Power Beyond Borders? Analysing Formal and Informal Tools of the European Parliament in EU Enlargement Policy

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The 2022 Russian invasion of Ukraine has seemingly created a new window of opportunity for (pre-)accession candidates, reigniting the European Union's interest in the subject of enlargement. While existing literature predominantly scrutinizes the Council and the European Commission, this article focuses instead on the European Parliament - an often overlooked yet crucial institution in the accession process. This study offers a first comprehensive examination of the European Parliament's toolbox with respect to EU enlargement. It comparatively assesses both its formal or legal powers and its informal or political powers, taking into account how they have developed since the coming into force of the Lisbon Treaty in 2009 and up to the December 2023 European Council meeting.

Drawing on a combination of an extensive literature review and a systematic analysis of primary documents, this study analyses five key tools at the Parliament's disposal; agenda-setting power, the consent procedure, standing parliamentary delegations, budget allocation, and parliamentary scrutiny. The findings reveal a notable disparity between the European Parliament's formal powers and informal powers, thereby confirming its 'self-empowerment' strategy and simultaneously underscoring the consent procedure and the budget as the most prominent tools available for the European Parliament.

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Introduction

The European Union (EU)'s geostrategic role in its immediate neighbourhood has unequivocally changed since the start of the full-scale Russian invasion of Ukraine on 24 February 2022. Having experienced a decade of 'enlargement fatigue' (Bargués et al. 2022, 3; Lavrelashvili and Van Hecke 2023, 436) following the accession of Croatia in 2013, the Union appears to have awakened from its slumber with a renewed sense of urgency. The Enlargement Package endorsed by the European Council in December 2023 emphasizes this newfound window of opportunity for the members of the Eastern Partnership and the Western Balkan countries.

Traditionally, enlargement is seen as the EU's most efficient foreign policy tool, one that builds polity and changes the very shape of the EU (Sjursen, in Góra et al. 2019). Thus, plenty of scholarly attention has gone out to this powerful instrument for external affairs and governance (Keukeleire and Delreux 2022) with the institutional focus being mainly on the Commission and European Council as primary actors in the policy domain. In their lieu, less attention tends to go out to the European Parliament (hereafter EP), despite it being a key institution from a legal and historical perspective that has to give its consent to the accession of any candidate member state (Art. 49 TEU). As noted by Sjursen (in Góra et al. 2019, 18), this gives enlargement a "specific institutional location within European Foreign Policy" which is "under closer control of the European Parliament than more intergovernmental policies, such as the Common Foreign and Security Policy". However, scholars have mainly focused on the EP's broader role in the domain of foreign policy, specifically its tools to potentially exert influence (Van Hecke and Wolfs 2015) and the extent to which it does so within CFSP/CSDP (Riddervold and Rosén 2015). In contrast, despite its clearly distinctive position within the institutional power balance of the Union, the tools the Parliament

has at its disposal when it comes to enlargement policy are yet to be appropriately addressed in the literature.

As such, this article offers a first mapping of the concrete tools of the European Parliament vis-à-vis enlargement. By doing so, it attempts to bridge the knowledge gap that exists on the intersection of two strands of literature, being the EU as a whole in the context of EU enlargement policy on the one hand, and the Parliaments' role within the broader domain of European Foreign Policy on the other. It builds on a core distinction often at the heart of studies discussing the EP's role in policy-making and cross-institutional decision-making (see for instance Bressanelli and Chelotti 2019; Fabbrini 2019), namely *power* vs. *influence.* The former, as defined by Bressanelli and Chelotti (2019), departs from the classic Weberian definition of power, i.e. the *potential* of a person/institution to make a desired social action happen even if resisted by others. As such, in the context of the EP, power is "an institutional attribute" allowing it "to shape outcomes despite external opposition" (Ibid. 266), thereby referring to the "*possible resources of (in)formal power"* the EP has at its disposal to *potentially* exert its influence over EU enlargement policy. Influence, on the other hand, is the concrete exercise of that power as an institutional capacity: the potential of an institution to take action is *effectively* put into practice, and the outcomes in terms of policy will reflect the initial preferences of said institution (Ibid.)[1]. Making this distinction clarifies that power is a *conditio sine qua non* in order for an institution to have influence, although not a sufficient condition (Fabbrini 2019, 418).

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[1] Riddervold and Rosén (2015), for instance, employ three indicators to measure the influence of the Parliament and the Commission in detailed case studies within the domain of CFSP. They examine how actions by supranational institutions might challenge Member States' veto powers, the extent of control Member States maintain over CFSP, and the role of the EP and the Commission in shaping EU policies that go beyond the aggregation of pure national interests.

