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European Union representation at the United Nations towards more coherence after the Treaty of Lisbon

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Chapter 2 Literature Review

The developments of the EU's CFSP in the last two decades have brought heightened academic attention to its role as an actor in international relations (e.g., Ginsberg 1999; Gauttier 2004; Nuttall 2005; Bretherton and Vogler 2006; Wunderlich 2012). These studies tend to see the EU as a *sui generis* actor and attempt to construct new conceptual categorizations, such as coherence, actorness and effectiveness, to explain its performance in the international system. This *sui generis* nature of the EU means that the Union's status and representation vary across different IOs and multilateral fora (Gehring et al. 2013).

Because of the centralness of the UN in global governance and effective multilateralism, a considerable amount of literature regarding the performance of the EU in the UN system has emerged. Some scholars have assessed the EU-UN partnership, either in general (Farrell 2006) or in specific issue areas, e.g., conflict resolution (Dijkstra 2011), human rights (Smith 2006) and environment (Jupille and Caporaso 1998). This body of literature concentrates on the EU's contributions to UN activities, but pays less attention to the day-to-day decision-making practice and the roles played by EU institutions as well as EU member states. Others have explored the EU's presence in various UN bodies, including the UNGA (Wouters 2001; Hoffmeister and Kuijper 2006; Gstöhl 2009), the UNSC (Drieskens 2008; Pirozzi 2012), the ECOSOC (Paasivirta and Porter 2006), the International Law Commission (ILC) (McArdle and Cardwell 2012), and UN specialized agencies, such as the International Labour Organization (ILO) (Kissack 2006) and International Monetary Fund (IMF) (Mahieu et al. 2005) or UN institutions located in Geneva (Taylor 2006). These scholarly works have provided solid foundations for understanding the concepts related to EU's international role, i.e., coherence, actorness and effectiveness. But further difficulties arise when it comes to the empirical application of these concepts as they are insufficiently delineated in the first place. These studies do not contain concrete measurements to assess the EU's performance in external representation.

Efforts aiming to respond to these difficulties are represented by the emergence of the researches examining the EU's actual voting behaviour. Earlier studies (e.g., Hurwitz 1976; Lindemann 1982) resorted to voting pattern analysis of the Community at the UNGA with reference to the potential effects of the European Political Cooperation (EPC). They concluded that the EPC managed to increase the Community's voting cohesion in limited ways despite the considerable influence from the member states. Subsequent

studies carry forward the voting behaviour analysis to the later-established CFSP regime (Luif 2003; Young and Rees 2005; Rasch 2008; Hosli et al. 2010; Jin and Hosli 2013). Mostly these researchers maintain that EU voting cohesion – regardless of the ups and downs – has been increasing over time as the CFSP develops. Rasch specifically points out that the CFSP only functions in areas where national interests of EU member states converge, therefore does not make an overall difference.

Apart from institutional developments, scholars have looked into alternative variables, e.g., enlargement, which may explain EU voting cohesion at the UNGA (Johansson-Nogués 2004; Jakobsson 2009). Contrary to the conventional assumption that enlargement results in lower voting cohesion due to increased transaction costs in decision-making, they find that enlargement increases the Union’s capacity to exert influence if the new members are willing to act in concert with the old ones. Only tentative conclusions, however, can be drawn from these studies regarding the effects of enlargement because they were based on relatively small data collection. A few researchers have conducted some pioneering works (e.g., Birnberg 2009; Lucas 2012) in identifying the configuration of a host of elements that may contribute to determining EU voting cohesion in the UNGA, such as power, issue salience, transatlantic relationship, duration of EU membership and treaty reforms. Unfortunately, the results of their analyses are mostly non-conclusive due to the difficulties in unambiguously interpreting the empirical evidence or simply the limited coverage of data. These academic pieces are considered inspiring in exploring alternative explanatory factors to EU voting cohesion, but due to time constraints their analysis did not include the latest data and thus were unable to reflect the most recent developments in EU representation coherence after the enforcement of the ToL.¹⁵

Systematic research on the representation behaviour of the EU member states at the UNSC is still developing. Theoretically speaking, the Union should have been more influential over UNSC matters given the fact that EU member states (at least France and Britain) are always present at this forum. However, EU researchers find that the EU has been “pouching below its weight” because the Union and non-serving EU

¹⁵ An exception is Lucas’s article (2012), which tested the effects of institutional reforms, including the Maastricht Treaty, the Amsterdam Treaty and the ToL, on EU voting cohesion, based on the UNGA resolutions on human rights and security issues from 1980 until 2011. She found that the ToL had a significantly negative effect on EU voting cohesion, albeit the actual influence of the ToL might not yet be known due to lack of data.

members are marginalized from shaping the decision making at the UNSC (Biscop and Missiroli 2008; Blavoukos and Bourantonis 2011). The EU's representation seems to mainly depend on the EU member states sitting on the UNSC, especially on the two permanent member states, which enjoy a high degree of freedom to pursue their national interests (Drieskens 2010; Hannay 2012).

