its staff worked on the potential contours of a possible political agreement, rather than simply urging the parties to talk to one another.³⁴ The EP thus developed written drafts for the type of deal that it assumed would be required to end the confrontation. In this sense, the Parliament was more aggressive and willing to steer the two sides towards an outcome, rather than content itself with easing the process along.

Markers of Success for EP Mediation

This series of cases suggest a few lessons about the way in which EP mediation works, and offer some hints about how to analyze future mediation endeavors by the Parliament.

Outcomes: It seems that when the EP pushes for a preferred outcome, and is involved in the drafting of agreements, it is more likely to meet with success. In Albania, the EP focused on process—getting the parties to the table—which was insufficient to broker a deal. In Ukraine, the Cox-Kwasniewski mission had some basis for steering the talks between the government and the opposition on legal reforms: the opinions of the Venice Commission. While these recommendations were not drafted by the EP itself, they gave the envoys a way to push for certain outcomes, not just shuttle back and forth between parties who were unwilling to communicate. Many of these recommendations were subsequently enshrined in law. In Macedonia, the mediation efforts at first proved unsuccessful, but once the EP entered the talks with a draft agreement, it was able to settle the dispute relatively quickly. Yet it should be noted that this insight—that a mediator who has the ability to propose deals, not just facilitate dialogue is likely to be more effective—is not unique to parliamentary diplomacy.

Cooperation with Other EU Actors: The cases described above also make clear that actively involving other EU actors as part of the process is likely to increase the chances of success. As many EP staff noted in interviews, unless the Commission is behind MEPs, mediators lack “muscle.” The Commission can offer sticks and carrots, especially to EU applicant countries, that the EP is harder pressed to do. This is especially true since the Commissioner can make promises and threats in the name of the entire institution he represents—whereas any threat by an MEP (for instance, a vote to suspend a state's accession process) is dependent on the political will not only of his fellow political group members but that of other political groups. Moreover,

³⁴ Author's interview with European Parliament Official, Brussels, 12 October 2015.

the involvement of the Commission in mediation talks gives the exercise a decidedly more official “EU flavor.” At times, it is hard for outsiders to tell whether MEPs are speaking in the name of the institution (and therefore, of a powerful EU body) or simply stating their personal views. Including other EU actors in mediation can thus strengthen MEPs’ hands.

The Role of the EP Secretariat: Many of the EP’s mediation activities start out as individual initiatives by MEPs and their relatively small personal staff. While this guarantees confidentiality and flexibility, it does have its drawbacks. First, as mentioned above, an MEP without the imprimatur of the Parliament as a whole risks being seen as less serious and influential than one bearing the backing of the EP as an institution. Involving the Secretariat is therefore a sign of significance and commitment, which can help in resolving a dispute. In addition, including the Secretariat comes with staff and resources that are available to MEPs and which are crucial if the mediation is to last for a longer period of time or requires frequent travel. As the Mediation Unit garners more and more experience, the need for its expertise is also likely to grow—especially if it is seen as successful in brokering settlements in thorny political situations.

MEP Involvement: Whether or not the Mediation Unit grows into its own, it cannot perform its function as a professional service without MEPs. The added value of *parliamentary mediation* comes precisely from the involvement of parliamentarians. To some extent, the technical work can be outsourced or professionalized, as seemed to be the case in the Cox-Kwasniewski mission. But even in that instance, Ukrainian President Yanukovich was unwilling to meet with anyone except the envoys themselves—without aides.³⁵ The political profile of the interlocutors is therefore extremely relevant. And even when high-ranked politicians are available, there is something about parliamentarians that makes them more able to forge deals with their foreign counterparts—as Commissioner Hahn found out the hard way. This is likely because politicians trust fellow elected legislators to understand their political constraints better than executives or officials would. An MEP is going to be more sensitive to electoral effects or intra-party consequences of political compromises, and will therefore be able to mediate among parliamentarians with more finesse.

Conclusion

Whether we consider it the proper function of the Parliament to mediate in foreign political squabbles among legislators, the trend seems to show that this type of parliamentary diplomacy is now becoming a routine activity of the EP. With the newly established Mediation and Support Service, the EP is likely to engage in mediation more frequently, and more systematically. Moreover, the institutionalization of this activity suggests that the Parliament will also get more successful in its endeavors: regarding the indicators of success laid out in this paper, the Mediation Service is pushing the EP in directions that are likely to lead to higher chances of resolving conflicts. The Mediation Service is committed to focusing on political outcomes not just process; it is actively reaching out to other EU actors to formalize cooperation in the field of mediation; it is part of the official, non-partisan EP Secretariat, with its own resources that are likely to increase in the future; and it has established a good working relationship with some active, high-profile MEPs who are willing to serve in these mediating roles.³⁶ We can therefore expect more (and more successful) EP mediation efforts in the coming years.

Finally, it is interesting to note that the EP has long engaged non-EU politicians in their political disagreements, trying to set an example for good parliamentary behavior. This used to be one of the main functions and *raison d’être* of the EP’s Inter-Parliamentary Delegations—which were conspicuous by their absence in the cases described above. This suggests that the

³⁵ Author’s interview with European Parliament Official, Brussels, 16 September 2015.

³⁶ Author’s interviews with European Parliament Officials, Brussels, 12 October 2015, 16 February 2016..

role of these Delegations may be declining—but that we will have plenty of opportunity to witness MEPs as mediators in the coming years.

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