Exploring the concrete influence of the European Parliament when it comes to enlargement policy is an enticing path that, nevertheless, will likely offer a dead end. As Bajtay (2015, 23) argues, "real (parliamentary) influence is difficult to measure, in particular as regards foreign policy" while "the *potential* of influence (i.e., its powers) can also be decisive in shaping policy". This is because there exists a difference between the legal or *formal* powers of Parliament when it comes to foreign policy (i.e. its capacities according to the treaties or other legal texts), and its political or *informal* powers. While the former are lacking, especially when compared to the Commission and European Council, said actors nevertheless speculate on and take into consideration "parliamentary (dis)satisfaction when making choices" (Bajtay 2015, 23). This study therefore attempts to shed light on the tools the European Parliament has at its disposal when it comes to enlargement. More specifically, it addresses the following research question: *What are the formal and informal powers of the European Parliament to potentially influence EU enlargement policy?*

In what follows, we firstly discuss theoretical perspectives on the origin of the EP's powers at large. Subsequently, we clarify our methodology for answering our research question through primary document analysis and extensive literature review, all the while employing a holistic view that includes macro-, meso- and micro-level perspectives on the European Parliament. The study then offers an in-depth description of the European Parliaments' toolbox concerning enlargement policy, by focusing on five distinct tools it has at its disposal. Finally, we emphasize key findings as well as limitations and potential avenues for future research in the conclusion of this article.

The (Self-)Empowerment of the European Parliament

The potential of the European Parliament to shape policy outcomes towards its own preferences is not a static phenomenon. Instead, Parliament's power within the Union's institutional system has been widening throughout European integration history (Brack and Costa 2018, 51). While there exists various perspectives on the importance of understanding the EU in terms of a formal policy process as outlined in the Treaties, the bulk of the literature on EU policymaking takes this formal treaty-based explanation as a "departure to understand the development of informal policy, hence informal power within the EU" (Robinson 2009, 112).

Héritier et al. (2019, 2) argue in that regard that scholars generally point to the preferences and choices of the member states during the "key moments of institutional change" (Farrell and Héritier 2007, 287) that are Intergovernmental Conferences as the main drivers of the empowerment of the EP. While this holds merit, researchers also emphasize the role Parliament itself has played in this process. This view conceptualizes the EP as strategically adapting to a changing environment in order to reform its working methods aimed at maximizing its influence on the EU system. Here, scholars look beyond IGCs as drivers of power distribution and consider also the 'before' and 'after' of these conferences (Wiesner 2018, 377). Thus, everyday politics of the EU becomes equally important to treaty changes, forming an arena within which (institutional) change occurs (Farrell and Héritier 2007, 287) and wherein the EP and its MEPs are political actors (Wiesner 2018, 377). The main assumption within this strand of literature is the idea that EU treaties are "incomplete contracts" that are "open to interpretation" (Héritier et al. 2019, 3) and allow for "a margin for the European Parliament to maneuver" (Farrell and Héritier 2007, 288). As Wiesner (2018) shows, this has institutionally resulted in two concrete means through which Parliament strives for enlarging its own powers: the inter-institutional agreements (hereafter IIAs) and the

EP's Rules of Procedure (hereafter RoP). The latter are established by the EP itself and have seen comprehensive revisions after every significant reform of the treaties through which the EP continuously tries to fix new margins for manoeuvring. IIAs, on the other hand, are politically binding and are argued to be a way for the EP to overcome the fact that it has no formal say in treaty reform, effectively 'creating' rights for itself in the hope that these are codified at future IGCs (Kietz and Maurer 2007, 24).

The literature tends to agree that the powers of the European Parliament concerning EU foreign policy originate mainly from this 'self-empowerment' strategy (Bajtay 2015; Goinard 2020; Kaminska 2017). In a domain that is dominated mainly by 'soft power', the EP has found ways to develop a "distinctive voice, influence and role in EU foreign policy" by developing its own concrete initiatives and channels of diplomacy (Goinard 2020, 109), also going beyond IIA's and RoPs. Indeed, as Kaminska (2017, 136) notes, the EP has been able to "change the political narrative at the EU level by means of dialogue, informal pressure, persistent calls for change, and monitoring and scrutiny". The development of these informal or political powers by the EP has made it into a fully-fledged participant within the EU's external and foreign affairs framework (Kaminska 2017, 136), one that is recognized on the global stage as an international actor "capable of exerting influence over Union decision-making and international developments" (Bajtay 2015, 39).

Methods

Our study uses a two-pronged approach, departing from a primary document analysis to uncover formal capacities of the European Parliament. Here, we systematically review and evaluate three kinds of documents to make sense of and synthesize relevant data contained within them (Kutsyuruba 2023, 140). A logical departure point is the EU primary law as acknowledged by the Lisbon Treaty, i.e. the Treaty on the European

Union (TEU) and the Treaty on the Functioning of the European Union (TFEU). However, as noted in our theoretical framework, the formal powers of the European Parliament go beyond the treaties and are arguably mainly the result of inter-institutional cooperation and EP internal rules. As such, the final two types of documents for our analysis include the aforementioned IIA's and RoP.