Some scholars try to find a solution to the Union's underperformance through the reform of the UNSC. On one hand, they embrace the idea that the Union should take the leading role in remodelling the UNSC (Chevallard 2005; Hill 2006), on the other they realize that there is no consensus on this issue between EU member states, especially between Germany and Italy, which are mostly blamed for drawing the dividing line within the EU (Fulci 1999; Martini 2010). A few reformists have suggested consolidating the seats of the UK and France into one EU seat, which would be subject to rotation among EU members (Kelly 2000; Missiroli 2005; Deudney and Maull 2011). The logic behind their suggestion is that numerosness does not amount to representativeness and effectiveness. This presumption so far has obtained some empirical support: for instance, a statistical analysis of the decision probability of the UNSC shows that increasing UNSC membership without abolishing or at least limiting the use of veto power has little relevance in improving its capability to act, or even worse, it rather leads to a higher degree of indecision (Hosli et al. 2011). In the case of the EU, it is understood that a less numerous but more coherent EU presence at the UNSC is more preferable because by voluntarily "sacrificing" one seat the Union could gain an upper hand with more credibility, and then force other hesitating members to be on board and push forward the reform (Missiroli 2005: 46-47).

The ToL is meant to initiate a new phase for the EU as an international actor. Discussions around the ToL's legal and political implications had started prior to its implementation (Drieskens 2008; Hillion 2008; Griller and Ziller 2008; Marchesi 2008; Blockmans and Wessel 2009). Several follow-up studies assessing the ToL's effects in a more systematic manner have appeared. Analyses using legal approaches attribute utmost importance to interpreting the amendments in EU treaties and how the EU's legal status in IOs, such as the UN, is going to be affected (Drieskens 2010; Piris 2010; Wessel 2011; Cardwell 2012; Blanke and Mangiameli 2012). Political scientists tend to play the emphasis on political and policy implications

(Gaspers 2010; Koehler 2010; Verola 2010; Emerson et al. 2011; Gstöhl 2012; Quinn 2012; Dosenrode 2012; Zwolski 2012). Most of these studies hold a fairly optimistic view, agreeing that the ToL is a step in the right direction, although there are criticisms stating that it is not a quantum leap forward in terms of creating a more coherent EU foreign policy and defragmenting the Union's external representation. However, a few researchers maintain that the improvements made by the ToL have little impact in on the EU's representation coherence because this issue ultimately relies on the political will of its member states (Drieskens 2008; Quinn 2012). Regardless of the spotlight thrown on the ToL, empirical analyses testing its effects on the coherence of EU representation in concrete terms are still underdeveloped.

This dissertation aims to contribute to a better understanding of the EU's role in international fora in general and at the UN in particular, by providing a clearer conceptualization of EU representation coherence – distinguished from other related concepts, e.g., actorness and effectiveness – and concrete measurements of coherence in both quantitative (voting cohesion) and qualitative terms (horizontal and vertical coherence). It strengthens the analyses on EU voting behaviour at the UNGA in the form of a sophisticated statistical investigation of EU voting cohesion within a relatively broader time frame. In the meantime, this research is able to reassess some alternative explanatory variables, including *inter alia*, membership size, socialization and issue areas on voting cohesion, based on a more complete data collection that includes the resolutions of the latest two UNGA sessions. It also adds creative values to the studies of the EU's presence at the UNSC by applying a mixed approach that combines descriptive statistics and case studies. The examinations of a classic case concerning the Iraq war and a timely case regarding the Libya crisis against the background of the Arab Spring are going to enrich the empirical observations on the EU's representation at the forum. Moreover, the current study contributes to the accumulation of interpreting the legal, political and policy implications of the ToL and conducts a systematic empirical test of its effects on EU representation coherence, which steers the discussions surrounding the ToL away from legal and theoretical perspectives to real-world evidence. Finally, this dissertation bridges the research traditions emphasizing the importance of outcomes and the approaches emphasizing the process of decision making that accounts for the international role of the EU.