

Addressing Legitimacy in the EU's Interregional Approach to Climate Change: The Case of the Parliamentary Assembly of the Union for the Mediterranean

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The 2015 Paris Agreement adopted at the twenty-first Conference of the Parties (COP) of the United Nations Framework Convention on Climate Change (UNFCCC) constitutes a major landmark in the combat against climate change. However, international climate governance and the climate deal have been confronted with concerns about their legitimacy and accountability. In the same vein, while the combat against climate change also takes centre stage in the EU's inter-regional relations, the EU's approach has suffered from democratic deficits as well. Literature on parliamentary diplomacy and inter-regionalism has pointed at the potential of inter-parliamentary assemblies' monitoring and deliberation functions in addressing the legitimacy gap of intergovernmental agreements. This article puts the focus on the Parliamentary Assembly of the Union for the Mediterranean and climate change, and analyses to what extent and how the Assembly fulfills these monitoring and deliberation functions. In doing so, the article aims to examine how inter-parliamentary assemblies can contribute to the legitimacy of the EU's inter-regional approach to climate change. The analysis is based on quantitative and qualitative text analysis, in-depth semi-structured interviews and participatory observation. The conclusion reads that, while the Parliamentary Assembly of the UfM (PA-UfM) has indeed used its monitoring and deliberative functions, there are several limitations related to the asymmetry between the EU and its Southern and Eastern Mediterranean partner countries, that hamper its potential contribution to add legitimacy to the Union for the Mediterranean's (UfM) climate action.

Keywords: Climate change, legitimacy, European Union, monitoring, deliberation, inter-regionalism, parliamentary diplomacy, inter-parliamentary cooperation, energy, Mediterranean

1 INTRODUCTION

The 2015 Paris Agreement adopted at the twenty-first Conference of the Parties (COP) of the UNFCCC constitutes a major landmark for the combat against

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climate change. Ever since, negotiations to concretize the Paris Agreement have been slow and difficult. From different vital parties in the climate change debate (Bolsonaro in Brazil, Trump in the US) the climate deal has been fundamentally opposed. At the same time, concerns about the legitimacy and accountability of international climate governance have risen.¹ Three years later after its adoption, the twenty-fourth COP in Katowice, Poland (2018), aimed at agreeing on a rulebook to implement the Paris Agreement. The outcome document after two weeks of tense negotiations, was received with mixed reactions, but it is generally acknowledged that it will not help the world to avoid catastrophic climate change.

This article focuses on climate change debates in the EU's inter-regional network. Climate change policy has become a key dimension of European Foreign Policy while inter-regionalism is considered as a major instrument to export the EU's norms, including on climate change.² However, while climate change has indeed become a key priority in the EU's inter-regional relations, the EU's approach has also suffered from severe democratic deficits. The influx of migrants and instability at Europe's southern doorstep instigated by among others the Arab Spring have constituted major challenges to EU integration, as shown dramatically by the Brexit and the appearance of nationalist or populist tendencies in European countries.³ This has contributed to severe legitimacy concerns.

Literature on parliamentary diplomacy and inter-regionalism has pointed at the potential of parliamentary assemblies to improve the legitimacy of the inter-governmental agreements between the EU and various regions.⁴ By involving peoples' representatives they add procedural (or input) democratic legitimacy to the supra-national or intergovernmental process. More specifically, while these institutions have also been challenged in terms of their purpose and rationale,⁵ their

¹ K. Bäckstrand, F. Zelli & P. Schleifer, *The Legitimacy and Accountability in Polycentric Climate Governance*, in *Governing Climate Change: Policentricity in Action* 338–356 (A. Jordan, D. Huitema, H. van Asselt & J. Forster eds, Cambridge University Press 2018).

² P. De Lombaerde, F. Söderbaum, & J.-U. Wunderlich, *Interregionalism*, in *The Sage Handbook of European Foreign Policy* 750–765 (K. E. Jorgensen et al. eds, Sage 2015); and A. Hardacre & M. Smith, *The EU and the Diplomacy of Complex Interregionalism*, 4(2) *The Hague J. Dipl.* (2009).

³ B. Verbeek & A. Zaslove, *The Counter Forces of European Integration: Nationalism, Populism and EU Foreign Policy*, in Jorgensen et al., *supra* n. 2, at 530–544.

⁴ O. Costa, C. Dri & S. Stavridis, *Parliamentary Dimensions of Regionalization and Globalization: The Role of Inter-Parliamentary Institutions* (Palgrave MacMillan 2013); and S. Stavridis & D. Irrera, *The European Parliament and Its International Relations* (Routledge 2015); and K. Raube, M. Müftüler-Bac & J. Wouters, *Parliamentary Cooperation and Diplomacy in EU External Relations* (Cheltenham: Edward Elgar 2019).

⁵ S. Delputte, *The ACP-EU Joint Parliamentary Assembly Seen by Its Members: Empowering the Voice of People's Representatives?*, 17 (2) *Eur. For. Aff. Rev.* 241–260 (2012); and A. Herranz-Surrallés, *Paradoxes of Parliamentarization in European Security and Defence: When Politicization and Integration Undercut Parliamentary Capital*, 41(1) *J. Eur. Integration* 29–45 (2019); and S. Stavridis & D. Jančić, *Introduction: The rise of Parliamentary Diplomacy in European and Global Governance* 1 (Jan Melissen ed., Brill/Nijhoff 2016).

monitoring and deliberative functions have been identified as key for their potential contribution to the legitimacy of the EU's diplomacy and external relations.⁶