IIAs are allowed under Art. 295 TFEU and regulate certain aspects of consultation and cooperation between the EU institutions, constituting a form of joint rules of procedure. Institutions are encouraged to view these texts as significant political commitments, even though they are not legally binding. As such, they can greatly impact Parliament's involvement in external relations, especially when it is dependent on information-sharing by other institutions or if the Treaties only allow limited involvement (Kleizen 2016, 19). Some scholars claim that IIAs serve as a vehicle for 'informal constitutionalisation' bridging gaps in incomplete treaties (Cini 2013, 1143). Additionally, they are said to enhance EU law quality, transparency, and interinstitutional cooperation, potentially paving the way for formal codification in following treaty revisions. Next, we also incorporate Parliament's RoP which establish its internal workings and organization. Brack and Costa (2018, 51) state that these have received limited scholarly attention but also note why they might be valuable for our specific research goals, since "the EP has full autonomy in defining its organization and is therefore free to change their RoP as they want". According to Kreppel (2003, 906), Parliament consistently attempts to increase its powers through the RoP by creating informal institutions. All in all, taking IIAs into account offers a better overview of the powers of the EP when it comes to enlargement than merely focusing on primary law alone (Wiesner 2018, 376), and the same can be said of the RoP.

In order to then examine the informal powers, we perform an extensive literature review to summarize and discuss relevant existing research on the EP's role in EU enlargement. Combining database searches (LIMO, JSTOR and Google Scholar) with a systematic application of the iterative snowballing technique (Wholin et al., 2022), we gather and synthesize academic literature focusing on two distinct avenues: the EU (in general) and its enlargement policies on the one hand, and the interactions between the European Parliament and EU Foreign Policy on the other. This twofold strategy enables us to ultimately discern five key tools available to the European Parliament in the area of enlargement, as most prominent in the existing literature through the aforementioned iterative snowballing technique. However, it is important to note that this list may not be exhaustive, as it does not include inter-parliamentary diplomacy outside the formal delegations for example (cf. conclusion).

Avenues of Power Concerning Enlargement Policy: From Formal to Informal

A. *Agenda-setting power*

A first tool, agenda-setting power, is primarily informal, as formal agenda-setting powers are reserved for the Commission and European Council. However, several formal rules allow for Parliament to raise the salience of an issue and foster public and/or elite support for policy action, thus granting it the ability to influence the EU's policy agenda (Kreppel and Webb 2019, 384; Van Hecke and Wolfs 2015, 16). For one, in section (5) and (6) of the 2016 IIA on Better Law-Making, the three aforementioned institutions commit to drawing up joint conclusions outlining policy objectives, priorities and timetables at the beginning of a new legislative term, along with a provision for an annual programming. This allows the EP "to enshrine Parliament's

priorities on a shared EU longer-term agenda, going beyond purely legislative matters"
(Goinard, 2020, 111).

More specifically within the domain of enlargement, Parliament can use reports
and resolutions, as well as parliamentary debates and speeches by the President. Rule 87
(5) RoP allows for the EP to issue recommendations and demand that these
recommendations be taken into account before the conclusion of an Accession Treaty,
and it can do so at any phase of the accession talks. Additionally, Parliament can
produce so-called 'own-initiative reports' to submit a motion for resolution and thus
express its view on the state of play in the accession process. Importantly, section 16 of
the 2010 Framework Agreement between the Commission and Parliament states that the
Commission is required to have a formal follow-up within three months after an EP
resolution. Keukeleire and Delreux (2022, 108) therefore refer to Parliament's own
initiative-reports as a "widely underestimated and unrecognized tool to informally shape
the EU's foreign policy agenda", providing the hemicycle with an additional instrument
for bringing neglected dimensions to the fore.

Closely connected to resolutions are parliamentary debates with regard to EU
enlargement. Goinard (2020, 109) highlights that "one of the most powerful instruments
when it comes to agenda-setting, is the systematic inclusion on the plenary's agenda of
debates on the EU accession process with the Commissioner for Enlargement, the
HR/VP or the rotating Council presidency". Their (bi-)monthly rhythm allows
Parliament to sustain attention on specific topics. Drawing on the example of the Big
Bang enlargement in 2004, Bailer and Schneider (2000, 40) demonstrate that the
hemicycle, utilizing debates, made a significant effort to alter the status quo through an
integrationist vote supported by a wide majority in the EP.

Finally, the President, serving as the representative of the European Parliament, can play a crucial role in communicating Parliament's position in both European Council meetings and in its international relations. As outlined by Article 235(2) TFEU, the President expresses the views of the EP as a whole on the items included in the European Council's agenda prior to each of its meetings. Additionally, Rule 22(4) stipulates that the President represents the EP externally. This representation includes undertaking official visits to candidate countries and hosting high-level visitors. Due to the 'openness' of the European Parliament and its developed international relations, the President has the discretion to express foreign policy position rather freely and effectively (Gianniti & Lupo, 2015, 151). The Presidents' possible influence on the accession process is, however, weakened by its short length of mandate and depends highly on the personal and political preferences of the President in office.

