

## VIEWPOINT

Flushed with its new powers under the Lisbon Treaty, the European Parliament is now making its presence felt in Washington, writes **Tyson Barker**

# TRANSATLANTIC POWER HOUSE?

**The past six months have produced few winners in European integration. Despite the Lisbon Treaty's entry into force, coherence in political action has yet to materialise.**

The appointment of relative unknowns to the highest political offices in the EU – the European Council president and the high representative for foreign and security policy – has left many observers questioning the sincerity of member states' commitment to further political integration. In the eurozone debt crisis, member states have clearly been in the driver's seat, relegating the EU to coordinator-in-chief. For the United States, European inaction in the midst of this grave existential crisis has seemed to reinforce the 2009 US National Intelligence Council assessment that the EU is, in fact, "a hobbled giant".

The one exception in this rather disheartening story has been the European Parliament. The Parliament's power has grown so much since the Lisbon Treaty was passed that one prominent Europe watcher in Washington recently noted that it has positioned itself to be the dominant EU institution. The legislature is leveraging its role as the EU's only directly elected body to

claim the right to speak for Europe's citizenry. Low turnout for European elections and the EU's continued remoteness from the public might cast doubt on the Parliament's ability to do this. But it is indisputable that the body's self-confidence is garnering attention on the other side of the Atlantic.

On February 11, the Parliament voted by 378 to 196 to reject the interim SWIFT agreement, a data-sharing accord that provided US authorities access to track terrorist financing networks in Europe. For the EU assembly, the decision to reject the interim SWIFT agreement was at once sound policy and smart politics. And the move accomplished three objectives.

First, it took a stance that was consistent with constituents' desire to maintain careful safeguards on privacy in counter-terrorism policy. Evidence suggests that voters approved of the Parliament's decision.

Second, it boosted the Parliament's profile, leading to a newfound respect for the EU's assembly, which was forcefully hoisted into a policy-negotiating process previously dominated by the European Commission and the Council of Ministers. It is



an open secret in Brussels that the reasons for the Parliament's rejection of the SWIFT agreement were two-fold: in addition to its reservations about the text of the accord, MEPs wanted to establish an active role in the areas of EU policymaking in which their institution has been granted a greater say.

Finally, the Parliament's decision provided a wake-up call for Washington. It was evidence that the legislature is coming of age as a forceful player in US-EU relations. The Parliament is staking out its position as an important actor on a host of issues, from the regulation of private equity and hedge funds to a potential free trade agreement between the EU and South Korea. The US, which previously concentrated its attention on the Commission and targeted member states, will now have to re-focus.

On the heels of the SWIFT decision, the Parliament launched a diplomatic shock-and-awe campaign in Washington. Its president, Jerzy Buzek, arrived with a phalanx of MEPs and advisers to meet with Vice President Joe Biden, Secretary of State Hillary Clinton, Speaker of the House of Representatives Nancy Pelosi and other members of Congress.

Buzek also took time to open the Parliament's Congressional Liaison Office, an innovation in diplomacy that will serve to foster more robust contacts between Congressional representatives, MEPs and staff. The office is a demonstration of the Parliament's commitment to legislative-branch cooperation between the US and EU. No other legislature has its own office in the US capital.

The opening of the Congressional Liaison Office has prompted some on Capitol Hill to begin exploring similar options to elevate the relationship between the legislatures. Congressman Bill Delahunt, a Democrat from Massachusetts who chairs the European Subcommittee in the House of Representatives, and Congresswoman Shelley Berkley, the Nevada Democrat who is Congressional chairwoman of the Transatlantic Legislators Dialogue, have voiced support for raising the status of the dialogue and, perhaps, for Congress opening its own liaison office in Brussels.

The California Republican Congressmen Darrell Issa, the ranking member of the Oversight and Government Reform Committee, and Bart Gordon, the Tennessee Democrat and chairman of the Committee on Science and Technology, are considering introducing legislation to create a Congressional EU commission with a professionalised staff that could act as an intermediary between relevant Congressional committees and the European Parliament.

For its part, the Obama administration is also taking notice of the Parliament's newfound influence. Several cabinet-level officials have since December 2009 made the pilgrimage to consult the assembly on a range of legislative issues. The US ambassador to the EU, William Kennard stated in a speech in March that "[the US] mission's engagement with Parliament will intensify. Parliament must hear from all of us."

The administration's entente with the Parliament was capped by Vice President Biden's speech before the body in May. As a career legislator himself, Biden seemed a natural emissary for the administration's message. He challenged the Parliament to use its "new powers" to take on a "greater role

in [the] struggle [against international extremism]" and emphasised that these powers come with a "great imperative to govern responsibly".

Perhaps the most remarkable part of Biden's speech was the long, lyrical defence of the US' historical ambivalence to subordinating citizens' rights to security concerns. He reaffirmed not only the long struggle between privacy and security but also his personal role as "one of the staunchest advocates of civil liberties" in the United States. As sensitive questions on terrorist tracking crop up, they will require greater consultation and an understanding of the complex political cultures on both sides of the Atlantic. Biden's message was well received in the Parliament, a positive first step in this process.

But even as the discussion on SWIFT heads toward a successful conclusion this summer, other potential hurdles in the US' relationship with the Parliament are on the horizon. The sleeper story in post-Cold War US-EU relations is the magnitude of political and economic integration. In areas from financial services regulation to green technology, intellectual property rights, homeland security, trade, product safety standards, climate change and development appropriations, the US and Europe are

realising a degree of interconnectedness that underscores a level of integration unknown in other parts of the world. Europeans, of course, have experience with this. But for the US – a country with a history of ambivalence to relinquishing sovereignty – these are uncharted waters.

Washington knows this and wants to respond, but has not figured out how to do so. Even as the US has begun to recognise the Parliament's growing force, senior American officials prefer to rely on time-tested, but somewhat unimaginative tropes. They invoke past military victories, highlight common Western values, and speak of hard security issues such as NATO expansion and Iran.

The US and Europe have entered into a phase of accelerated integration, and that process necessitates creative thinking on legislative cooperation and serious elbow grease. To be effective, partnership between the US Congress and the European Parliament will be highly technical in nature. The legislative relationship will be best served by re-calibrating the focus on committee-to-committee relationships in areas such as research expenditure and incentives and regulatory frameworks, rather than on splashy foreign- and security-policy issues. This will require going beyond the traditional transatlantic generalists on the foreign affairs committees.

What remains to be seen is how the Parliament and Congress can turn this intensified relationship into tangible legislative (and political) dividends. In the deliverables-driven world of Washington, it would be a mistake to add another unproductive layer to a US-European relationship that is already sometimes perceived as cumbersome and overly deliberative. This will be one of the challenges for the new Congressional Liaison Office in Washington. But if done right, the next generation of US-EU relations could be a legislative one.

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