The potential of these inter-parliamentary assemblies' monitoring and deliberative functions will be assessed by focusing on the specific case of climate change debates in the Parliamentary Assembly of the Union for the Mediterranean. The motivation for this choice is threefold. First, the origins of the Parliamentary Assembly of the UfM (PA-UfM) date back to the very beginning of the Barcelona Process, more than twenty years ago. It is unique in that it brings delegates together from Palestine, Turkey, Cyprus, Balkans and EU countries, countries of the Northern, Eastern and Southern shores. This continuity and uniqueness makes it a non-negligible vehicle for the EU's inter-parliamentary diplomacy. Second, the EU's strategic objectives with regards to the UfM makes it a particularly interesting case to study the potential of parliamentary scrutiny and deliberation on climate action. On the one hand, this hybrid or quasi-interregional organization⁷ originates in an interest to promote energy security, socioeconomic development and stability in the region. Since the economic crisis the EU has put the region upfront as a priority area intensifying its relations through amongst others the UfM. On the other hand, in the past decade, climate action increasingly became a key priority on the agenda of the UfM.⁸ The Mediterranean area is one of the world's climate change hotspots due to water scarcity, desertification, concentration of economic activities and population in coastal areas and the reliance on climate-sensitive agriculture. Hence, potential conflicting interests between different policy domains, makes it an ideal case to study the role of parliamentary scrutiny and deliberation. Third, the power asymmetries and differences in world views and interests amongst EU and Southern and Eastern Mediterranean countries are often large and, in such a context, parliamentary monitoring and deliberation is all the more necessary to be able to agree on a common and valid normative framework for climate change.⁹ While real dialogue in intergovernmental negotiations between EU, Southern and Eastern

⁶ D. Beetham, *Parliament and Democracy in the Twenty-First Century: A Guide to Good Practice* (Geneva: Interparliamentary Union 2006); and A. Cofelice & S. Stavridis, *Mapping the Proliferation of Parliamentary Actors in the Mediterranean: Facilitating or Hindering Cooperation*, Istituto Affari Internazionali, Working Papers 17 (21 Apr. 2017); and C. Fasone, S. Delputte & F. Longo, *The Diplomatic Role of the European Parliament's Standing Committees, Delegations and Assemblies: Insights from ACP-EU Interparliamentary Cooperation*, Parliamentary dipl. in Eur. & Global governance (2016); and S. Delputte & Y. Williams, *Equal Partnership Between Unequal Regions? Assessing Deliberative Parliamentary Debate in ACP-EU Relations*, 1(4) Third World Thematics: TWQ J. (special issue) 490–507 (2016); and C. Lord, *How Can Inter-Parliamentary Co-Operation Contribute to the Legitimacy of the EU as an International Actor*, Jean Monnet Network, PAC (2019).

⁷ Lombaerde, Söderbaum & Wunderlich, *supra* n. 2.

⁸ L. Groen, *European Foreign Policy on the Environment and Climate Change*, in Jorgensen et al., *supra* n. 2, at 750–765.

⁹ T. Risse, 'Let's Argue!', 54(1) Int'l Org. 1–39 (2000).

Mediterranean countries may remain difficult to achieve, the PA-UfM may be an illustration of a forum where real deliberation between the different parties is more likely to be approached. Hence, it makes it an ideal case to study the role of inter-parliamentary assemblies in adding legitimacy to intergovernmental organization.

This article analyses to what extent and how the PA-UfM fulfills its monitoring and deliberation functions on the subject of climate change. In doing so, the article aims to examine how inter-parliamentary assemblies can contribute to the legitimacy of the EU's inter-regional approach to climate change. For this purpose, an analysis of the PA-UfM's debates and outputs on climate is performed. The analysis is based on text analysis, in-depth semi-structured interviews and participatory observation. At a first stage, a quantitative analysis of the Minutes and the participation list of twenty meetings of the Committee on Energy, Environment and Water and the seventy-one Recommendations of the five Standing Committees since 1998 has been done.¹⁰ This exercise was complemented by a further analysis of the debates, based on the Minutes of the Delegation of the European Parliament (EP) to the PA-UfM (DMED). In a second phase, the preliminary findings of this analysis were further explored via participatory observation and fifteen semi-structured interviews in the margins of the fifteenth Plenary Meeting of the PA-UfM in Strasbourg in February 2019.

By focusing on the parliamentary dimension of inter-regional cooperation on climate change in the Mediterranean, one of the regions which will face the most severe consequences of climate change,¹¹ this research builds on and aims to contribute to two different strands of literature.

First, scholarship on the UfM focuses mainly on the transformation of the Barcelona Declaration into the Union for the Mediterranean¹² and the role of the EU in the UfM.¹³ Although authors such as Stelios Stavridis and Roderick Pace¹⁴

¹⁰ The five Standing Committees are the Committee on Political Affairs, Security and Human Rights; the Committee on Economic and Financial Issues, Social Affairs and Education; the Committee on the Promotion of the Quality of Life, Human Exchanges and Culture; the Committee on Women's rights in the Euro-Mediterranean Countries and the Committee on Energy and the Environment.

¹¹ F. Giorgi & P. Lionello, *Climate Change Projections for the Mediterranean Region*, 63 *Global & Planetary Change* 90–104 (2008).

¹² See e.g. S. C. Calleya, *The Union for the Mediterranean: An Exercise in Region Building*, 20(4) *Mediterranean Q.* 49–70 (2009); and R. Balfour, *The Transformation of the Union for the Mediterranean*, 14(1) *Mediterranean Pol.* 99–105 (2009); and G. Richard, *A 'Union for the Mediterranean' ... or for the EU?*, 3(2) *Mediterranean Pol.* 277–286 (2008).

¹³ See e.g. S. Panebianco, *A New Euro-Mediterranean Cultural Identity* (Frank Cass Publishers 2003); and F. Bicchi, *The Union for the Mediterranean: Continuity or Change in Euro-Mediterranean Relations?*, 16(1) *Mediterranean Pol.* (2011); and M. Reiterer, *From the (French) Mediterranean Union to the (European) Barcelona Process: The 'Union for the Mediterranean' as Part of the European Neighbourhood Policy*, 14(3) *Eur. For. Aff. Rev.* 313–336 (2009).

¹⁴ S. Stavridis & R. Pace, *The Euro-Mediterranean Parliamentary Assembly, 2004–2008: Assessing the First Years of the Parliamentary Dimension of the Barcelona Process*, 21(2) *Mediterranean Q.* 94, 105 (2010).

have looked into the role of the inter-parliamentary institutions in the Mediterranean, attention to the PA-UfM remains low.