B. Consent Procedure

The most clearcut tool through which the European Parliament can weigh on enlargement policy is the consent procedure. As of the Lisbon Treaty, the accession process is one of a limited number of policy domains still determined by this legislative procedure, in which Parliament is not a co-author but can still exercise veto power. Art. 49 TEU grants the EP such veto power in the case of accession through the right to accept or block any application, since Council must consult the Commission and gain EP consent before taking action. In this way Parliament "de facto decides on enlargements" (Styczynska 2019, 161), as there is no alternative action to bypass the EP's vote (Closa, 2020). Parliament has further encoded this into its own RoP, with Rule 87 requiring that providing consent for accession treaties follows the procedure set out in Rule 105. Here, the committee responsible (in the case of enlargement the Committee on Foreign Affairs, see EP RoP Annex VI (5)) plays a key role by providing

a recommendation on whether or not Parliament should give its consent.

However, when it comes to enlargement the power given to the EP through the consent procedure is subject to two formal limitations (Keukeleire and Delreux 2022). For one, it can be considered as a 'blunt' tool since it only reflects veto power. When an accession agreement falls into the hands of Parliament, it has already been negotiated, and the EP can do nothing but accept or reject it. Threatening to reject such an agreement is therefore potentially damaging to the EU's reputation as a credible international negotiator, but such a threat also lacks credibility in and of itself (Ibid., 110). Bailer and Schneider (2000, 21) argue that this is the case since as long as the EP is more integrationist and less conservative than the heads of governments of the member states, a blockade, veto or veto threat is inherently inefficient and unlikely to succeed. Therefore, they claim that the only way for it to successfully influence foreign policy is to accuse the other actors of a "lack of generosity" (Bailer and Schneider 2000, 22-23). However, according to the authors, such a 'shaming strategy' is in turn only successful when the EP has a unified position i.e. when the main political groups agree on a certain position by acting with a "wide majority" (Ibid., 40, Closa, 2020) that allows for a claim to moral superiority over the other actors exhibiting a more reluctant negotiation stance. Beyond the bluntness of Parliament's veto power, the consent procedure also does not allow for the EP to formally get involved in either the development of the EU's position or in the definition of the Commission's negotiation mandate (Keukeleire and Delreux 2022, 110; Van Hecke and Wolfs 2015, 13). As Corbett et al. (2016, 296) note, the consent procedure offers legislation to the EP on a "take-it or leave-it basis", leaving no room to bargain, let alone amend the final text.

Nevertheless, Parliament has shown an ability to strengthen its power through developing informal practices, effectively countering these formal limitations of the

consent procedure (Keukeleire and Delreux 2022, 110). As a result, the EP has obtained considerable power over the enlargement process (Bajtay 2015, 26), both internally (i.e. vis-à-vis other EU institutions) and externally (i.e. vis-à-vis candidate countries). Inter-institutional power can be achieved, for instance, through the constant adoption of resolutions that set out the so-called 'conditions' for consent (Koutrakos 2011, 54). These pressure the Commission and the Council to take into account the position of the EP, even though parliamentary veto remains unlikely (Keukeleire and Delreux 2022, 110). Additionally, as formally noted in Rule 105 (3) of the EP's RoP, the consent procedure allows for Parliament to delay approval to international agreements if the responsible committee does not adopt a recommendation within six months. When this power is purposedly used, it can effectively offer a way to ensure its positions are taken into account in the final text of said agreement (Corbett et al. 2016, 300).

Recent scholarly work argues that the EP's threat of veto (Ripoll Servent 2014; Devuyst 2013, 49; Koutrakos 2011, 50) as well as increased awareness that the views of Parliament are directly legitimized by EU citizens (Bajtay 2015, 25; Corbett et al. 2016, 301) has allowed it to also influence the specific contents of the agreements. In particular, the EP has been able to press the Commission and the Council to give greater attention to the political dimensions of Association and Cooperation agreements (Lenaerts and Van Nuffel 2008, 385). Parliament is notorious for protesting insufficient attention given to the lack of democracy and/or human rights abuse in states with which these agreements are being negotiated (Nugent 2010, 376). Here, the EP can lean on its aforementioned ability to delay the approval of international agreements in order to ensure adequate attention given to these dimensions, for instance through "the insertion of clauses linked with the political situation of the country (Koutrakos 2011, 55). The delay-strategy has proven to be equally effective in order to ensure applicant and

candidate states pay significant attention to the position of the EP during negotiations (Corbett et al. 2016, 298). For instance, during the EU-Türkiye Association agreement negotiations, the EP only gave in after Türkiye agreed to amend its constitution in order to improve the domestic human rights situation (Nugent 2010, 376).

