

ONE ACTOR, ONE TOO MANY VOICES? THE EU AT THE UN GENERAL ASSEMBLY

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Abstract

The article tests the assumption that the deepening integration brought on by the European Union's Treaty of Lisbon should have a palpable effect on the dynamics of EU Member States' action at the United Nations. Building on existing scholarly literature, on interviews with diplomats and staff of the European External Action Service at two UN headquarters locations, as well as on a case study of what is arguably the most universal of multilateral bodies, the UN General Assembly, the article assesses the "voice of the EU" on the global multilateral scene. It concludes that, in spite of the abundance of theoretical and practical arguments for increasing the unity of European diplomacy, action in the UNGA does not provide grounds for an overly hasty departure from a state-centric view of EU foreign policy.

Keywords: European integration, European foreign policy, Treaty of Lisbon, United Nations, voting cohesion.

1. Introduction¹

In September 2010, the Belgian Presidency of the European Union (EU) introduced a draft resolution to the United Nations General Assembly (UNGA),² in which the Member States of the EU wanted to update their participation in the Assembly's meetings in accordance with the latest of their fundamental treaties, the Treaty of Lisbon. The draft resolution proposed that:

"the representatives of the European Union [...] be invited to speak[,] [...] be permitted to circulate documents, [...] make proposals and submit amendments, [...] raise points of order, [...] and to exercise the right of reply".³

The proposal was not about quasi-membership, as it would not have allowed EU representatives to vote, it merely asked for a more palpable presence as an

1 An earlier version of the manuscript of the present study served as the basis for the author's MA thesis (Central European University, 2012).

2 UNGA Draft Resolution A/65/L.64 on the Participation of the European Union in the work of the United Nations

3 Michael Emerson and Jan Wouters, "The EU's Diplomatic Debacle at the UN – What else and what next?" CEPS Commentaries, Centre for European Policy Studies, <http://www.ceps.eu/book/eu-s-diplomatic-debacle-un-what-else-and-what-next> (accessed December 26, 2010), 4.

observer. It also proposed that the same rules apply to any other regional organization “when [...] [it] has reached the level of integration that enables that organisation to speak with one voice”.⁴

Following the introduction of the draft resolution, a motion was raised to adjourn the debate on the EU’s participation in the United Nations (UN). The motion passed with 76 votes in favor, 71 against and 26 abstentions, putting off the discussion on the EU’s new “voice” to the next session of Assembly. Before the adoption of the motion to adjourn the debate,

speakers representing the African Group, Caribbean Community (CARICOM) and various small island developing States requested more time to analyse the text and its implications, arguing that it would alter the working methods of the Organization and interaction among States.⁵

As an EU official said, countries other than the partners of the EU in the UNGA saw the EU effort as an attempt to get a twenty-eighth voice for the Union.⁶ The EU, on the other hand saw, it as the exact opposite: as an attempt to limit themselves and formulate only one statement instead of twenty-seven (let alone twenty-eight), but one which carries more weight.⁷ The facts became that, when the issue was taken from the table at the sixty-fifth session of the UNGA, a very similar draft⁸ was adopted without significant obstruction. Clearly, Member States would be allowed to intervene in support of the single European voice, making it, in theory, twenty-eight, but, as the present account will demonstrate, this has neither been the ambition of the EU, nor has it become an unintended reality. The goal the EU and its Member States set was rather the contrary: closer coordination, and less intervention.

Whether the fact that a special entity and not the country holding the Council Presidency speaks for the EU truly “alter[s] the working methods” of the UN remains to be studied and understood, but the point that can be noted already is that it took almost a year for the EU to “muddle through” a question with significant operative implications for its Member States, in a forum where its “partners in the rest of the world[, who] generally want the EU to speak with one voice and act more coherently”⁹ are supposed to be in the majority. What the debacle revealed was

4 *Ibid.*, 4.

5 <http://www.un.org/News/Press/docs/2010/ga10983.doc.htm> (accessed December 28, 2010).

6 Interview no. 2.

7 *Ibid.*

8 UNGA Draft Resolution A/65/L.64 on the Participation of the European Union in the work of the United Nations

9 Graham Avery, “Towards a European Foreign Service: Conclusions and Recommendations,” in European Policy Centre. “The EU Foreign Service: How to Build a

that what was responsible for the cumbersomeness of the process to reach a “vocal” coordination of EU diplomacy in the UN was weak EU diplomacy in the UN! This raises fascinating questions pertaining to the EU’s “voice” in international relations, and, notably, on the global multilateral scene.

This article makes an empirical contribution to the literature on common European foreign policy, and the question of “European voice” in international relations. The European voice is defined as the degree to which the European Union, a closely integrated polity in several domains, and an entity dedicated to “effective multilateralism”¹⁰ while being multilateral in itself, is capable of acting as a unified actor on the international stage, with a view to coupling its economic weight with political leverage. Bearing this fundamental challenge in mind, the article analyzes to what degree the Lisbon Treaty, “the foreign policy treaty of the EU”,¹¹ has proven to be a meaningful step forward in the Union’s external representation, and how its provisions have been implemented in European foreign policy coordination at the UN during the first three years of its implementation, 2009-2012. Speaking with one voice in the United Nations tells much about the stage of foreign policy integration,¹² and, with a “foreign policy treaty” in force for the EU, the topic is as relevant today as ever before.

This inquiry aims at filling a small part of the a considerable gap in existing research, by providing the UN section of “[d]etailed case studies of specific policy areas [...] needed to properly understand the political competition between the different institutional actors within the EU, and its role in shaping foreign policy cooperation”.¹³ Bickerton points out that

more work is needed to understand the paradox of member states struggling with other EU actors over who has final authority in foreign policy and yet also using

More Effective Common Policy.” EPC Working Paper No. 28. (Brussels: European Policy Centre, 2007),

[http://www.epc.eu/documents/uploads/](http://www.epc.eu/documents/uploads/555858396_EPC%20Working%20Paper%20The%20EU%20Foreign%20Service.pdf)

555858396_EPC Working Paper 28 The EU Foreign Service.pdf, 76.

10 European Union, *A Secure Europe in a Better World. European Security Strategy* (Brussels, 2003), 9, <http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf> (accessed January 3, 2012).

11 Richard Whitman, “Promised You a Miracle? The EU’s Global Role in the Afterglow of Lisbon,” (lecture at the Center for European Union Research Launch Conference, Central European University, Budapest December 2, 2010).

12 Katie Verlin Laatikainen and Karen E. Smith, “Introduction – The European Union at the United Nations: Leader, Partner or Failure?” in *The European Union at the United Nations: Intersecting Multilateralisms*, ed. Katie Verlin Laatikainen and Karen E. Smith (New York: Palgrave Macmillan, 2006), 3.

