



In quest of a single European Union voice in the United Nations General Assembly: The politics of Resolution 65/276

Cooperation and Conflict

1–18

© The Author(s) 2017

Reprints and permissions:

sagepub.co.uk/journalsPermissions.nav

DOI: 10.1177/0010836716684879

journals.sagepub.com/home/cac



**Spyros Blavoukos, Dimitris Bourantonis
and Ioannis Galariotis**

Abstract

In May 2011, the United Nations General Assembly (UNGA) passed Resolution 65/276 that enhances the European Union (EU) institutional mode of representation in the UNGA and other multilateral fora operating under its auspices. This followed an earlier, failed attempt that caused much embarrassment and political turmoil in the EU. The article examines the politics of this resolution, tracing its background logic, its origins and the political interactions in the UN that eventually led to its almost consensual embracement. It accounts for the failure in the first stage of the negotiations and how the EU responded to it, adjusting its bargaining strategy accordingly. This case study contributes to the better understanding of the links between intra-EU coherence and EU effectiveness as an international actor. We posit that there is one additional dimension of EU coherence not fully captured in the relevant literature. We distinguish between genuine coherence and generated coherence. The former entails homogeneity, or at least a significant degree of a priori convergence among EU member-states. The latter refers to EU positions that have emerged after hard and protracted intra-EU negotiations. The two types differ in the degree of flexibility bestowed on the EU in international negotiations.

Keywords

European Union coherence, European Union external representation, European Union international effectiveness, Resolution 65/276, United Nations General Assembly

Introduction

One of the recurring issues in the study of European Union (EU) international interaction is the exact relationship between coherence and external effectiveness, raising the crucial question of whether ‘speaking with a single voice’ increases EU effectiveness and its

Corresponding author:

Spyros Blavoukos, Department of International and European Economic Studies, Athens University of Economics and Business, 76 Patission Street, Athens 104 34, Greece.

Email: sblavo@aub.gr

impact in various multilateral fora (Conceição-Heldt and Meunier, 2014). This assumption that unity and coherence would translate into more influence in international affairs has guided not only official EU rhetoric in the making of the 2004 draft Constitutional Treaty and the 2007 Lisbon Treaty, but also academic treatises on the EU's international role more generally (Laatikainen and Smith, 2006b). This 'one voice mantra' (Macaj and Nicolaïdis, 2014) has been criticised extensively, with the claim that a single message is a necessary but insufficient condition for the EU to punch above its weight (Conceição-Heldt, 2014; Delreux, 2014; Panke, 2014). This finding complements earlier works that have reached the same conclusion and have cast doubts on the EU's 'one voice strategy' as an exclusive means to enhance the EU's international role (Elsig, 2013; Gehring et al., 2013; Niemann and Bretherton, 2013; Smith, 2010; Thomas, 2012; Van Schaik, 2013).

Our work shares the same problématique. Besides the different parameters that have been identified in the relevant literature, focusing on the international level of analysis, we posit that the coherence–effectiveness relationship begins at the domestic intra-EU level. Our analytical argument is that the genuine or generated nature of EU coherence affects EU international effectiveness. Genuine coherence is associated with more flexibility, which in turn facilitates agreement with the bargaining partners in an international environment conducive to negotiation. Our case study examines how the EU has engineered the institutional arrangements in the UN setting that enables the utterance of a single voice in the United Nations General Assembly (UNGA). It is a case study that examines variation in a single unit over time, namely the shift from ineffective to effective EU action in pursuit of its own agenda and goals. Very much like the other scholarly works mentioned above, we adopt a critical view towards the 'single voice' orthodoxy; although the EU did speak with one voice throughout the bargaining process, the outcome was different in the two stages of the negotiations. Thus, we examine in depth what constitutes, to our mind, a typical case of problematic EU engagement in international negotiations, complementing our current understanding of what makes the EU an (in) effective international actor.

In brief, Resolution 65/276, passed in May 2011, heralded a new era in the EU mode of representation in the various UN fora that fall under the UNGA's auspices. According to the resolution, the EU, as a single political entity, enjoys the right to make interventions and participate in the general debate (without voting rights), to directly circulate documents, to present oral proposals and amendments agreed by the EU member-states and to exercise the right to reply regarding EU positions A/RES/65/276 (2011). It is an arrangement that creates conducive conditions in which the EU can enhance its political status (De Haro, 2012; contra Wouters et al., 2011); at the same time, it has affirmed the UN's intergovernmental nature and can also be extended to other regional organisations (A/65/L.64/Rev.1, 2011). The resolution passed but not without complications and political turmoil; the first EU attempt to table a draft resolution failed in September 2010, revealing the contentious nature of this issue. The EU came back in May 2011, after a period of protracted and intensive negotiations, this time with success.