C. Standing Parliamentary Delegations

Parliament can also weigh on enlargement policy with its formal standing parliamentary delegations to the (potential) EU candidate countries, through which it can partake in 'inter-parliamentary diplomacy'. As the literature lacks a precise and unambiguous conceptual definition, we consider it solely as diplomacy done through the aforementioned delegations. Within Parliament there exists a vast network of parliamentary delegations. These are entrusted to interact with parliaments of third countries, either to develop close relations and exchange information (Corbett et al. 2016, 206) or as the parliamentary dimension to bilateral agreements, i.e. Association Agreements or Strategic Partnerships. Over the years, the role and number of delegations has increased. They take on at least a dozen visits to third countries every year, while Parliament itself receives numerous visits from parliamentary delegations of these countries and regions (Van Hecke and Wolfs 2015, 16). As their importance in the parliamentary dimension of EU foreign policy is increasingly being recognized (Bajtay 2015, 37), diplomatic activities have become more structured and have acquired a more formal dimension (Delputte et al. 2017, 63).

Following Rule 223 (5) of the EP's RoP, the implementing provisions applying to the delegations are set out in the Conference of Presidents' decision of 29 October 2015. In sum, they are asked to cultivate international contacts, including with parliaments of traditional EU partner states, and enhance the role and visibility of the

EU on the global stage. At the same time, the delegations are tasked with "promoting in third countries the fundamental values of the European Union" (EPRS 2019). When it comes to their specific powers, the delegations can "contribute to the work of and systematically provide material for discussions in the parliamentary discussions and other Parliament bodies" concerning a wide range of domains. Their contributions to these committees are enhanced through the aforementioned movement towards better structure and greater forward planning (Delputte et al. 2017, 63). Committees issue specific mandates prior to travelling, and delegations have implemented better mechanisms of reporting back to committees afterwards (Bajtay 2015, 37).

As the EPRS study written by Bentzen (2019) notes, one type of delegation, the Interparliamentary Committees, are applicable to all (potential) candidate countries. These are mostly bilateral and see EP delegations formally meeting their counterparts from another country under strict rules and procedures. The nature of these committees differs related to the type of bilateral agreement establishing them, and are subject to bi-annual planning (Goinard 2020, 115), making them less ad-hoc and more continuous than other types of delegations. In the area of (potential) candidate countries, there currently exists 9 standing delegations compromised of 10 interparliamentary committees (with Bosnia and Herzegovina and Kosovo forming one delegation consisting of 2 joint-parliamentary committees). A comparative analysis of the formulated rules of procedure for these individual interparliamentary committees reveals that they are empowered to make recommendations to the EP, the Government of the third country, the Council and the Commission.

The political reality of these delegations is that they are, in fact, key components in *expanding* the EP's power when it comes to foreign affairs (EPRS, 2019). Having been identified as "embassies on the move" (Delputte et al. 2017, 63),

MEPs tend to take on a broad interpretation of their mandate by encountering a wide variety of stakeholders during their delegation visits. Therefore, "it would be misleading to label these delegations as strictly 'inter-parliamentary'" (Redei 2015, 277).

As such, the standing delegations tend to take on two main functions (Van Hecke and Wolfs 2015, 16). Firstly, they act as channels for information for MEPs, allowing them to obtain "first-hand facts" which are beneficial when it comes to foreign policy but also regarding the position of the EP vis-à-vis other institutions (Corbett et al. 2016, 206). More specifically, these facts give insight into current events within a country. As such, MEPs build up knowledge and expertise that allow for the EP to act fully informed when a decision on consent for a possible accession is debated (Corbett et al. 2016, 218). Additionally, since these channels are sustainable, they allow for MEPs to build long-term political dialogues with their peers (Goinard 2020, 115). Delegations also often act as 'preparatory agents' that offer foundational work for the eventual decisions by the executive (Scotti 2016, 213), as they have more space to maneuver as opposed to traditional diplomacy (Goinard 2020, 119). For instance, in the case of human rights in the EU-Türkiye JPC, Scotti (2016, 213) notes that the EP was "independent enough from the other EU institutions to be able to define its own autonomous position[2]". This allows the EP to put pressure on these other institutions, as was routinely the case for the Western Balkans concerning the issue of visa liberalization[3] (Redei 2015, 280). Finally, by relaying the information they have gained through these delegations upon their return to Brussels, delegations have the capacity to

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[2]A special procedure was put in place to oversee the protection of human rights in Turkey. This allowed for discussions on human rights violations highlighted by the European Parliament's Subcommittee for Human Rights during JPC meetings.

[3]The EP could strongly support visa liberalization with Kosovo because its decision-making structure is based on majority rule instead of requiring unanimity in the Council (which is the case for CFSP issues). Many MEPs believed that the discrepancies in visa liberalization among Western Balkan countries were unfair and created "second-class citizens" (Redei 2015, 275).

raise awareness within European and national public spheres about the state of democracy and respect for fundamental rights (Goinard 2020, 66).