13 Christopher J. Bickerton, “Functionality in EU Foreign Policy: Towards a New Research Agenda?” *European Integration* 32, no. 2 (2010): 224.

foreign policy cooperation as a way of escaping their own international responsibilities. How can we reconcile this struggle for political power within the EU with a refusal of power projection in the rest of the world?¹⁴

Acknowledging the “recognised shortcomings in the macro-theories”,¹⁵ this study aims at providing part of the answer “through empirical observation, examining the nature of the actors involved”.¹⁶ The following two research questions are specifically addressed: firstly, how has the Lisbon Treaty changed the framework of European external representation at the UN; secondly, what is the practical manifestation of this framework and what are its implications for the EU’s voice on the international stage?

Hypotheses can be set up on a continuum between two extremes. On the one extreme, the null-hypothesis, coherent with the intergovernmentalist school of European Studies, holds that EU Member States as principals are and will remain in full control of their foreign policy agents, and European presence at the UN will remain of full-fledged national-state character. The alternative or federalist hypothesis, would hold that the Lisbon institutions are to take over European foreign policy-making and representation, and there will soon be only one, pan-European voice in the UN. This extreme would also question the applicability of the principal-agent approach, asserting that agency loss is of such a large scale that it exceeds the conceptual limits of the principal-agent model. What the present study undertakes is to seek out the actual point on the continuum between these two extremes.

The foreign policy of a significantly enlarged European Union is as salient an issue today as ever before. As opposed to previous fundamental treaties, which primarily had an internal focus through building the internal market (Single European Act, 1986), the “pillar system” (Maastricht, 1992), reweighting Council votes or preparing for enlargement (Amsterdam, 1997, and Nice, 2001), the Lisbon Treaty has been a serious institution-builder in the foreign policy domain. With only symbolic changes to the Constitutional Treaty in this realm, and with the highest number of foreign policy clauses, it has established several *sui generis* institutions and mechanisms in the already existing, but overwhelmingly intergovernmental European foreign policy framework. It can be assumed that the significant deepening of foreign policy integration brought by the Lisbon Treaty should have a palpable effect on the dynamics of EU Member States’ actions in what is arguably the most universal of multilateral organizations, the United Nations, and, notably,

14 Ibid., 224.

15 Laura Cram, “Integration Theory and the Study of the European Policy Process,” in *European Union. Power and Policy-Making*, ed. Jeremy Richardson, New York: Routledge, 1996., 54.

16 Ibid., 55.

its plenary organ, the UNGA, understood to be “the only forum in which a large number of states meet and vote on a regular basis on issues concerning the international community”.¹⁷ The study departs from this fundamental assumption, and sets out to analyze the European voice in the United Nations, following the Lisbon Treaty.

2. Fundamental Considerations

Through more than six decades of European integration, theoretical understandings have proliferated considerably, with some views, such as neofunctionalism, gaining more popularity at times than others, but none ever becoming hegemonic. The foreign policy domain, one of the few policy areas that are traditionally considered to be at the hard core of nation-state sovereignty, has, for most of the process, remained characterized, at its best, by intergovernmental coordination, and, at its worst, by complete disagreement. It has been the Constitutional Treaty and, after its failure, the Lisbon Treaty whose institutions seemingly contain the first promises of anything not unadjacent to what might be referred to as *integration*.

It is meaningful to make reference to what is probably the most fundamental division in European Studies: the cleavage between state-centric and non-state-centric approaches, which have traditionally dominated integration theory and continue to do so today.¹⁸ Applied to the foreign policy domain, a hypothetical line can be drawn. On one side of the line are theories which regard the prevailing consensus-based model of foreign policy decision-making a meaningful and decisive obstacle in the way of a shift towards supranationality. This collection of views might be referred to as *diplomatic state-centrism*. A certain member of this collective might view Europe’s future role as the economic superpower in a multipolar world comprising several actors of great power status, who wield power on largely different dimensions. Notwithstanding this vision, diplomatic state-centrism aims at little more than describing the status quo.

On the other side of our dividing line are theories which consider solely consensus-based decision-making at least partly outdated, and, in turn, which emphasize internal and external incentives capable of causing *political spillover* of integration to the foreign policy domain. The essence of political spillover was eloquently captured in the Schuman Declaration of 1950, which called for the creation of the European Coal and Steel Community. In his declaration, French Foreign Minister Robert Schuman asserted that “Europe [...] will be built through concrete

17 Erik Voeten. “Clashes in the Assembly.” *International Organization* 54 (2000): 185-186.

18 Laura Cram, “Integration Theory and the Study of the European Policy Process,” 51.

achievements which first create a *de facto* solidarity"¹⁹ among member states. This solidarity would then cause further integration not out of sheer necessity (*functional spillover*), but much like among members of a community of friends. Spillover to the foreign policy domain can be hypothesized to be preceded by integration in domains such as economic policy or justice and home affairs.

Several theorists, including Hill and Toje, argue that there is an obstinate "capability-expectations gap" or a "consensus-expectations gap"²⁰ with regard to several policy domains, which also affects the aptitude of Europe as an international actor. That is, those calling for a strategic actor Europe or a Europe capable of global (hard-power) leverage are unfoundedly optimistic, or misguided about its potential. The EU, in this view, is not capable of becoming a state-like actor in international relations, based on the resources or tools it is able to wield, or the consensus-based decision-making it employs. Accordingly, Europe must make do with what she has, and must try to make the most of her soft power.

The following arguments provide theoretical considerations for departing from the static view of diplomatic state-centrism, thus establishing the theoretical basis for the alternative hypothesis, which is then tested in the sections that follow. It can be argued that globalization confronts the EU with the question of what it *must* do, rather than the question of what it *can*, which some theorists choose to deal with. In a way, globalization necessitates *development through crisis*. If the EU does not manage to speak with one voice, and one that is taken seriously by the international community, it will inevitably lose out in a number of fields. Pressures of globalization produce or threaten to produce an international leverage crisis if the EU does not come up with new mechanisms and solutions to speak with one earnest voice on the international stage. Developing countries, especially the BRICs (Brazil, Russia, India and China) are exerting increased pressure on multilateral institutions for the stronger representation of their interests.²¹ Without the possibility of going into the details of their claims and the debates surrounding them, the study holds that it is unavoidable that the needs of these countries be attended to, but believes that the corresponding fall-out of former colonial masters, today arguably mediocre (European) states has equal justification to be compensated for by a clear European voice on the multilateral scene. The reason why this is a necessity for Europe, rather than merely an option, is that the management of globalization is impossible merely through commanding a sizeable market, and requires the wielding of power in

19 <http://www.eppgroup.eu/Activities/docs/divers/schuman-en.pdf> (accessed March 22, 2012).

