European Union representation at the United Nations towards more coherence after the Treaty of Lisbon
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Chapter 7 Conclusions

Both the UN and the EU are important actors in the realm of global governance. The commitment to multilateral solutions remains a central stand of the EU's general external strategy. The ToL has confirmed the Union's support for effective multilateralism and its firm attachment to the UN. The set of institutional reforms introduced by the ToL aims to strengthen the EU's international clout on the global stage. However, few exiting studies have systematically assessed its effects on EU representation in the domain of the CFSP. This dissertation represents an effort of exploring the question whether the expectation of the ToL in improving EU external representation has been fulfilled in two main UN bodies, namely the UNGA and the UNSC. These two institutions together provide appropriate frameworks to examine EU representation and to draw more complete conclusions of the impact of the ToL. Inspired by the principal-agent theory, EU representation are theorized into different delegation relationships where the EU and its entire membership are considered collective principals, while the actors that play the role of the agent(s) of the Union and the specific delegation structures been different under different circumstances.

It is argued that the ToL has the potential to improve the coherence of EU external representation if certain conditions are met, especially if EU member states are willing to genuinely implement its provisions to improve their internal coordination. A mixed approach is adopted to combine both quantitative and qualitative methods to detect the pre- and post-Lisbon coherence variation in EU representation. At the UNGA, EU representation coherence is measured in terms of EU voting cohesion. At the UNSC, some descriptive statistics are first presented to describe and summarize the voting behaviour of the EU member states sitting on the UNSC, based on which the cases of Iraq and Libya are selected for further investigation. Subsequently, the coherence of the EU's representation during these two conflicts – both horizontal and vertical – is examined and compared by in order to detect the ToL's effect on EU representation coherence.

This conclusive chapter is split into three sections: the first section summarizes and revisits the central empirical findings of this dissertation; the second section makes some recommendations concerning EU representation coherence based on the lessons that are learned; the final section points out the main contributions and remaining limitations of the present study, and prospects the directions for future research.

7.1 Revisiting the Main Findings

At the UNGA, in terms of agents, the ToL has replaced the rotating Presidency with the newly established President and the HR, which are supported by the EU delegation to the UN. The statistical results reveal that EU voting cohesion is generally higher than that of the entire UNGA and has been increasing gradually over time. This finding is important in the sense that it fits the traditional pattern of incrementalism that has characterised the evolution of the CFSP over the past two decades. It implies that the effects of institutional adaption and socialization process emphasized by the principal-agent theory and the new institutionalism may be slow and subtle, but indeed bear promising power in explaining the variety and complexity of EU external representation.

However, a somewhat troubled trend was identified with the ToL, since there seemed to be a small decline in EU voting cohesion after the ToL was adopted. But it would be arbitrary to jump to the conclusion that the ToL has negative effects on EU representation coherence. Suffice it to say that the ToL has not made the EU a more coherent actor at the UNGA yet. A possible cause could be the agency problems left unsolved by the ToL: e.g., the risk of horse-trading in agent selection, the potential of competitions between EU foreign policy actors, such as the President, the HR, the President of the Commission; the remaining influence that can be exerted by the rotating Presidency through its chairmanship over various Council working groups, the overwhelming mandates granted to the HR, the absence of deputising system, the dominance of unanimity in CFSP decision making, and the lack of enforceable means. However, it would be too arbitrary to jump to the conclusion that the ToL. As institutions and social learning process work very slowly, time is still needed, for EU representatives, especially for the HR, to adjust their capabilities so that they can truly stand as a fully-fledged EU agent. But as explained before, it largely depends on the willingness of EU members to coordinate their different policy preferences and to allow EU representatives to take the lead.

The statistical tests also shed lights on the relationship between EU representation coherence and some alternative variables, e.g., membership size, enlargement, issue areas and the degree of regional integration. Contrary to conventional wisdom, it is found that enlargement does not necessarily lead to lower voting cohesion, as far as the UNGA is concerned. In fact, EU voting cohesion appeared to have increased a little

after each round of enlargement that was discussed in this dissertation. One possible explanation could be that the effect of enlargement has been diminished when the errant member states were willing to act coherently with the majority of the EU. It may suggest that the current EU enlargement system, including the association agreements and the SAP, were well functioning and may need to be further exploited to meet the needs of further enlargements. This finding may contribute to silencing the arguments that are against EU enlargements.