Second, although there is an increased attention to the role of inter-parliamentary cooperation and the role of parliamentary scrutiny and diplomacy in the EU's external action,¹⁵ this literature has barely looked at the potential of inter-regional parliamentary cooperation on climate change. Indeed, while this scholarship has increasingly tackled theoretical¹⁶ and institutional¹⁷ questions, focused on specific inter-parliamentary institutions¹⁸ and their role in relation to specific issues such as trade¹⁹ or peace and security,²⁰ so far, to our knowledge, little to no attention has been paid to their role in relation to the global fight against climate change.

The next section will introduce the UfM's agenda on climate action. Based on a review of the literature on inter-parliamentary cooperation, section three discusses the potential role of the PA-UfM in relation to the legitimacy of regional climate governance. Section four presents the basic analytical framework and outlines the methodology of this research. Section five discusses the results of the analysis, while the article ends with some concluding remarks.

2 THE EU, THE UFM AND CLIMATE ACTION

Launched in 1995 through the Barcelona Declaration, the Union for the Mediterranean (UfM) is an inter-governmental Euro-Mediterranean organization bringing together the countries of the European Union and fifteen countries of the Southern and Eastern Mediterranean.²¹ Its mission is to enhance regional cooperation,

¹⁵ See e.g. (the edited volume by O. Costa, C. Dri & S. Stavridis, *Parliamentary Dimensions of Regionalization and Globalization* (Palgrave Macmillan 2013) on the role of inter-parliamentary Institutions, the edited volume by D. Irrera & S. Stavridis, *The European Parliament and Its International Relations* (Routledge 2015) on the EU's external policy via inter-parliamentary diplomacy, or the more recent edited volume by K. Raube, M. Müftüler-Baç & J. Wouters, *Parliamentary Cooperation and Diplomacy in EU External Relations* (Edward Elgar 2019) on parliamentary cooperation and diplomacy in EU external relations.

¹⁶ Stavridis & Jančić, *supra* n. 5, at 1; and Beetham, *supra* n. 6.

¹⁷ Stavridis & Pace, *supra* n. 14; and Delputte & Williams, *supra* n. 6; and Delputte, *supra* n. 5.

¹⁸ R. V. Scotti, *The EU–Turkey Joint Parliamentary Committee and Turkey's EU Accession Process*, 11 Hague J. Dipl. 2–3 (2016).

¹⁹ Delputte & Williams, *supra* n. 6.

²⁰ A. Cofelice, *The Parliamentary Assembly of the Mediterranean and Its Contribution to Democracy Promotion and Crisis Management*, in *Parliamentary Diplomacy in European and Global Governance 193–209* (S. Jancic, Brill/Nijhof 2016); and Herranz-Surrallés, *supra* n. 5.

²¹ Its forty-three members are Albania, Algeria, Austria, Belgium, Bosnia Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Jordan, Latvia, Lebanon, Lithuania, Luxemburg, Malta, Mauritania, Monaco, Montenegro, Morocco, The Netherlands, Palestine, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Syria (suspended since 1 Dec. 2011), Tunisia, Turkey, United Kingdom. Libya is an observer.

dialogue and the implementation of projects and initiatives. It has three strategic objectives of stability, human development and integration. The Secretariat, based in Barcelona ensures operational follow-up of the priorities identified.²² The priorities are put forward by the Ministers of Foreign Affairs who meet once a year at the UfM Regional Forum.²³ The UfM is organized alongside three components: the ‘political fora’, ‘dialogue platforms’ involving more than 25000 stakeholders from around the Mediterranean, and ‘regional projects’ of which fifty-one projects have been launched, including on ‘Climate Change and Energy’. These projects are mostly financed by the European Neighbourhood Instrument (ENI), managed by the European Commission, and the Facility for Euro-Mediterranean Investment and Partnership (FEMIP) Trust Fund, managed by the European Investment Bank. Through this partnership the EU aims ‘to strengthen its relations with the countries in the Mashreq and Maghreb regions’.²⁴

But already from the outset, the UfM was criticized for its asymmetrical power relations, exemplifying a rather unidirectional relationship from North to South, with the EU dictating the South what to do.²⁵ Moreover, Southern Mediterranean countries strongly criticized the fact that EU Member States which do not border the Mediterranean, gained control over the Mediterranean region. In an attempt to rectify this, France proposed in 2008 to only include Mediterranean countries in the partnership. While supported by Spain, this proposal was rejected by the European Commission, Germany and Slovenia.²⁶ Ever since, measures have been taken to improve co-ownership such as the chaired co-presidency since 2012 between Northern and Southern Mediterranean Countries assumed by the EU and Jordan up to the moment of writing.

Since 2014, climate change has been part of the mandate of the Union for the Mediterranean. In the context of the 2014 UfM Ministerial Meeting on Environment and Climate Change, the UfM Climate Change Expert Group (UfM CCEG) has been created to act as the main climate policy dialogue platform in the Mediterranean. The strategic objectives of the Group are threefold: (1) to promote a Mediterranean agenda for energy as well as for climate action linked to the global agenda and international fora; (2) to reinforce and animate a structured

²² UfM, *Who We Are*, <https://ufinsecretariat.org/who-we-are/> (accessed 21 Nov. 2019).

²³ *Ibid.*

²⁴ *Barcelona Declaration, Euro-Mediterranean Conference* (27–28 Nov. 1995), https://ec.europa.eu/research/iscp/pdf/policy/barcelona_declaration.pdf (accessed 18 Nov. 2019).

²⁵ A. Blanc Altermir & E. Ortiz Hernández, *The Union for the Mediterranean (UfM): A Critical Approach*, *Paix et sécurité internationales*, *Revue Maroc – Espagnole de droit international et relations internationales* 2 (2014); and R. Gillespie, *A ‘Union for the Mediterranean’ ... or for the EU?*, 3(2) *Mediterranean Pol.* 277–286 (2008).

²⁶ T. Carolin Tasche, *The Project of a Union for the Mediterranean – Pursuing French Objectives Through the Instrumentalisation of the Mare Nostrum*, 2 (356) *L’Europe en Formation* 53–70 (2010).

regional dialogue on energy and climate action among Member States, regional organizations, financial institutions, civil society, private sector and experts; and (3) to support the promotion of projects and initiatives as well as their implementation and replicability, in line with the priorities identified within the dialogue platforms. The aim of the UfM climate meetings is to share experiences and knowledge about common climate action challenges impacting the region, stimulate the discussions on climate change mitigation and adaptation actions, and catalyse the identification, support and development of specific projects and initiatives related to low-emission and climate-resilient development.