20 See Asle Toje, "The Consensus-Expectations Gap: Explaining Europe's Ineffective Foreign Policy," *Security Dialogue* 39, no. 1 (2008): 121-141, <http://sdi.sagepub.com/>.

21 Discussing the details of the representational reform of multilateral forums, and, most notably, the United Nations Security Council (UNSC) goes beyond the limits of the present study, and is only referred to briefly in *Sections 4* and *5*, where relevant.

harder fields,²² as does the pursuance of the EU's strategic objectives, such as market expansion, energy security or competitiveness.

Institutions, once established, often have a penchant for developing their own rules and practices. Focusing on EU negotiators as agents, Delreux and Kerremans provide an empirical study of EU negotiators, primarily at multilateral trade negotiations, and highlight ways in which these agents can widen their choice sets *vis-à-vis* their principals (Member States), primarily through making the principals themselves interested in surrendering some of their control.²³ While Delreux and Kerremans examine policy domains that have for a long time belonged to the community sphere, it should be noted that a similar network of EU negotiators is created by the Lisbon Treaty for the foreign policy domain. Furthermore, that this is done so with an agency with a record of innate pro-activity.²⁴

Besides EU negotiators – mainly Commission and Council officials, or, after the Lisbon Treaty, the High Representative of the Union for Foreign Affairs and Security Policy, and the European External Action Service (EEAS) in its entirety – there are other actors contesting the supremacy of national leaders in the foreign policy domain. Bickerton points to the role of foreign policy space-gaining as “identity building” for the European Parliament,²⁵ arguably the entity which is empowered the most by the Lisbon Treaty. While the construction and staffing of the EEAS was mainly to be done from three building bricks devised in the Treaties (Member States' foreign services, the Commission, and the Council Secretariat), Parliament has also become involved in the form of consultation, especially in questions with budgetary implications.²⁶ Furthermore, as is often the case in any international negotiation, issue linkages have been employed extensively by Parliament, which in this way has become involved in other issues, as well.²⁷ This empirical phenomenon fits in well with Parliament's penchant for a nonrestrictive interpretation of its (foreign policy) licenses, and its push for increased involvement in numerous dimensions of the EU's external relations.

Outcomes caused by agency are amplified by the established network of the EU's relations with international organizations: a web of structures of multi-level

22 Wade Jacoby and Sophie Meunier, “Europe and the Management of Globalization,” 313.

23 Tom Delreux and Bart Kerremans, “How Agents Weaken their Principals' Incentives to Control: The Case of EU Negotiators and EU Member States in Multilateral Negotiations,” *Journal of European Integration* 32, vol. 4 (2010): 357-374.

24 See Section 3.

25 Christopher J. Bickerton, “Functionality in EU Foreign Policy: Towards a New Research Agenda?” *Journal of European Integration* 32, vol. 2 (2010): 220-221

26 Interview no. 2.

27 Ibid.

governance. Young²⁸ used Putnam's two-level game metaphor²⁹ to describe how the domestic and foreign spheres of EU actors impact their international bargaining position. In the case of state-actors, the model consists of two spheres or levels: level I is the actor's position in an international negotiation, and level II is the domestic politics of a country.³⁰ "The range of possible outcomes that would command sufficient domestic support for ratification [of an international agreement]" is the "win-set", which is proportional to the opportunity cost of international agreement.³¹ Applied to the EU's foreign relations, the game becomes a double-two-level or three-level game with a similar logic, but with two important implications. Firstly, that, *ceteris paribus*, the win-set of the EU is smaller than that of other governments; and, secondly, that EU Member States have a choice between a two-level game and a three-level game in policy areas that are not exclusively within Community competence.³² On trade issues within the World Trade Organization (WTO), for instance (where, besides its Member States, the EU is itself a genuine member), the choice between two- and three-level games can be said to be decided a priori. International trade is a domain that has long been community competence, with the "Commission — the EU's executive arm — speak[ing] for all EU member States at almost all WTO meetings."³³

The multi-level game metaphor, with some restrictions, may be applied equally well to the more narrowly-conceived foreign policy domain. Some scholars of international relations would argue that this policy realm constitutes an autonomous and independent sphere which is isolated from constituencies. Accordingly, level II of the game actually makes no sense (foreign policy makers do not care what their constituents think). This argument, however, clearly fails in the case of democracies, where politicians can be and are often held accountable for their actions, including their foreign policy decisions,³⁴ and can also be effectively

28 Alasdair R. Young, "What Game? By Which Rules? Adaptation and Flexibility in the EC's Foreign Economic Policy," in *Understanding the European Union's External Relations*, ed. Michèle Knodt and Sebastiaan Princen, (London: Routledge, 2003), 55.

29 Robert D. Putnam, "Diplomacy and Domestic Politics: The Logic of Two-Level Games," *International Organization* 42, no. 3 (1988): 427-460, <http://www.jstor.org/stable/2706785>.

30 Robert D. Putnam, "Diplomacy and Domestic Politics: The Logic of Two-Level Games."

31 Alasdair R. Young, "What Game?," 55.

32 *Ibid.*, 56.

33 http://www.wto.org/english/thewto_e/countries_e/european_communities_e.htm (accessed October 9, 2012).

34 For a vivid example, see the (in)stability of governments, owing, not to an insignificant degree, to their ethnic politics, in Central Europe (e.g. the case of ethnic Hungarians in Slovakia) or Western and Northern Europe (immigration policy in France, the Netherlands or Denmark) or the Middle East and Afghanistan policy of the Blair

argued to fail in nondemocracies, where the political elite, corporatist, aristocratic or otherwise, can be seen as a “functional equivalent” to an electorate that holds its leaders accountable.³⁵ The point to be emphasized here is that in democratic Europe, the domestic sphere does matter, and governments with a view to re-election should and most often do bear this in mind. In fact, it seems increasingly meaningful to speak of the suggested choice between two- and three-level games at the UN, where EU member states can either choose to go their own way (as in the cases of Iraq or Palestine), upholding the three-level game, or can opt for coordination and have the EU negotiator (until recently: the Council Presidency, but since 2011, if technically possible, the High Representative, and the External Action Service) speak on their behalf.

If they choose to opt for coordination and/or delegation, then the implications of having a smaller win set than negotiating partners come into play. On the one hand, a smaller win set decreases chances for coming to an agreement,³⁶ but, on the other hand, it makes it possible to drive a harder bargain, by shifting the blame for not being able to compromise with negotiating partners to level II,³⁷ or, directly or indirectly, to level III (the domestic spheres of EU member states).