A second main function as identified by Van Hecke and Wolfs (2015, 16) is that they allow for potentially influencing the views of parliamentarians from candidate countries. They become "ambassadors of the EU's constitutional values" (Delputte et al. 2017, 65; see also Corbett et al. 2016, 218), able to emphasize matters such as human rights and democracy (Keukeleire and Delreux 2022, 108) and thus allowing for a unique form of parliamentary diplomacy (Corbett et al. 2016, 218). They can execute this role through what Delputte et al. (2017, 65-66) describes as a form of "external audit of the respect for the rule of law […] in the participating member state" or candidate country.

However, three caveats need to be made. For one, the delegations' effectiveness is largely dependent on the internal coherence of the EP, more specifically the coherence between committees and delegations. As Goinard (2020, 115) notes, their work is often complementary. Yet, difficulties arise due to the high number of EP actors involved in external affairs. Committees and delegations are often subject to overlapping and duplicating competences, and while these do not necessarily run the risk of being conflicting, they nevertheless complicate the ability of Parliament to speak with a united voice (Delputte et al. 2017, 64; Goinard 2020, 59). The aforementioned mandates pursued by delegations before travelling are among those efforts to help streamline the EP's voice (see Bajtay 2015, 37). Beyond the importance of coherence, delegations and inter-parliamentary assemblies at large are de facto lacking in terms of law-making, scrutiny and sanctioning power on the national, supranational or international level (Delputte et al. 2017, 65). Finally, the lack of regulation when it comes to the appointment of EP delegates allows for every MEP to be able to ask to be

appointed. Such 'volunteerism' runs the risk of endangering the fairness of the debates "because the European Parliament's delegation may be composed of parliamentarians who are opposed to [a country's] accession, thus reducing the effectiveness of the debates and transforming them into 'dialogues among the deaf'" (Scotti 2016, 214).

While this section only sheds light on the interactions between national MPs and MEPs within the premises of formal delegations of the EP to (potential) EU candidate countries, it is important to note that there are far more exchanges that occur, including with non-governmental actors. Most notably, non-EU stakeholders often seek bilateral meetings with influential MEPs and even the EP president. While these are not always initiated by the EP, they nonetheless offer additional opportunities for passing or reaffirming information as well as increasing the expertise and access for MEPs concerning these countries (Goinard 2020, 114).

D. Budget

A discussion of the EP's powers is not complete without including the legislative competence to decide on the budget. For one, Parliament is responsible for approving the Union's seven-year budget under the MFF, which currently includes Heading 6: Neighbourhood and the World. Additionally, it endorses the annual budgets while the discharge procedure allows the EP to control spending of the institutions. The following section will focus specifically on the allocation of the budget; post-expenditure control through the discharge procedure will be examined in more detail when we discuss parliamentary and scrutiny and control. Finally, it is worth noting that EU assistance to (potential) candidate countries is a complex variety of different means which also includes tools not necessarily funded through the EU budget.

The EU budget consists of three main pillars: the MFF, the Annual Budget, and Own Resources, the latter of which we do not take into account as we only focus on the

expenditure side. The MFF sets expenditure ceilings for each policy area for usually seven years. As such, the treaties identify two procedures for the involvement of the EP in the MFF. theA first is regulated by Article 312 TFEU and deals with the MFF in general, stating that Parliament must give consent by absolute majority before the Council can adopt the MFF. The second procedure is the one for the sectoral regulations, also known as the EU sectoral funds; the MFF provides the framework for the funding of almost 40 EU spending programs over a seven-year period. These regulations are agreed under the ordinary legislative procedure (see Art. 289 and 294 TFEU), putting the Parliament on equal footing with the Council. This effectively makes the EP "a co-legislator on the main external financing instruments regarding enlargement (non-CFSP-related matters)" (ERPS 2021, 10), as each of the main instruments under the aforementioned Heading 6, both geographically and thematically, is accompanied by a sectoral regulation. The IIA on budgetary discipline, cooperation, sound financial management and own resources (16 December 2020) as well as the EP's RoP further confirm and elaborate on the powers granted to the EP by the treaties through the MFF. In section (15) of said IIA, the potential measures are identified to ensure facilitation of the adoption of the MFF as required by Art. 312 (5) of the TFEU. More specifically, it speaks of "regular meetings and exchange of information" between the EP and the Council, as well as meetings of the Presidents of the institutions initiated by the Commission to promote consultation and reconciliation.

The EU's Annual Budget, then, is the further implementation of the MFF. It is passed every year within the ceilings defined by the MFF, with the possibility of amending budgets being adopted throughout the financial year. The adoption is done in accordance with the special legislative procedure laid out in Article 314 TFEU. After being adopted or amended by the Council through qualified majority, the EP does the

same through absolute majority in a single reading. The procedure to adopt the budget is addressed in more detail in the EP's RoP, Rules 93-96.