However, the UfM's agenda on climate change should be met with scepticism. A closer look at the projects financed under the partnership shows that only three projects have been launched under the 'Energy and Climate' label.²⁷ All three of them focus on energy while none of the projects focus on climate change adaptation. Moreover, when analysing the situation in the Mediterranean area further, the exploration of fossil fuels in the region has not stopped. New drilling concessions were given to the territorial seabed, which causes not only disputes among the Mediterranean countries but also environmental damage because of the drilling and of the use of the fossil fuels extracted.²⁸ An example is the ten concessions given by Egypt in 2018 to three European companies. Finally, after an examination of the National Determined Contributions (NDCs) to the UNFCCC of the Southern and Eastern Mediterranean countries, we can conclude that many of their governments have put gas forward as part of the solution against climate change.

3 DELIBERATION AND MONITORING IN THE PA-UfM

The PA-UfM is the parliamentary dimension of the Barcelona Process and aims to 'bring parliamentary support, impetus and influence to the consolidation and development of this process'. It consists of 280 elected representatives equally distributed between the EU and its Southern and Eastern partner countries. At least once a year a plenary meeting is held which is prepared by the Bureau. The Bureau of the PA-UfM consists of four members of which one president and three vice-presidents. Two members are from the Southern or Eastern partner countries and one from a Member State of the EU. The EP is a permanent member of the Bureau. The function of the bureau is to coordinate and represent the Assembly.

²⁷ The three projects are *The SEMed Private Renewable Energy Framework 'SPREF'*, the *Tafila Wind Farm* and *UfM Energy University by Schneider Electric*.

²⁸ H. Mohamed, *Egypt's 10 Concessions to Drill for Gas in Mediterranean Sea*, Egypt Today, <http://www.egypttoday.com/Article/3/43568/Egypt%E2%80%99s-10-concessions-to-drill-for-gas-in-Mediterranean-Sea> (accessed 22 Feb. 2018).

According to the Rules of Procedure ‘the PA-UfM shall debate in public issues arising from the Barcelona Process, and in particular all matters of common interest that are of concern to the member countries’. The PA-UfM has five Standing Committees which are responsible for monitoring their respective thematic areas of the Euro-Mediterranean Partnership and meet at least once a year. Since 2005, during the yearly plenary meeting, every Standing Committee has issued a Recommendation indicating its concerns in the implementation of the Partnership.²⁹ According to Costa and Dri parliaments’ power and inter-regional activity have increased in recent decades.³⁰ Although the PA-UfM lacks formal power in decision-making, literature on inter-parliamentary cooperation and parliamentary diplomacy has identified inter-parliamentary assemblies’ monitoring and deliberative functions as key for their involvement in international affairs.

First, via *monitoring* they can help assure the legitimization of multi-level governance and democratic control of public policies.³¹ As Fasone, Delputte & Longo claim, although inter-parliamentary assemblies are devoid of law-making powers, their constitutional role is performed by enhancing the visibility and public exposure of disputable decisions that have been taken by one or more national authorities.³² Hence the importance of their monitoring to scrutinize the actions of governmental actors.³³ Monitoring has been defined as the systematic process of collecting, analysing and using information to track progress toward reaching its objectives and to guide decisions.³⁴ This could be performed via the Standing Committees which aim to scrutinize policy and is done via reports and Recommendations made by the parliamentary committees.³⁵ Parliamentary committees are potentially effective and powerful accountability mechanisms. They are well placed to receive explanations and further information, the reviewing and revision of performance and practice and making Recommendations. Effective scrutiny is achieved when the activity

²⁹ With exceptions for two Standing Committees. The Women’s Rights in Euro-Mediterranean Countries Committee did not issue a Recommendation in 2018. The Energy, Environmental and Water Committee did not agree upon a Recommendation in 2018 and 2019.

³⁰ O. Costa, & C. Dri, *How Does the European Parliament Contribute to the Construction of the EU’s Interregional Dialogue*, in *Intersecting Interregionalism* 129–150 (F. Baert, T. Scaramagli, & F. Söderbaum eds, Springer 2014).

³¹ A. Cofelice & S. Stavridis, *Mapping the Proliferation of Parliamentary Actors in the Mediterranean: Facilitating or Hindering Cooperation*, Istituto Affari Internazionali Working Papers 17 (21 Apr. 2017).

³² Fasone, Delputte & Longo, *supra* n. 6.

³³ Beetham, *supra* n. 6.

³⁴ UN Women, *Retrieved from Virtual Knowledge Centre to End Violence Against Women and Girls*, <http://www.endvawnow.org/en/articles/330-what-is-monitoring-and-evaluation-.html> (accessed Oct. 2010).

³⁵ H. Yamamoto, *Tools for Parliamentary Oversight: A Comparative study of 88 National Parliaments* (Switzerland: Inter-Parliamentary Union 2007).

of ministers is conditioned by the knowledge of a vigilant Parliament, willing and able to use the powers at its disposal.³⁶

Secondly, this setting should allow for real *deliberations* taking place. In contrast to diplomats and thanks to their flexibility to debate more openly with their counterparts from other countries, parliamentarians have the potential to advance solutions to seemingly intractable problems³⁷ or as the President of the Netherlands Senate, Ankie Broekers-Knol, has stated ‘parliamentarians are ideally placed to build bridges between conflicting parties and they are not bound by the positions taken by the government’.³⁸ Also Stavridis and Jančić argue that these parliamentary forums foster public debate on global diplomatic affairs and seek to have an impact in delicate situations where intergovernmental channels of international politics have been exhausted or cannot be used.³⁹ The parliamentary setting should allow participants to behave less strategically and update their opinions based on arguments and new information. Moreover, in contrast to national parliaments, debates in inter-parliamentary institutions are less oriented towards voting or mobilizing constituencies, but more towards aggregating new information and arguments and weighing positions.⁴⁰ Parliamentary diplomacy should increase mutual understanding between countries, promote democracy, contribute to international conflict resolution, support regional cooperation with the aim of greater integration or decentralization and enhance technical and administrative cooperation between parliaments.⁴¹ Parliaments have a forum role in debating and criticizing all points of view in public and in relation to one another. Also co-operation between parliaments can presumably reduce dangers that parliaments feel individually constrained from challenging decisions they might have opposed jointly and helps overcome asymmetries of information and information costs.⁴² They create a direct channel between constituents and international organizations⁴³ and can bring a moral dimension to international politics.⁴⁴ Parliamentary diplomacy provides mechanisms for appraising the legitimacy of regional governance adding democratic representation to the regional organization.