In summary, EU member states may be motivated to coordinate their foreign policies and to delegate authority to EU-level actors for a number of reasons.

3. The New CFSP at the UN

The Maastricht Treaty on European Union (1992) was the first of the Treaties not only to envision a Common Foreign and Security Policy (CFSP) for the European Union, but also to develop an institutional framework for it. The new CFSP brand grew out of the European Political Cooperation (EPC), an intergovernmental foreign policy coordination mechanism, brought to life by the so-called Davignon or Luxembourg Report of 1970, which had described the EPC's *raison d'être*: to back up the Communities' economic power with a capacity for international action in a realist sense, but on predominantly intergovernmental grounds. The intergovernmental nature of the EPC was later also preserved in the CFSP.

How the Maastricht Treaty did go past intergovernmentalism with regard to European voice, however, was basically two instruments: “common position”, set up

Administration. I am grateful to Prof. Péter Balázs of Central European University for his help in constructing this argument.

35 I thankfully acknowledge Dr. Tamás Meszerics of Central European University for making this point.

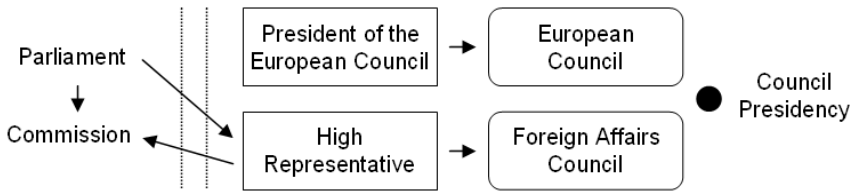
36 Robert D. Putnam, “Diplomacy and Domestic Politics: The Logic of Two-Level Games,” 437-438.

37 *Ibid.*, 440.

by the Council and pertaining to *general issues*, to be upheld by the Member States in various international fora; and "joint action" decided on by the Council, guided by the Heads of State and Government, designed to react to *specific situations* (Articles J.2. and J.3.). The Maastricht Treaty also set up the so-called "pillar system", which based the newly-founded Union on three distinct pillars: the first, the community pillar, included the former European Communities; the second was the CFSP, largely intergovernmental; and the third pillar was *Justice and Home Affairs*, intergovernmental to start with, but later partly relocated into the first pillar by the Treaty of Amsterdam.

Figure 1 lists the most important EU actors which have had a role in defining common foreign policy. With the entering into force of the Lisbon Treaty, and subsequent episodes in European politics and on the international stage, it can be claimed that some actors have become more important than others, in a way that cannot be derived from the text of the Treaty.

Figure 1: The EU actors of the CFSP under the Treaty of Lisbon



At first glance, the Commission, traditionally seen as a consistent and pro-active entity in external policies within its competence, has been sidelined with the introduction of new posts: the permanent President of the European Council and the High Representative for Foreign Affairs and Security Policy. The Commission has also "lost weight" due to the elevation of the Parliament to co-decision-maker status with the Council, and not least its role in selecting the College of Commissioners. Look more closely at the role of the Commission, however, and one finds subtleties that question the supposed decline of its impact on the EU's external role and representation. Such a view is further strengthened by a report leaked in 2012, which indicates that the Commission "still pulls the strings on" the EEAS through significantly influencing the allocation of its budget.³⁸

Outside the realm of finances, however, one might take the operational case of Geneva, where the WTO has its headquarters, as an example. The facts are that consequent to the Treaty of Lisbon, two separate EU delegations, with roles, office space, but what is vital to note, with staff of different backgrounds, have been

38 <http://euobserver.com/18/115145> (accessed May 13, 2012).

created. (1) The Permanent Delegation of the European Union to the United Nations Office and to other international organisations in Geneva (EUDEL-UNOG) promotes internal and external coordination of EU Member States' foreign policy at diverse UN fora in Geneva covering a wide range of issues including human rights and humanitarian affairs; while (2) the Permanent Mission of the European Union to the World Trade Organisation (EUMIS-WTO) deals with international trade issues, which have long been in community competence. The latter realm of EU action was, before Lisbon, dealt with by the Commission, but EUMIS-WTO has since then become an integral part of the EEAS. What has to be noted, however, and what indicates that the Commission still has considerable impact on trade matters, is the fact that EUMIS-WTO is staffed primarily by former Commission officials, while EUDEL-UNOG reflects the general composition of the EEAS.³⁹ This is arguably more than a human resources technicality, as it is indicative of the fact that expertise, as well as operative control remains with the Commission, albeit under the aegis of the new EU diplomatic service. This can be seen to be in strict accordance with the policy lines of Lisbon, or the *Europeanization of foreign policy*.

Bearing its history of coordination in this field in mind, and the fact that trade has been, since the 1970s, but arguably since the Single European Act (1986), an area for Member State non-intervention, it is unsurprising that at the WTO, besides speaking with a unified voice through EUMIS-WTO, the strong rule is no Member State intervenes in plenary debates.⁴⁰ However, the fact is that some Member States, and notably the United Kingdom, arguably an odd-one-out from continental interests pertaining to trade issues, have retained the habit of intervening in debates,⁴¹ not to undermine the EU effort substantively, but rather to have their voice heard as separate cornerstones of international trade. A recent example includes an intervention of the representative of the United Kingdom emphasizing the country's contribution to the WTO's International Trade Centre.⁴² Such episodes can be seen as examples of countervailing forces to the integrative spirit of Lisbon, ultimately showing that Member State sovereignty should not be downplayed by the analyst, and its pooling cannot be taken for granted even in the most straightforward of policy domains.

What has to be seen as the bigger and, in a way, genuinely new trend with the Treaty in force, however, is strong pressure (both internal and external) to achieve a common position. Nevertheless, if a Member State has a strong particular interest in a question that diverges from the EU consensus, such a Member State might be

39 Interview no. 2.

40 Interview no. 4.

41 Ibid.

42 Ibid.

unwilling to give in, and may choose to pursue a separate path (for example, to maintain their individual high profile as a generous humanitarian donor).⁴³

For the purposes of this study, it is meaningful to make an admittedly simplified division of the EU-UN relationship. Firstly, there are issues on which the EU and the UN, basically two international organizations, cooperate. In this cooperation, what is meant by “the UN” is, in fact, the UN Secretariat, the body of bureaucrats responsible for the day-to-day running of the Organization, but also, at the more senior-level positions, making a number of substantive decisions which affect the actual content of projects. This type of relationship may be referred to as *EU-UN relations*, or the *EU and the UN*.