In summary, the formal institutional dimensions of the EU budgetary procedures give the EP veto power when it comes to the MFF, but concrete budgetary ceilings are basically decided by the Council. However, it is within these seven-year ceilings that Parliament's power is most prominent, as it needs to agree on Annual Budgets with the Council following the special legislative procedure. As Bajtay (2015, 28) notes, these formalities have put the EP in a position to not only approve budgetary items and headings, but have also granted it "the ability to exert influence on the policy actions behind them". More specifically, finances and the EU budget can function as the key channel of influence concerning the Council, as it allows the EP affect both the big bargains with the MFF and the annual fine-tuning with the Annual Budget (Laffan and Lindner 2015, 227). This, in turn, grants Parliament an indirect say in how the EU spends its money on foreign policy issues (Rosén 2015, 15).

Importantly, the EP can act as a co-legislator when it comes to the main external financing instruments (EPRS 2021, 10). Under MFF Heading 6, the most relevant instruments when it comes to enlargement are the Neighbourhood Development and International Cooperation Instrument (more specifically the amounts allocated to Ukraine, Moldova and Georgia) and the Instrument for Pre-Accession Assistance (IPA III). The ceilings and overall amounts of these instruments are decided by the MFF, but not exactly how they are organized, i.e. their general and specific objectives and the size, form and rules of the funding. This is done by the aforementioned sectoral regulations. As these financing instruments are major vehicles of EU foreign policy (Bajtay 2015, 27), the fact that the EP as co-legislator is at the

same legislative level as the Council when deciding on its fine print gives it tremendous potential for influence in the policy domain, and specifically in the case of enlargement.

Similarly, the Annual Budget is often identified as a very important power-maximization tool that offers indirect leverage in the area of foreign policy and enlargement (Keukeleire and Delreux 2022, 11; Styczynska 2019, 162) and allows for Parliament to steer the political direction of these policy domains (Gardebosc and Mesdag 2019, 182). The EP often acts to defend the policies that the Council has under-funded, intervening to amend the sums that are being assigned to specific programs and projects (Laffan and Lidner 2015, 214). At the same time, shared concerns are also often promoted by acting together with the Council (Gardebosc and Mesdag 2019, 182), as is the case with, for instance, pre-accession assistance (see Baracani and Santini 2023, 138).

However, this power remains at all times constrained by the limited room for manoeuvre left by the MFF (Corbett et al 2016, 332; Lord 2017, 201). Several authors have therefore argued about best strategies for the EP to still maximize its (potential for) influence. One key strand that has been identified is aiming at a limited number of priorities in successive annual budgets (Corbett et al. 2016). Lord (2017, 201), for instance, noted how the 1999–2004 European Parliament repeatedly increased expenditures for stabilization programs in the Balkans. However, this strategy is once again dependent on internal cohesion within the EP, as conflict seems almost inevitable on a sensitive subject such as the budget, which basically covers all policy areas. If Parliament lacks a critical mass of MEPs with a similar view on these and other issues, it becomes less likely that it can achieve these increased expenditures. Instead, Lord (2017, 201) argues that by adding remarks to international budget lines, the EP could theoretically set conditions for expenditures on external policies.

E. Parliamentary scrutiny

Similar to other parliamentary bodies, the European Parliament bears the responsibility of overseeing the executive, primarily the Commission, but also aspects of other institutions such as the Council, the European Council and various EU agencies (Corbett et al., 2016, 365). Due to the lack of consensus on the definition of the term 'scrutiny', this section will explicitly focus on the following - sometimes overlapping - subsets: appointment and dismissal of the Commissioner for Enlargement, debates on statements of the Commission and/or Council, parliamentary questions, information and consultation rights in Association and Accession agreements and, lastly, budgetary scrutiny via the discharge procedure.

Starting at the very beginning of each legislature, Article 17(7) TEU mandates that the Commissioner for Enlargement, along with the HR/VP, are subjected to a vote of consent by the European Parliament. The 2010 Framework Agreement lays down a "political responsibility" to Parliament for the Commission during their term (Corbett et al. 2016, 366). Rule 125 and Annex VII of the RoP provide detailed procedures for the approval of the Commission and the monitoring of commitments made during the hearings in the AFET Committee. While the European Parliament lacks the authority to propose a candidate directly, it holds the pivotal role of either approving or rejecting the nominee. As emphasized by Van Hecke and Wolfs (2015, 14), by leveraging the threat of rejecting the entire College of Commissioners, Parliament can influence the reallocation of the enlargement portfolio or even compel the withdrawal of a designated candidate.

Parliament can also scrutinize the policies of the Enlargement Commissioner by either obliging their active participation in debates or through posing oral or written questions. Part V of the 2010 IIA Framework Agreement specifies when and where the

Commissioner's attendance is expected. Additionally, Rule 87(3) of the RoP stipulates that the Parliament has the authority to request the Commission and the Council to take part in a debate before any accession negotiations with the applicant State commence. Apart from this specific provision in reference to the accession process, Rules 132 and 133 allow MEPs to ask the Commission (and/or the Council) to explain its actions regularly to the hemicycle. The Parliament can, if it so wishes, wind up the debate with a resolution.