³⁶ R. Pelizzo, R. Staphenurst & D. M. Olson, *Trends in Parliamentary Oversight* (2004), <http://dx.doi.org/10.2139/ssrn.1026338>.

³⁷ Beetham, *supra* n. 6.

³⁸ Broekers-Knol (2014), cited in S. Stavridis & D. Jančić, *Introduction: The rise of Parliamentary Diplomacy in European and Global Governance* 1 (Jan. Melissen ed., Brill/Nijhoff 2016).

³⁹ S. Stavridis & D. Jančić, *Parliamentary Diplomacy in European and Global Governance* (Jan Melissen ed., Brill/Nijhoff 2016).

⁴⁰ Stavridis & Pace, *supra* n. 14.

⁴¹ Stavridis & Jančić, *supra* n. 39; A.-M. Slaughter, *A New World Order* (Princeton University Press 2004).

⁴² Lord, *supra* n. 6.

⁴³ A. Cofelice, *Parliamentary Institutions in Regional and International Governance: Functions and Powers* (Routledge 2019).

⁴⁴ Beetham, *supra* n. 6.

4 METHODOLOGY

This article thus aims to analyse to what extent and how the PA-UfM took up its monitoring and deliberative role on the subject of climate change.

In order to analyse the PA-UfM's monitoring function, the focus is on to what extent and how the PA-UfM ensures that the UfM's policies are in line with the stipulated objectives of low-emission and climate-resilient development. More specifically, three sub questions were employed to analyse the climate change debates since the establishment of the Parliamentary Assembly, namely 'to what extent?', 'how?' and 'which evolution?'. A list of climate change related words had been composed out of literature that appeared important in the Mediterranean. If the PA-UfM would take up its monitoring function, it would be expected that those concepts would feature frequently. Therefore, a quantitative analysis of seventy-one Recommendations has been done to investigate the three sub questions in the outputs of the PA-UfM's deliberations. Since climate change did not occur in the Recommendations until 2004, these were not analysed any further. Out of the reading of the Recommendations it appeared that climate change was mostly related to energy, which is an important factor in this region and as mentioned above, some contradicting actions towards climate change have been going on in this sector.⁴⁵ Because of this, a second reading of the sixty-six Recommendations has been made, this time focused on energy to find out in which relation energy has been put forward.

In order to analyse the PA-UfM's deliberative function, the research builds on the framework of parliamentary deliberation developed by Delputte and Williams (2016) which covers five criteria namely participation, openness, common good, constructive politics, and power neutralizing mechanisms. For the '*participation*' criterion, which assesses whether all relevant parties are included, the rules of procedure as well as the attendance lists of the twenty Meetings of the Committee on Energy, Environment and Water since 2009 ('attendance list') were analysed to respectively assess the formal as well as the actual composition of the PA-UfM. No lists were available for the meetings of September 2012 and October 2015 and from 2017 onwards. In addition to this, the continuity within each delegation, sending the same Member of Parliament to the Assembly for several years, has also been analysed on the basis of the attendance lists. For the criterion of '*openness*', which assesses to what extent the debates are free and transparent, the availability of public documents, the user-friendliness of the website, and the accessibility of the plenary meetings (including by means of web streaming) were taken into account. For the third and fourth criterion, namely the '*common good*' and '*constructive politics*', the 'minutes of the

⁴⁵ Compare renewable energy being a priority area (e.g. the Mediterranean Solar Plan) and the fossil fuel resources present in the area on which some of the Mediterranean member countries are dependent (e.g. for Algeria, 97% of its foreign income comes from the export of oil and gas).

Committee on Energy, Environment and Water' ('minutes'), the minutes of the DMED and the seventy-one Recommendations of the five Standing Committees since 1998 were screened. The '*common good*' is understood here as the extent to which references have been made to those most affected by climate change, such as e.g. mentions of financing for the developing countries to adapt to climate change. The fifth criterion of '*power neutralizing mechanisms*' assesses whether not only the stronger more vociferous actors, but also the weaker and perhaps less powerful, can effectively contribute to the argumentation. For this purpose, the Rules of Procedure were analysed in order to find out to what extent these include power neutralizing procedures.⁴⁶

In a *second phase*, the preliminary findings of this analysis were further explored via participatory observation and semi-structured interviews during the fifteenth Plenary Meeting of the PA-UfM in Strasbourg in February 2019. More specifically, in the margins of the meeting and during the weeks after the plenary meeting a total of fifteen interviews with members of parliament of different member countries were conducted. The participatory observation and the interviews tried to find out if the monitoring and deliberation function had been taken up during that meeting which would contribute to the legitimacy function of the Parliamentary Assembly on the climate change debates in this inter-regional organization.

5 FINDINGS

This section discusses the results of our research. First the findings related to the monitoring function are presented, while the second part will deal with the deliberative function.

5.1 ANALYSIS OF THE MONITORING FUNCTION

The results of the monitoring analysis are presented in the tables below. The years without a Recommendation are shaded in grey. The data starts in 2005 since, as mentioned above, climate change has only appeared in the Recommendations since 2005.⁴⁷

Four findings indicate that the PA-UfM has indeed used its monitoring functions to promote climate action in the partnership. First, climate change clearly got its place in the Recommendations. Since 2005 it has been present without interruption (see table 1). It had peaks in 2009, 2011 and 2016.

⁴⁶ Risse, *supra* n. 9.

⁴⁷ Before, in the five Final Recommendations of the Parliamentary Forum of the Union for the Mediterranean between 1998 and 2004 it did not appear. The Forums took place in 1998, Feb. 2001, Nov. 2001, 2002 and 2003.

Table 1 Word Count of the Appearance of Climate Change (CC) and Global Warming (GW) in the Recommendations Between 2005 and 2019.