The philosophical underpinning of such cooperation is that the EU, as one of the most prosperous entities of the globe, and at the same time, also an international organization, aids the UN in facing the global challenges of the twenty-first century (such as development, climate change or humanitarian issues). These instances of cooperation have a clear-cut financial aspect, as the EU, which can be argued to have a rather limited budget itself, is considerably better financed than the UN in relative terms, which, in turn is, at least in theory, better positioned to effectively tackle most global challenges where they arise. From a theoretical perspective, the relationship can be understood as a principal-agent one, or at a closer and more analytical look, an event of “orchestration”, depending on the actual scenario and field of cooperation discussed.⁴⁴

The EU’s external policies towards the UN were first articulated and elaborated in detail in 2001, in a Communication from the Commission to the Council to the European Parliament,⁴⁵ which was further developed in another Communication two years later.⁴⁶ While in line with the EU’s status and identity as a donor, the first

43 Interview no. 4.

44 For an elaboration of the concept, see Kenneth Abbot, Philipp Genschel, Duncan Snidal and Bernhard Zangl, “International Organizations as Orchestrators”, paper presented by Philipp Genschel on 28 November 2012 at the Center for European Union Research, Central European University, Budapest, Hungary, available online at http://ceur.ceu.hu/sites/default/files/field_attachment/event/node-25616/agsz-orchestrator-draft-for-munich-conference-2011-09-28.pdf (accessed March 22, 2012).

45 *Communication from the Commission to the Council and the European Parliament - Building an Effective Partnership with the United Nations in the fields of Development and Humanitarian Affairs (COM(2001)231)*, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2001:0231:FIN:EN:PDF> (accessed February 3, 2012).

46 *Communication from the Commission to the Council and the European Parliament - The European Union and the United Nations: The Choice of Multilateralism (COM/2003/0526)*,

Communication focused on development and humanitarian affairs, which could be referred to as “mainstream” North-South aid policies, the second Communication contained a more genuinely foreign policy approach, and bore numerous characteristics of foreign policy strategies, with an entire section dedicated to “[p]romoting the EU’s values and interests effectively in the UN system”,⁴⁷ and already taking into account the prospective provisions of the Constitutional Treaty.⁴⁸ As with all not-for-profit activities in the international domain, perhaps the most crucial question is funding, whose most important lines in the case of EU-UN “programmatic partnership” (cooperation mainly in the design and implementation projects, programs or operations), are laid down in the Financial and Administrative Framework Agreement (FAFA).⁴⁹

In short, it can be argued that EU-UN relations, with the FAFA notably at its core, have, until the present, entailed cooperative ventures primarily between the administrative staffs of two international civil services (i.e. the UN Secretariat and the European Commission). How the EU, as the UN’s largest contributor, can influence the UN, and indirectly, pursue a global role through this technically symmetrical, financially asymmetrical channel of interchange, is a fascinating question which should be explored within the context of International Political Economy, with a view to furthering the conceptualization of the EU’s global role in the twenty-first century, similarly to the goals set by this study. The purpose of highlighting this at this point was to tell apart *EU-UN relations* from *EU action at the UN*.⁵⁰

The preposition *at* used in a meaning rather close to that of *in*, suggests that the EU is somehow a subset of the UN. In fact, if one speaks about the EU *in* the UN, it is completely clear that one means EU (member state) presence in various UN fora. In many cases, and especially in the Food and Agriculture Organization of the United Nations (FAO) or the WTO, where the EU is a genuine member, it would specifically refer to the action of the EU representatives either directly at the meetings of a given forum, or in a more general way. *At* might also have a more representational

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2003:0526:FIN:EN:PDF> (accessed February 3, 2012); Ervin Gömbös, “Cooperation Between the UN and the European Union”, 15 (endnote 1).

47 *The European Union and the United Nations: The Choice of Multilateralism*, 16.

48 *Ibid.*, 18.

49 Financial and Administrative Framework Agreement,

http://ec.europa.eu/echo/files/partners/humanitarian_aid/fafa/agreement_en.pdf (accessed February 2, 2012).

50 It is noted that this telling apart primarily serves analytical reasons, and as most social scientific ventures, it is not utterly and completely clear-cut. Furthermore, that there are clearly a number of areas that can be argued to be cases of the EU *and* the UN, as well as the EU *at* the UN.

meaning, such as the presence of a given member state's diplomatic mission *at* the headquarters of an international organization.⁵¹

The Treaty of Lisbon introduces a number of innovations pertaining to this representational aspect of the phenomenon. The Treaty states that

Member States shall coordinate their action in international organizations and at international conferences. They shall uphold the Union's positions in such forums. The High Representative of the Union for Foreign Affairs and Security Policy shall organize this coordination.⁵²

Regarding the role of the EEAS, it is stipulated that "Union delegations in third countries and at international organizations shall represent the Union"⁵³, that is: in questions belonging to the Union's competence. In organizations where the EU is participating as an observer or on similar grounds, it is represented by the EU Delegations.

Despite the entry into force of the Treaty of Lisbon, there has been a relatively long transitional period until the EEAS could be considered to be set up in its entirety. Until then, the diplomatic staff of the rotating Council Presidency has still been performing their traditional representational duties at the UN, with a telling example being EU representatives acting merely as co-chairs at EU coordination meetings.⁵⁴ This was the case during the Hungarian Presidency in the first half of 2011, but has significantly changed since then, with the tendency being a slant towards a greater role for EU Delegations, with them becoming better-staffed, more experienced, and up to tasks of coordination and liaison with third countries, which have, in turn, also become more accustomed to dealing with such an unusual quasi-diplomatic actor.⁵⁵

In the transitional period, coordination and representation have been confronted with a number of obstacles. While dealing with significant questions relating, for example, to Iran during 2011, staff who would later become part of the EEAS were still scattered in different offices.⁵⁶ The implementation of the Treaty had to begin in such difficult logistic circumstances, in which the EEAS-in-the-making had to rely

51 While it is noted that these two meanings are more easily discerned in theory than in practice, what *is* truly important to emphasize is the difference of the *at* relationship from the *and*, and that what is referred to by the former is a more political aspect, entailing phenomena such as bargaining, negotiation, coordination, issue linkages, and last, and most importantly for the present study: voting.

52 *Treaty on European Union*, Article 34.

53 *Treaty on the Functioning of the European Union*, Article 221.