Regarding questions, Article 230 TFEU mandates the Commission to respond, either verbally or in written form, to questions posed by Parliament or its Members. More importantly, throughout the various phases of the membership process, beginning with the signing of an association agreement and culminating in an accession treaty, the European Parliament "shall be immediately and fully informed at all stages of the procedure" (Article 218(10)). Since the Treaty does not specify how the European Parliament should be informed, several IIAs have been adopted to clarify inter-institutional relations. This includes several provisions of both the Framework Agreement 2010 (especially Annex III) as the subsequent IIA concluded by the three EU institutions in 2016. Rule 87(3) of the EP Rules of Procedure also encodes the requirement for periodic updates on the status of accession negotiations from both the Commission and the Council. Yet, "practice, however, looks different" (Bajtay 2015, 26) with the provisions in the IIA's "unevenly implemented" (EPRS 2018, 82) as also underscored in the EP Resolution 2016/2018 (INI). Firstly, the provision of information relies on the quality of the relationship between the respective Commissioner or DG NEAR, and the AFET Committee (or its secretariat). Moreover, it seems that there exists "currently no harmonized approach by the Commission's services to provide information (concerning negotiations of international agreements) to Parliament in a

coordinated manner" (EPRS, 2018, 82). Finally, Goinard (2020, 112) also adds that the

"the flow of information remains piecemeal and incomplete" which in turn could have

negative consequences for the Parliament's consent and therefore increase the risk of

tenuous relations between both institutions (Bajtay 2015, 26). Finally, apart from its role

in establishing the budget, the European Parliament can also play a crucial role in

assessing its implementation through the discharge procedure (Article 319 TFEU and

RoP 98-101) which is "as much a power as a procedure" (Corbett et al. 2016, 335).

Conclusion

This study explored the formal and informal powers of the European Parliament

regarding EU enlargement policy. Drawing upon a theoretical framework that

emphasizes the origins of the EP's powers, it distinguished between the EP's formal

powers as enshrined in treaties, legal texts, IIA's and Rules of Procedure, and its

informal powers. The combination of an extensive literature review and an analysis

of legal documents enabled us to identify five key tools through which the EP can

potentially exert its influence on enlargement policy: agenda-setting, the consent

procedure, standing parliamentary delegations, budgetary authority, and

parliamentary oversight.

Our findings highlight a significant disparity between the Parliament's

formal and informal powers when it comes to enlargement. While the former are

often very sparse in this area (with the exception of its consent and budgetary

powers), the Commission and the Council nevertheless anticipate the EP's position

when making choices. Besides these politics of anticipation, the Parliament adopts

a maximalist interpretation of the Treaties and its engagement in IIAs and its own

RoP. Among the five identified tools, the consent procedure and *the power of the purse* stand out as the most prominent. Since the Article 49 procedure, the MFF and the Annual Budget do not offer alternative courses of action to bypass the EP's vote, thereby enabling the establishment of benchmarks and conditions tied to the Parliament's approval for the Accession Treaty and the MFF/annual budget. Additionally, it can raise the salience of enlargement issues by informally shaping the EU's policy agenda through joint resolutions and debates. Moreover, the EP plays a crucial role in overseeing the executive, primarily the Commission, by scrutinising enlargement policies through debates, questions, and information rights. Finally, standing parliamentary delegations with candidate countries can act as channels for information exchange and political dialogue. They enable MEPs to gather essential knowledge, facilitating well-informed decision-making. Additionally, these delegations are able to function as "preparatory agents," laying the groundwork for executive decisions, as they have more space to maneuver as opposed to traditional diplomacy.

Nonetheless, three caveats need to be made. Apart from its limited formal powers, - logically-, a majority among its members (some authors even claim "a wide majority" where the main political groups agree on a certain position) appears to be crucial, not least in the consent and the budget procedures. Hence, conflicting interests and political divisions can weaken the Parliament's bargaining position. Moreover, challenges in accessing timely and complete information from the Commission and Council could hamper the EPs ability to conduct thorough scrutiny and make informed decisions. Lastly, the overlapping competences between the committees and the standing parliamentary delegations combined with

the volunteerism in delegation appointments, pose can obstacles to the effectiveness of these inter-parliamentary bodies.

Finally, our approach has two notable limitations. First, it is important to recognize that the distinctions between the different avenues of power are to a certain degree artificial as the European Parliament often fulfils different roles simultaneously, thereby (self-)enforcing its position even more. Secondly, while this article explores the most prominent tools as outlined in existing literature, it is essential to acknowledge that these avenues do not form an exhaustive list. Due to its informal nature, it is not always possible to encompass all channels through which the EP can exert its power, such as inter-parliamentary diplomacy outside the formal delegations. Therefore, future research should explore further these additional and ever evolving avenues of (in)formal power that the Parliament has at its disposal.

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