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Total
Energy, Environment and Water					6	2	6	0	2	1	4	8	1			30
Women's Rights			0	0	0	0	0	0	0	0	0	0	0		0	0
Quality of Life and Culture	1	0	3	0	0	0	5	1	0	0	0	0	1	0	0	11
Economical and financial	0	1	3	3	2	0	2	1	0	0	0	0	0	1	0	13
Political Affairs	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	2
Total	1	1	6	3	8	3	13	2	2	1	4	8	2	1	1	56

During the interviews, one delegate said about the 2011 peak: *'these were the years that the meetings were well prepared with attention paid to what really matters to all of us'*. Another delegate mentioned: *'the chair was very active, working closely with the Union for the Mediterranean to get things done'*. 2011 was the year just in front of the new priority setting of the Union for the Mediterranean, with in 2012, climate change appearing as one of the six priority areas together with energy in the UfM. From this it seems that the PA-UfM functioned well in promoting climate action. But in 2015, it appeared only four times, which seems moderate being the year of the Paris Agreement. This year the migration crisis took over every Recommendation. In 2016, the COP 22 had been organized in Morocco. Just before the COP, the plenary meeting of the PA-UfM took place, also in Morocco. In that year, climate change appeared again higher on the agenda with a frequency of eight appearances.

Second, from table 2 we can deduct that climate change has been brought into relation with many issues, indicating that it has been seen in a broad perspective.

In 2009 the promotion of alternative energy resources and the consequences of climate change were put forward in both Committees where climate change appeared. It recommends that the commitments of the clean development mechanisms of the Kyoto Treaty be oriented toward energy projects (Ad-hoc Committee on Energy and the Environment). In 2011, next to the Sea, climate change has been brought in relation with other themes such as biodiversity, infrastructure, migration and the world heritage. It seems that climate change has been seen in a broader perspective just one year upfront of the priority setting of the UfM. In 2016, the subjects with which climate change was linked were manifold, namely policy, environment, new technologies, energy, finance, EU goals, adaptation measures and the Sea. As one delegate said it: *'climate change is important. It touches upon every area of our life in the Mediterranean area, and we all know it. People from the Northern, Eastern and Southern Mediterranean Countries'*.

Third, fossil fuels were less and less promoted. While in 2007, fossil fuels were still stimulated to be invested in, in the following years, it has only been mentioned when talking about phasing out or taking environmental assessments of fossil fuels. In 2014, the Committee on Energy, Environment and Water made a clear call against fossil fuels for clean energy technologies with the request to develop a strategy for the replacement of fossil fuels by means of ambitious national targets and through intensified regional cooperation. In 2016 and 2017 emphasis was put on the negative consequences of hydrocarbons, from its exploration and its extraction until its transportation.

Table 2 Climate Change(CC) in the Recommendations Connected with the Following Terms Between 2005 and 2019.

CC	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Total
Policy	1	0	0	0	0	1	0	0	0	0	0	2	1	0	0	5
<u>Education</u>	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	2
Environment	0	0	1	1	0	1	0	0	0	0	0	2	0	0	0	5
Technologies	0	0	0	0	0	1	0	0	1	0	0	1	1	1	0	5
<u>Tourism</u>	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
<u>Migration</u>	0	0	0	0	0	0	1	1	0	0	0	0	1	0	1	4
Energy	0	1	2	3	2	2	1	0	1	1	2	4	1	0	0	20
<u>Water</u>	0	0	0	0	1	1	0	0	0	0	0	2	0	0	0	4
<u>Finance</u>	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
EU/global	0	1	5	1	2	0	1	0	0	0	1	3	0	0	0	14
<u>Sea</u>	0	0	1	0	2	0	3	0	0	0	1	3	0	0	0	10
<u>Agriculture</u>	0	0	0	0	0	0	0	1	1	1	0	1	0	0	0	4
<u>Desertification</u>	0	0	1	0	1	0	1	0	0	0	0	0	0	0	0	3
Heritage	0	0	0	0	0	0	3	0	0	0	0	0	0	0	0	3
<u>Biodiversity</u>	0	0	0	0	1	0	4	0	0	0	0	0	0	0	0	5
<u>Infrastructure</u>	0	0	0	0	0	0	2	0	0	0	0	1	0	0	0	3
<u>Adaptation</u>	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
Total	1	2	10	5	10	6	16	2	3	3	5	20	4	1	1	89

Table 3 Energy in the Recommendations Connected with the Following Terms Between 2005 and 2019.

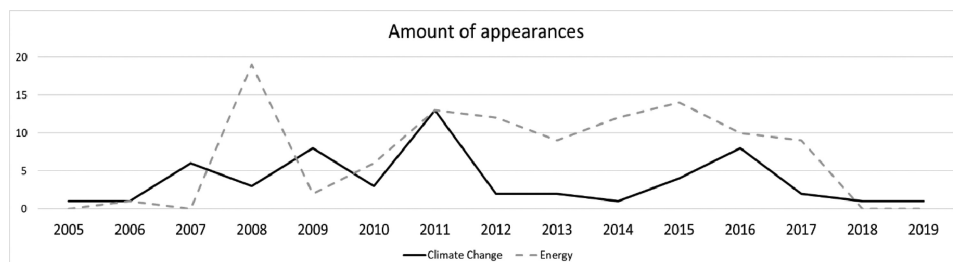
Energy	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Total
Environment	1	1	2	0	0	0	1	0	0	0	0	0	1			6
EE	0	1	1	2	0	2	1	1	6	4	1	2	0			21
Clean Energy	0	1	2	7	3	4	6	10	4	2	6	2	4			51
Security	0	1	0	2	0	0	3	0	2	1	0	0	0			9
Solidarity	0	0	0	0	0	0	2	0	1	1	0	2	0			6
Education	0	0	0	3	0	0	0	0	1	0	1	0	0			5
Transport	0	0	0	0	0	0	1	1	0	0	0	0	0			2
Economy	0	0	0	0	0	0	3	1	3	2	2	0	0			11
Conservation	0	0	0	1	0	0	0	0	0	0	0	0	0			1
Migration	0	0	0	0	0	0	0	0	0	0	1	0	1			2
Infrastructure	0	1	0	1	1	0	1	1	2	0	1	0	1			9
Fossil fuels	0	0	1	0	1	0	0	0	0	0	2	1	1			6
Technology	0	0	0	3	0	0	1	0	2	2	0	1	0			9
SDG	0	0	1	0	0	0	0	0	1	0	0	1	1			4
CC	0	1	2	3	2	2	1	0	1	1	2	4	1			20
Finance	0	2	0	2	0	0	1	0	0	0	0	0	0			5
Total	1	8	9	24	7	8	21	14	23	13	16	13	10	0	0	167

Fourth, when talking about energy, renewable energy and energy efficiency became the hot topics. While in the Barcelona Declaration, fossil fuels were still promoted, this changed rapidly after 2007. Energy efficiency and clean energy are by far the two most mentioned subjects (see table 3).