Contrary to the common sense that larger group would exhibit lower coherence, the findings that involve membership size suggest there is no significant relationship between these two variables. It implies that other variables, e.g., integration degree may prevail. However, by comparing the EU and other regional organizations at the UNGA, it is found that the Union, which is commonly considered a successful model of regional integration, does not outperform other regional organizations at the UNGA in terms of voting cohesion. It suggests that either the idea of using the EU as a model for regional integration may need to be adapted or further research should be conducted to investigate why these less integrated groups were able to show high degree of voting cohesion at the UNGA.

Finally, the statistical results indicate that EU voting cohesion varies across issue areas, a finding that is consistent with the existing literature in this field. But its cohesion in more contested fields, i.e., "International Security" and "Decolonization" has not been improved by the ToL. A potential problematic trend is that voting cohesion in the area "Human Rights" displayed somewhat decline. But it remains to be see how exaclty the ToL is going to influence EU decision making in different areas. These hypotheses, while only exploring part of potential effects of the ToL on EU voting cohesion at the UNGA, can reveal some interesting developments as to the extent of EU representation coherence in global politics over time, and notably after the adoption of the ToL.

It has to be kept in mind, however, that analyzing voting records of EU member states in the UNGA has some potential drawbacks. First, voting only reflects the last stage of a process of coordination and does not reveal what happened in the phases before. Nonetheless, the analysis of these records provides an assessment of how 'unified' the EU is in the international realm, assessed here in terms of voting in the

context of the UNGA. Second, the analysis conducted here cannot account for the moderating effect of UN reform on the influence of the ToL system as far as foreign relations of the EU are concerned. Further efforts should be devoted to the analysis of the presence of the EU in UN programmes, specialized agencies, and other IOs.

At the UNSC, the ToL strengthened the role of the HR and the EU delegation. It also narrowed the competence gap between permanent and non-permanent EU member states in defending the Union's common interests. Following the quantitative analysis, two in-depth case studies of the conflicts in Iraq and Libya were conducted. These two cases first caught our attention in light of the guidance of the descriptive statistics of EU voting in the UNSC. Topics surrounding the situations in Iraq and Libya stood out even in the rare occasion of EU voting deviation at the UNSC. The 2002-2003 Iraq crisis and the 2011 Libya crisis were selected not only because these two cases resemble each other in many perspectives but also because the factor of the adoption of the ToL marks a difference between them, which allows us to detect whether the ToL has affected EU voting cohesion in qualitative terms. The case studies find that the adoption of the ToL offers an opportunity to improve the EU's representation coherence, at both horizontal and vertical levels. Although there is a possibility to establish a *de facto* EU common presence in the UNSC, so far the HR's role as the Union's agents is still very limited, since its autonomy to a large degree is confined by EU member states. As of today, EU representation is still mainly delivered through its member states sitting in the UNSC, especially the permanent members, i.e. the UK and France, given that a profound reform to include regional organizations in the UN's membership is unlikely in the foreseeable future.

The weak representaton of the EU at the UNSC has a lot to do with the remaining agency problems, including, *inter alia*, the lack of formal EU representation, the predominant role of France and Britain as EU agents, the absence of control over agent selection, or the unsolved puzzles left by the ToL, e.g., the risk of agent slack due to the unanimity rule in the CFSP and the absence of enforceable instruments. The ToL risks becoming irrelevant, if these problems continue to be left unaddressed,

7.2 Recommendations: Towards a More Coherent EU?

Although there was no significant empirical evidence of improved EU representation after the adoption of the ToL either in the statistical results or in case studies, it is believed that if EU institutions and member states can act in concert, implementing the spirits of coordination, consultation and solidarity prescribed by the treaty, the EU can become a more effective and influential actor in the international community. This chapter goes through the possible scenarios of the EU's future status at the UN and makes some recommendations from both academic and practical perspectives

Despite the recent contributions brought by the Lisbon Treaty, flaws continue to exist in the institutional design of the Union, affecting its representation abroad and at home. Since the procedure of treaty revision is too complicated and would certainly take considerable time, more punctual, specific technical solutions are advised. Firstly, the role of the HR as head of EU foreign policy could be further strengthened. The critiques regarding the absence of Lady Ashton from different working meetings, her inadequate presence in the media and her lack of action must be addressed institutionally. The office of HR must take a leading role in setting policy priorities and should act as the contact agent on behalf of the EU when it comes to relations with third countries. Arguably, the way in which the mandate is imagined today, with so many roles that the HR must fulfill (vice-president of the Commission, head of the European Defense Agency, head of the EEAS, chair of the Foreign Affairs Council etc.), makes it rather an impossible mission than a proper job (Marangoni 2012). Therefore, granting more flexibility and space of manoeuvre by putting at its disposal more (manpower) resources could help the HR in carrying out its mandate efficiently.