54 Interviews no. 1 and 3.

55 Interview no. 3.

56 Interview no. 2.

extensively on Member States.⁵⁷ This situation was further complicated by the significantly different experience, expertise and *esprit de corps* of the three sources of prospective EEAS staff: the Commission, the Council Secretariat and the foreign services of Member States. Considerable understaffing in the transitional period caused a number of problems, but also meant that the EEAS-in-the-making had to rely extensively on the Council Presidency in “integrated teams”, as well as, also with other Member States, within the well-established system of “burden-sharing” agreements (division of tasks based on mutual agreement and willingness, making use of the advantages of being able to pool expertise of the EU and its Member States).⁵⁸

Such arrangements were not running completely smoothly from the outset, with one diplomat describing the EEAS, and especially its staff with a career background in the Commission, as self-assertive, and as always referring to “Brussels” for advice, even when the Commission itself had no business in the dealings at hand.⁵⁹ Even since, the EEAS has been relatively slow and cumbersome at performing the routine tasks of diplomatic missions, with a telling example being the fact that, in Geneva, the formulation and issue of a *démarche* (a written formal articulation of a position), which is normally completed overnight by a regular diplomatic mission, took an average of four days for the EEAS in 2011/2012.⁶⁰

As to the practicalities of external representation that have eventually been designed, it should be noted that each UN body, agency and forum differs in its responsibilities, as well as rules of procedure, therefore the elaboration of separate agreements for each entity is vital,⁶¹ determining the answer to the *who coordinates*, and *who speaks for the EU*, when and where questions on a case-by-case basis. Starting with the Swedish Presidency of 2009, comprehensive guidelines and general arrangements have been continually elaborated in the Committee of Permanent Representatives (COREPER) in Brussels, to determine general modalities of the EU’s external representation in international organizations.⁶² Following from the provisions and spirit of Lisbon, these arrangements have called for increased coordination among EU Member States, while bearing in mind the importance of consensus and attention to “sensitive areas”.⁶³ COREPER has also borne in mind that delegation of tasks and the change in modalities of coordination and representation cannot be used to reshape the system of competences as enunciated in the

57 Ibid.

58 Interview no. 3.

59 Ibid.

60 Ibid.

61 Interviews no. 1 and no. 4.

62 Interview no. 4.

63 Ibid.

Treaties;⁶⁴ in other words, agency loss has been given a red light, and Member State principals reserve the right to retain responsibilities they have not purposefully delegated in the Treaties.

Accordingly, a single European voice can take three main forms, in accordance with the system of competences elaborated in the Treaty of Lisbon: (1) in areas of EU competence, statements are issued “on behalf of the European Union”; (2) in areas of shared competence, where the EU and its Member States reach a common position, statements are issued “on behalf of the European Union and its Member States”; and (3) when Member States agree to speak with one voice in areas belonging to their national competence, statements are issued “on behalf of the Member States”.⁶⁵ The practical and conceptual implications of the path mapped out by these arrangements, in line with ambitions of the Treaty of Lisbon as a “foreign policy treaty”, cannot be overlooked. The envisioned way forward clearly appears to be speaking with one voice in multilateral organizations, traditionally ruled by states and states only, with the EU and its member states still to work out the exact legal possibilities of doing so.

At the UN entities in Vienna, the EU Delegation has basically inherited the status of the former European Communities in each of the organizations, and therefore, after the EEAS has become fully functional, it speaks on behalf of the Union, as previously the rotating Council Presidency did. However, further achievements are seen as necessary in order to properly implement the provisions of the Treaty of Lisbon, including: the right to put forward motions and raise points similarly to Member States, propose amendments, present documents and co-sponsor resolutions, as well as tend to special seating arrangements and see to it that the EU does not fall back in subscribing to the speakers’ list.⁶⁶ In order to achieve these goals, formal steps (e.g. changing rules of procedure), semiformal steps (concluding agreements) and informal steps (gradually establishing practices and customs) have been pursued.⁶⁷ The goals set for this end are, in many ways, reminiscent of the language of the two draft resolutions introduced in the UNGA in 2010 and 2011.⁶⁸ It can reasonably be expected that, where this has not already happened, working papers and draft resolutions of a similar spirit will be introduced in all of the entities with rules of procedure independent of those of the UNGA in most UN headquarters locations, tailored to the specificities of each one of the entities.

In Geneva, where research was carried out a year later, significant signs of development towards integration were perceived, along the lines expected at

64 Ibid.

65 Ibid.

66 Interview no. 1.

67 Ibid.

68 See Introduction.

Vienna. In bodies where the EU Delegation cannot technically assume the floor (such as bodies with limited membership) the EU would go through one of its Member States to address the meeting. Otherwise, it would have to take the floor among other observers, possibly at a time up to one or two days later.⁶⁹ In nonplenary sessions, however, such as *interactive dialogues* (e.g. discussions with a Special Rapporteur), the EU Delegation can obtain a position on the speakers' list as any Member State, as there is no difference between members and observers at such meetings.⁷⁰

Similarly to the way New York and measures elaborated for the UNGA can be regarded as the prototype for coordination and representation, in Geneva it is the Human Rights Council that entails the smoothest cooperation, as well as the most developed modalities of representation.⁷¹ However, with an admirable record of coordination in the human rights realm already before Lisbon, the EU is still considerably far away from "effective multilateralism"; with its relative unity ("internal effectiveness") coupled with impaired "external effectiveness", i.e. an incapability to influence the agenda.⁷² Reasons for this being the case are better left to be explored in a separate study, and it is not within the purpose of this article to articulate any speculations; it merely wishes to note that cooperation, while arguably being a necessary prerequisite of success, it is nowhere near a sufficient one. Especially notorious has been the Question of Palestine, which has caused significant splits in the EU vote not only in Geneva, but throughout the UN System.⁷³ To mention another case: on the question of convening a special session on peaceful protest, the EU was plagued with disunity, causing the failure of the entire idea.⁷⁴ Recent successes, however, are numerous, with the Union and Member States "running 25-30% of all resolutions and about 40-50% of country specific resolutions".⁷⁵ The case of Libya in 2011, which ultimately resulted in Security Council and UNGA resolutions, and in suspending Libya's UN membership,

69 Interview no. 2.

70 Interviews no. 2 and 3.

71 Interviews no. 2 and 4.

72 Rosemary Foot, S. Neil MacFarlane, and Michael Mastanduno, "Introduction – US Hegemony and International Organizations," in *The United States and Multilateral Institutions*, ed. Rosemary Foot, S. Neil MacFarlane and Michael Mastanduno (Oxford: Oxford University Press, 2003), 8, quoted in Karen E. Smith, "The European Union at the Human Rights Council," 225;

73 Interview no. 4.

74 István Lakatos, "Statement at the Fourth Budapest Human Rights Forum, First Panel on the Activities and Representation of the European Union in the Field of Human Rights" (Budapest, 26 October 2011) [manuscript received from the presenter], 2.