From the above it seems that monitoring of climate change in the PA-UfM took place. However, when digging deeper into the results, some qualifications should be made, which point to some important limitations of the PA-UfM in its monitoring function.

First, issues that are found to be of utmost importance for climate change in the Mediterranean such as adaptation measures, water, food security, agriculture and finance (see the words underlined in table 2) are hardly mentioned during the climate change debates. As said before, when climate change is debated, this is mostly in relation to renewable energy (see table 2). Moreover, overall, energy is discussed more frequently than climate change, which makes it seemingly a more important issue for the PA-UfM. Figure 1 represents the amount of appearances of climate change and energy. If we compare the appearance of both concepts we clearly see that, while they undergo a similar evolution, energy appears more frequently in the Recommendations than climate change. Arguably, it seems that the Recommendations focus primarily on EU priorities. The lack of focus on adaptation measures and finance is – to say the least – notable. Although cooperation in developing renewable energies, for example the Mediterranean Solar Plan may hold a formula for engaging Southern Mediterranean countries in win-win energy projects, the EU's promotion of renewables is not free from in-built tensions. Some authors have pointed out that the promotion of big renewable energy projects in the Southern Mediterranean may end up benefiting only the EU and its renewable energy industry if it fails to alleviate rural energy poverty and does not promote technological and human resources development in local populations .

Figure 1 Amount of Appearances of Climate Change and Energy in the Recommendations from 2005 Until 2019.



Second, none of the Recommendations of the Committees mention the one-sided focus of UfM projects on energy, and the absence of climate-focused projects. In the same vein, almost no notion is made of the on-going exploration of fossil fuels in the region. In the recommendation of 2017, which is the last one of the Committee up to now, it is mentioned that:

there should be an environmental impact assessment model made for the concessions given for offshore hydrocarbons prospecting, exploration and exploitation, and in the wind energy sector, so as to ensure protection of the maritime environment as a whole, and in particular prohibit the installation of wind turbines near protected marine areas, in order to comply with the principles of liability, accountability and the provision of guarantees and payment of compensation for any environmental damage caused by the use of such concessions.

This question for an environmental impact assessment has already been asked for since the establishment of the Forum. This is a reverse trend as in 2014 the request had been put forward ‘to adapt a strategy for the replacement of fossil fuels with the aid of ambitious national targets and through intensified regional cooperation’. It even seems that this recommendation is harder for the wind energy sector than for the hydrocarbon sector. When confronting the delegates with this observation, the two answers most frequently given were ‘there are other priorities in the region’ and ‘the one who is chairing the Committee meetings is the most important for the outcome’.

Third, it seems that climate change has remained a sectoral issue. Although climate change did appear in other Committees than the Energy, Environmental and Water Committee, this was only marginally or before the Committee on Energy, Environment and Water was established. As can be seen in table 1, in 2013, 2014, 2015 and 2016 climate change disappeared from all the other Committees, except for the Committee on Energy, Environment and Water. Ever since, it did not appear in the recommendations of the other Committees. This seems remarkable, as since 2012, climate change became an important strategic priority for the UfM (see part 2 of this article).

Fourth, it seems that a negative trend has been set. In 2018 climate change was only mentioned once. In that year, the Energy, Environment and Water Committee could not reach an agreement on a recommendation to adopt during the plenary meeting. Because of this, the plenary endorsed the Committee's proposal to select a working group to draft a fresh Recommendation. But the Committee did not convene again during the second half of the year as was foreseen nor during the Plenary in 2019. As a delegate mentions: *'if the chair doesn't take an initiative to organize a meeting, nothing will happen'*.

In sum, the analysis indicates that on the one hand, the PA-UfM has indeed used its monitoring functions to follow up on climate action in the partnership and put it forward in the Recommendations as an important action point. However, a deeper analysis of the results shows that there are several limitations to this climate action promotion, limiting its potential contribution to the legitimacy of UfM's climate action.

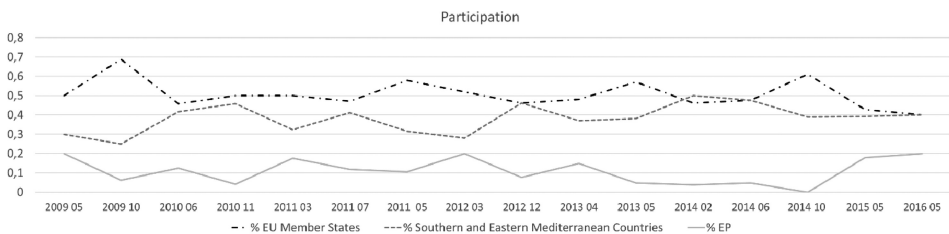
5.2 ANALYSIS OF THE DELIBERATIVE FUNCTION

This second section discusses the results of the analysis of the deliberative function based on the five main criteria for ideal deliberation.