Secondly, in order to better assist the HR and other EU bodies in their activity, the EEAS should act as a comprehensive and proactive policy entrepreneur, capable of developing EU foreign policy strategies, providing accurate analysis regarding current issues of world politics, and of submitting proposals on how the EU should react to any given situation. Impartiality and professionalism should be the guiding principles when providing the EU institutions and the member states with the information they need. To ensure these two 'golden principles', a careful selection process must be conducted so as to recruit personnel with different background and expertise in diverse areas. Regular and intense training programmes will improve

daily working skills, and – more importantly – will enable shared understandings of EEAS working approaches.

Moreover, connecting the EEAS to national diplomatic services can consolidate the relations with the member states and would nevertheless make the EEAS much more visible and present inside the EU. National embassies could transfer some of their competencies to the EEAS to avoid duplication fatigue and unnecessary costs. Just as in the European and Euro-Atlantic military sphere, concepts such as "pooling and sharing" or "smart defense" have been elaborated and implemented precisely to save costs, particularly in times of economic crisis, so too the diplomatic sector of the EU can adopt similar concepts for the same pragmatic purposes. On the other hand, should the economic crisis come to an end in the near future, thus making resources available once again, the EEAS could benefit greatly from this context.

Thirdly, to increase the external cohesion of the EU, further convergence of policy preferences and better internal coordination among the Member States are required in the long-run. The process of coordination must be more streamlined and less time-consuming. In order to make decision-making more efficient, QMV could be applied to more areas, including even some issues related to CFSP. A more transparent policy-making system is also needed to promote mutual understanding among EU member states. Mutual understanding would be achieved easier if information sharing becomes more frequent. In this sense, the formal processes of exchanging information among member states and EU institutions could be complemented by informal channels of communication.

More specifically, in terms of EU voting, the reality that EU cohesion ranks very high in some issue areas, such as "Middle East" or human rights should be cultivated in the direction of moving towards full consensus. In other cases where cohesion has been traditionally low, such as nuclear or decolonization issues, there is probably not too much that can be done to achieve consensus in the short-run. However, by setting up early warning mechanisms and dispute settlement procedures, deep voting fractures may be avoided. France and the UK are more likely to deviate from the common position, not necessarily only because of divergent interests, but especially because of their privileged status in the UNSC. The institutional design of this body favours such separate attitudes. Therefore, a solution must be conceived so

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as to bring these two states on board. Fear of isolation alone may not suffice. The EU still needs to enforce a system not only of 'carrots' but also of 'sticks' so that serious errant members can be held responsible.

Finally, the EU should continue to seek an enhanced status at the UN, including within the Security Council. The EU could campaign for its own seat in the UNSC; however, extensive disagreements already exist among the EU member states. Even if the member states can reach an agreement on this, the other UN members could vote against the proposal on the grounds that the EU is already over-represented in the UNSC. Apart from France and the UK which are permanent members, there are also two seats for Western Europe and 1 seat for Eastern Europe. One single EU seat would probably be an acceptable solution to the other UN members but it is doubtful that France and the UK will agree to terminate their privileged positions. Another attempt could be a UNSC resolution inspired from the UNGA resolution that granted the EU an enhanced status. However, if it aspires to increase its influence at the UN, the EU first has to demonstrate that it is able to speak with one voice and act coherently in its external relations.

7.3 Contributions, Limitations and Future Prospects

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.

The current study has some limitations regardless of the great efforts and large amount of time spared on the research: first, it is not generally possible to specify the causality of the variation of EU voting cohesion based on the principal-agent model; second, it is difficult to assess the relative importance of various factors on EU representation. Future research should be conducted to identify a more sophisticated combination of determining factors that influence the effectiveness of EU representatives. Incorporating the external context, such as the influence of the US, could be a worthwhile attempt. Efforts could also be devoted to study the presence of the EU and the quality of EU agency relationships in UN programmes, specialized agencies, or in other IOs. A thorough content analysis of EU statements and documents could also be considered to be applied in future research how the EU and its member states behave in the UN.