75 Ibid., 1.

had also originated in a special session of the UNHRC, initiated by the Hungarian Presidency and with EU-sponsorship.⁷⁶

The most noteworthy changes relative to before Lisbon are connected to the fact that the coordination and representation tasks of the Council Presidency have been gradually transferred to EEAS Delegations, which now also encompass the tasks (and partly personnel) of former Commission Delegations. Bearing this fundamental change in mind, it is to be noted in conclusion that Member States, who provide primary input for what is to become common foreign policy, are still the first-movers *and* primary decision makers in areas belonging to national competence, and also, to some extent, shared competence. Furthermore, that whenever they see going a separate path to be more conducive to their national interests, some Member States (often the United Kingdom, France or Germany) decide to do so, and pre-empt a joint position, oftentimes exploiting the “EU” vs. “EU and its Member States” problem, on which guidelines and practices are far from clear-cut.⁷⁷ In other cases, some Member States will intervene in spite of their being a joint position, and add or emphasize fragments they consider to be of high importance. This, sporadically, can also be the case in areas of EU competence, for example at the WTO.⁷⁸

In summary, the dominant trend has been an increasingly “cooperative”⁷⁹ or “positive”⁸⁰ approach, and a more smoothly-running coordination process among Member States and EU actors, as well as an improving atmosphere for internal, as well as external collaboration. It can be observed that pushing for an opportunity to speak with a single voice (where possible provided by the EEAS-in-the-making) is inherent in the will of Member State missions at the UN organizations in Vienna and Geneva in a similar way to what was revealed at the UNGA debacle of September 2010, and its resolution in April 2011. This informs the hypothesis of this study, making it especially meaningful to test how this “macro-experiment” (the UNGA episode) has been completed and followed up. The final question this article considers, then, is: has such a trend been reflected in voting on resolutions?

4. Voting in the General Assembly

Bearing in mind the cumbersomeness of setting up the proper institutional arrangements for various instances of representation (as well as the EEAS generally), it might be argued, perhaps surprisingly, that the UNGA is a flagship forum of EU coordination, where the prerequisites to speak with one voice have been met in less

76 Ibid., 1-2.; Interview no. 3.

77 Interview no. 3.

78 Interview no. 4.

79 Interview no. 2.

80 Interview no. 4.

than one and a half years (by April 2011, counting from December 2009). But this might be a misleading interpretation of events, as the conditions are, in fact, external (right to speak in the UNGA), and the question whether the High Representative and its staff fill it with meaning – and, most importantly, whether the Member States themselves are willing and able to make use of the opportunity and increase the harmony amongst themselves – is a most vexing puzzle which ultimately returns the present analysis to its point of departure.

Pre-Lisbon accounts of European voting behavior at the UN are numerous across policy domains and fora, with arguably the most comprehensive account being Part Two of a seminal book by Maximilian B. Rasch: *The European Union at the United Nations*.⁸¹ In this part of the book, Rasch analyzes EC/EU group voting coherence from 1988 to 2005, a period covering several watersheds in diplomatic history, as well as two enlargements eventually transforming the EC 12 into EU 25. The present section adds the 2010-2012 period to this account, exploring any changes occurring since the entry into force of the Treaty of Lisbon.

It has to be noted that voting coherence among European Member States has steadily if not stably increased throughout the period analyzed by Rasch, with neither enlargements, nor other landmark phenomena turning the coherence trend into steadily negative. In fact, the trend only appears characterized by seasonal lows, due to particular events on which Europe persistently stands divided. The implication for the present analysis is that, should a continued growth be witnessed, this could not be attributed to the Lisbon Treaty as the sole explanatory variable. But is there such continued growth in the first place?

While diverse methods, both more and less sophisticated, can and have been employed by various authors to analyze voting in the UN (e.g. “Gutman scaling, factor analysis, complete analysis, cluster-bloc analysis or the employment of indices”),⁸² the purpose of this study is to ascertain whether the Treaty of Lisbon has brought a meaningful step forward with regard to a single EU voice. Therefore, 100% cohesion is regarded as the benchmark, and the degree to which cohesion falls short of this benchmark can per se be regarded as a meaningful indicator.

While the percentage of EU consensus relative to all UNGA resolutions show remarkable stability around 95 percent from the mid-1990s onward, these figures can be misleading because they artificially magnify the degree of EU consensus by including resolutions passed without a vote (i.e. with consensus), which constitute the vast majority of all resolutions passed in the UNGA.⁸³ Therefore, it is more

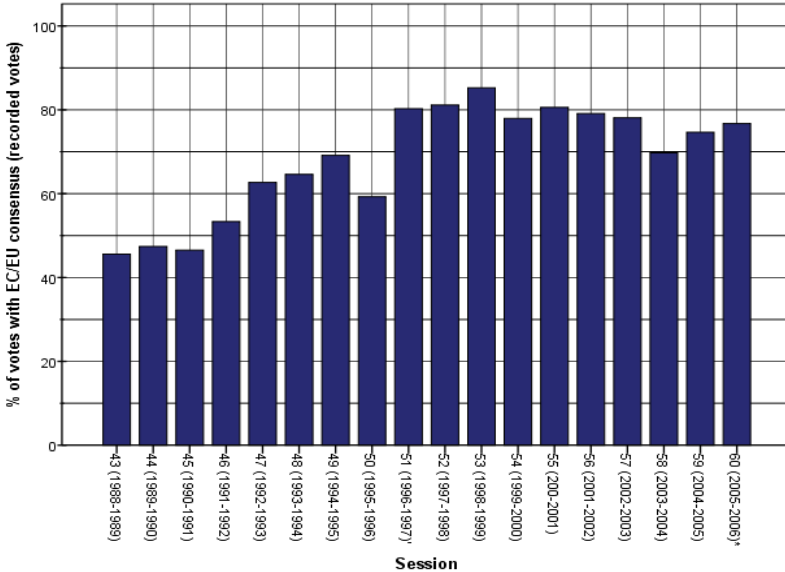
81 Maximilian B. Rasch, *The European Union at the United Nations*.

82 Ibid., 207, see also for references to specific authors and earlier works.

83 Ibid., 211.

meaningful and informative to examine the proportion of EU consensus and EU disagreement among only those resolutions on which a vote was taken in the first place. Using these ratios, trends can be observed in the pre-Lisbon period, as visualized in Figure 2.

Figure 2: EC/EU Voting Cohesion before the Treaty of Lisbon



Notes: The graph does not include Greece for the session 51.

Data for session 60 are available until 21 December 2005.