First, regarding participation, the Assembly formally consist of 280 members and is composed of equal numbers of 140 Northern (EU and Eastern Mediterranean) and 140 Southern Mediterranean representatives. More specifically, it brings together eighty-one members from national EU parliaments (or 28,9% of total members), forty-nine members from the EP (17,5%) and 150 members of Eastern and Southern Mediterranean parliaments (53,6%). The Rules of Procedure further mention that the Parliamentary committees should include fifty-six members and be composed according to the same formula. The analysis of the attendance lists reveals that the actual participation is lower, with the highest numbers of participants noted in 2011 in Rome (thirty-four participants), in Lisbon (twenty-eight) and in Brussels (twenty-seven), whereas for the other years, the participation ranged between fifteen and twenty-four participants. However, interviewees stated that participation was in general rather stable and good. Furthermore, as Figure 2 indicates, the analysis of the attendance lists also reveals a slightly different picture of the actual composition with the EU Member States and the Southern and Eastern Mediterranean countries each occupying 40% of the actual participants on average and the EP 20%. This means that the national EU parliaments and the EP are relatively overrepresented in practice, whereas Southern and Eastern Mediterranean parliamentarians are clearly underrepresented in relative terms. When it comes to the delegations' continuity, the Rules of

Procedure encourage that ‘Delegates shall be appointed, where possible, for a minimum period of one year’. On this point, practice corresponds to the formal requirements as most members participate to the meetings of at least two consecutive years (four meetings).

Figure 2 Participation of the European Parliament, the EU Member States and the Southern + Eastern Mediterranean Member States of the PA-UfM to the Meetings of the Committee on Energy, Environment and Water.



Note: There was no information available for the meeting of September 2012, October 2015 and since 2017.

Second, on *openness*, although the official website of the PA-UfM is accessible, it only publishes a limited amount of documents. While the Recommendations of the different Standing Committees are available from 2011 onwards, the Minutes of the meetings of the Standing Committees and working groups are not. Next to this, while plenary sessions are open to the public, accreditation is necessary and web streaming is only foreseen when meeting takes place at the EP. Furthermore, the Minutes indicate that the main dilemmas, visions and alternatives related to climate change are debated.

Third, the Minutes also indicate that deliberation in the PA-UfM refers to the *common good*. For example, during the Committee Meeting in 2009 the question was put forward ‘how developing countries can be given access to the required technology’ and the need to ‘making the law work for everyone’. Also the question for an *adaptation fund* for countries *with low financial means* has been touched upon several times. This attention to the common good is less clear in the Recommendations where the focus is more on mitigation of climate change via clean energy sources. This focus on renewable energy and absence of adaptation measures and finance in the Recommendation is notable (compare *supra*). Since 40% of the renewable energy patents are in EU hands, with European countries willing to invest in the Southern European Countries to fulfil the EU’s renewable energy targets, it seems the ‘common good’ is rather framed in a Eurocentric way.

Fourth, on *constructive politics*, until 2017, each year a Recommendation has been published relating to climate change which indicates that consensus on the issue can be reached. However, participatory observation learnt that positional politics clearly prevailed in some debates. Countries in conflict narrowed the deliberation down to their own interests. This was confirmed by the interviewees who often mentioned that some delegates were abusing the meetings for their own agenda. Next to this, out of the interviews it seems that there is strong interaction between the Northern Mediterranean Countries, between the Northern and the Southern Mediterranean Countries but no interaction amongst the Southern Mediterranean Countries themselves.

The fifth and the last criterion is the *power neutralizing mechanism*. The Rules of Procedure as approved by the Plenary meeting on 29th of April 2018 (the Rules of Procedure have been edited in 2014, 2017 and 2018) are clear and do not hold obstructions to expressing one's opinion. They contribute to induce argumentative behaviour as the rules are clear and understandable. However, some interviewees mentioned that the rules are not always respected. For example, while it was prescribed in the Rules that the agenda of the meeting should be received at least one month before the opening of the session, it was mentioned by some delegates that the agenda of the meeting is often received very late. Also, it was noted that the Committee on Energy, Environment and Water stopped convening due to a lack of consensus on what should be on the agenda or in the Recommendations.

In sum, out of the readings of the participation lists, the minutes of the Committee on Energy, Environment and Water (Minutes) and the Recommendations of the PA-UfM, it seems that overall the criteria of participation, openness and power neutralizing mechanisms contribute to the quality of deliberation on climate change in the PA-UfM, but that a real dialogue on climate change between the parties is hampered by the lack of attention to the common good and the difficulty to have constructive debates. This clearly limits the potential contribution to the legitimacy of UfM's climate action.

6 CONCLUDING REMARKS

This research aimed to shed a light on the potential of inter-parliamentary assemblies to address the legitimacy of the EU's inter-regional approach to climate change by focusing on the specific case of the PA-UfM. Hence, we developed an original analytical framework to assess both the monitoring and deliberative functions of inter-parliamentary assemblies, to evaluate their potential to contribute to the legitimacy of an intergovernmental partnership.

Our analysis shows that the PA-UfM clearly struggles to prove its added value in terms of adding legitimacy to the intergovernmental UfM. First, when it comes

to the monitoring function, our analysis shows that, although climate change, renewable energy and energy efficiency figured frequently in the parliamentary debates and recommendations, the PA-UfM fails to make use of this function when it comes to some crucial questions of climate change in the Mediterranean, including on adaptation measures, water, food security, agriculture and climate finance. Second, on deliberation, despite a relatively high degree of participation and continuity, an open and transparent environment as well as the existence of clear and fair rules of procedure, a real dialogue on climate change between the parties is hampered by the lack of attention to the common good and the difficulty to have constructive debates. Arguably, these critical issues can be linked to the dominance of European constructions of so-called common issues and the pursuit of the EU's agenda relating to energy security. This is despite the existence of formal power-balancing mechanisms and the requirement that the Assembly should be composed on the basis of equal representation. These critical issues clearly impact the potential legitimacy that the Assembly could confer on the UfM. More generally, it also questions the EU's model of adding a parliamentary dimension to its interregional relations.

Finally, while the results of this research may be specific to the PA-UfM, the analytical framework combining monitoring and deliberative functions of inter-parliamentary assemblies can be applied to other cases of the EU's inter-parliamentary network. Previous research on the EU's Joint Parliamentary Assembly with the countries of Africa, the Caribbean and the Pacific (ACP-EU JPA) or EU-Neighbourhood East Parliamentary Assembly (EURONEST) has pointed to similar problems related to power asymmetry between EU parliamentarians and their counterparts. Hence, our framework could be employed for more systematic comparative research to arrive at more general conclusions on the added value of the EU's model of inter-parliamentary dialogue and its limits to confer legitimacy on its intergovernmental relations with other regions.