Source: Maximilian B. Rasch, *The European Union at the United Nations*, 221 (with author’s own formatting modifications).

The data reveal that, after a trend of increasing unity throughout the late 1980s and early 1990s, voting cohesion became stable with the mid-1990s, the implementation of the Maastricht Treaty (1992/1993) and its CFSP. The outstanding low of the 50th session (1995-1996) is in no small part due to exceptionally low coherence (slightly above 10 percent) on the otherwise most dividing issue, *decolonization and self-determination*, on which the United Kingdom and France have tended to vote against the EU consensus.⁸⁴

Voting cohesion in the post-Lisbon period can be addressed looking at the 65th and 66th sessions of the UNGA. This restrictive approach is in coherence with the goals set by the present article, and serves well the comparison of these post-Lisbon data

84 Ibid., 226, 247.

with longer-term pre-Lisbon trends.⁸⁵ While the draft of the UNGA resolution asking for an EU voice in the Assembly was being prepared at the very end of the 64th session, its impact, backed with a partly, then, for the 66th session, almost fully operational EEAS and the efforts of the High Representative, can only be expected to present itself in these two more recent sessions. Table 1 contains voting cohesion figures collected and recorded for these two sessions.⁸⁶

Voting data from the two UNGA sessions directly after Lisbon reveal no visible improvement in cohesion among EU Member States' votes. The low percentage of consensus for the 65th session (69.86%), while not unprecedented in the years closely preceding Lisbon, is a figure typical of the early 1990s: under or directly after the birth of the CFSP. The figure for the 66th session (80.30%), on the other hand, fits well into the late-1990s/2000s trend, and is one of the higher figures for the period. The benchmark of 100% is not approached, for which a closer look at the most dividing issues seems to provide the explanation.

In spite of the "positive", "cooperative" and "smooth" nature of post-Lisbon EU coordination, some obstinate and rather ancient questions continue to divide the EU. Significant aspects of the question of Palestine, nuclear disarmament and self-determination typically leave some EU member states (close friends of Israel, nuclear powers or former colonial masters) at odds with the rest of Europe. While two-way splits are far more widespread than three-ways (i.e. cases with some EU Member States voting in favor, others against, and again others abstaining); the latter, as most obvious and most discouraging cases of EU disagreement, also continue to occur. While in the longer term the possibility that an emerging "de facto solidarity" could supersede such divisions among EU Member States cannot be excluded, the findings of the present analysis suggest that this is not a realistic possibility any time soon. While Lisbon has changed a great many things, this change is not reflected in how its Parties vote in the UNGA.

85 For any further studies aiming at analyzing an uninterrupted time series, data for the period between 2006 and 2008 have been recorded by Erik Voeten and Adis Merdzanovic in *United Nations General Assembly Voting Data*, (<http://hdl.handle.net/1902.1/12379> UNF:3:Hpf6qOkDdzzvXF9m66yLTg== V1 [Version] undata1_63descriptions.tab [fileDscr/fileName (DDI)] UNF:3:43gpFmtbWjyad2qox2VjbQ==; accessed May 1, 2012), and can easily be extracted to place a closer focus on this period. Data from 2008 through 2010 can then be extracted from the UN Bibliographic Information System (UNBISnet). All in all, the present article focuses on longer trends in general, and the possible impact of Lisbon in particular, and its limitations necessitate a restrictive look only at data strictly after Lisbon.

86 Upon request, the author is willing to provide all data sets through correspondence.

Table 1: EU Voting Cohesion with the Implementation of the Treaty of Lisbon

Session	Number of resolutions adopted	Number of recorded votes on resolutions	Number of votes with EU consensus	% of votes with EU consensus (recorded votes)	% of votes with EU consensus (all resolutions)
65 (2010-2011)	321	73	51	69.86	93.15
66 (2011-2012)*	261	66	53	80.30	95.02

* until 13 May 2012

Source: Author's own collection based on UN Bibliographic Information System (UNBISnet) data, <http://unbisnet.un.org/> (accessed May 13, 2012).

5. Conclusions

This article has pursued the goal of making an empirical contribution to the literature on common European foreign policy, and EU Member States' action at the United Nations. Review of the literature has provided theoretical considerations for departing from the static view of diplomatic state-centrism, which, on the other hand, served as a basis for the null-hypothesis of the study. The fundamental assumption tested was that the implementation of the Treaty of Lisbon, which has brought significant change to foreign policy coordination within the EU, as well as to the structure of the EU's external representation, should have an impact on the occurrence and substance of the "European voice" at the UN. To this end, European voting cohesion in the UNGA has been analyzed pre-Lisbon and post-Lisbon. The article concludes that, in spite of considerations based on theoretical arguments and empirical insights collected during interviews with actors and observers, actual voting in the UNGA does not provide grounds for a departure from diplomatic state-centrism.

While this article has focused primarily on the post-Lisbon era and its comparison to the pre-Lisbon, further studies could explore possible future trajectories by "extrapolating" trends from the continuum of European foreign policy integration, pre- and post-Lisbon. To this end, after filling a remaining gap in existing research (2008-2010), a meta-analysis should rely on data by Voeten, based on Gartzke and Jo, (1988-1996); Wynne and Voeten (1997-2003); Rasch (2003-2005),⁸⁷ Voeten and Merdzanovic (2005-2008),⁸⁸ and the present study (2010-2012). A different analysis could make an account of fora where the EU already speaks with one voice but fails to exert satisfactory influence, and compare it to cases where it does not. The main question such a study should ask is the following: with unity held constant, what are the factors that explain the EU's varying degree of success in influencing the multilateral agenda?

Acknowledgments

The author would like to express his gratitude to his supervisor, Prof. Anton Pelinka for his continued support, guidance and invaluable insight; and to Prof. Péter Balázs, Prof. Judit Sándor, Dr. Attila Fölsz and Dr. Tamás Meszerics for the food for thought they have provided. The author is also greatly indebted to Dr. Eszter Tímár for endless hours of reading and commenting on previous drafts of the manuscript, and to Dr. István Lakatos, Human Rights Ambassador of Hungary, who, alongside the

87 Maximilian B. Rasch, *The European Union at the United Nations*.

88 Erik Voeten and Adis Merdzanovic, *United Nations General Assembly Voting Data*.

study's anonymous interviewees, has provided extremely valuable pieces of practical information.

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Appendix 1: List of Interviews

Interview #	Date(s)	Location	Interviewee
1	23/29 June 2011	Vienna	EU Member State Diplomat
2	8 May 2012	Geneva	EEAS Official
3	8 May 2012	Geneva	EU Member State Diplomat
4	9 May 2012	Geneva	EU Member State Diplomat