The study is based on primary sources drawn from UN official documents and especially on interviews conducted by the authors in two sets; the first set took place in New York in April and May 2014 and the second in Brussels in October and November 2014.

Forty-one interviews were conducted in total with officials from the European External Action Service (EEAS) in Brussels and the EU delegation at the UN, as well as with diplomats from the EU member-states' and third countries' missions in New York. Most of the interviewees participated actively in UNGA proceedings in the early post-Lisbon years (2010–2014) and therefore have first-hand knowledge of the politics surrounding the resolution. Using this primary material, we engage in a systematic account of Resolution 65/276, the difficulties encountered and the political efforts to overcome them.

In the next section, we discuss the relationship between coherence and effectiveness, introducing the distinction between genuine and generated coherence that provides an additional analytical dimension in the coherence–effectiveness saga. Following that, in what constitutes the empirical thrust of this article, we discuss how the need emerged for an enhanced institutional representation of the EU in the UNGA, the first failed EU attempt to pass the resolution in autumn 2010 and what followed up to May 2011 when the resolution was finally approved by UNGA members. Our concluding section links our research with the broader discussion of EU international effectiveness.

On coherence and effectiveness

Coherence reflects the intra-EU dimension of EU international interactions; that is, the internal capacity of the EU to emerge as a cohesive, authoritative and autonomous player in the international arena and to become recognised by the other negotiating partners as such. When it comes to the bilateral or multilateral interactions of the EU with other international governmental or non-governmental actors, coherence captures the degree to which the EU has reached a common position and is able to present that position with a single voice – but not necessarily with a single mouth (Conceição-Heldt and Meunier, 2014: 964).

Different typologies, with a significant degree of intellectual overlap, can be found in the literature (Gebhard, 2011; Mayer, 2013; Missiroli, 2001; Nuttall, 2005). The most significant dimension of analysis is the vertical–horizontal axes of coherence. Vertical coherence entails substantial agreement between the foreign policies of all EU member-states and the common EU foreign policy, including not only full compliance with strategic vision, principles and values, but also with more day-to-day agreed positions. Horizontal coherence points to the intra- and inter-institutional coordination between the different EU bodies and actors, reflecting in particular the older quest of consistency between the intergovernmental and supranational pillars of the European integration process. In addition to them, narrative coherence reflects the often great distance between what the EU claims to do and its real undertaken action (Mayer, 2008). Finally, it is important to mention that coherence also has a relational dimension. The EU does not operate in a political, international vacuum; EU foreign policy develops in a mutually constitutive engagement with other international actors. Its positions are moulded by these interactions, and what may seem a lack of coherence in positions held in different international fora may actually constitute the adaptive outcome of EU international engagement.

In these analytical dimensions of coherence what is missing is a consideration of the nature of coherence, that is, whether coherence is genuine or generated. Genuine coherence refers to homogeneous, or at least largely converging, positions among the EU

member-states that lead to a clear, solid and well-articulated EU stance on foreign policy. Generated coherence captures the intra-EU hard bargaining that may or may not lead eventually to a common position. If such a position does occur, it will no doubt be rounded and will reflect the lowest common denominator. These two types of coherence entail different degrees of flexibility at the international level, which in turn conditions significantly the potential for EU effectiveness. This problem has already been identified in early treatises on EU engagement in multilateral fora. The need to foster some kind of consensus among EU member-states suggests that most of the time the EU negotiates with itself; once positions are adopted the EU rigidly digs behind them with little manoeuvrability (Laatikainen and Smith, 2006a: 19–20). Our analysis does not delve into the modality of achieving such a genuine or generated coherence through legal and/or institutional arrangements, horse trading and trade-offs or socialisation processes (Van Schaik, 2013), but rather on the type of coherence per se and especially the bargaining flexibility derived from it.

Moving on to effectiveness, this concept is related mostly to the output dimension of these interactions, capturing primarily the degree of goal attainment for the EU (Groen and Niemann, 2013). It is primarily associated with the extent to which the EU attains its main objectives in its international interactions (Van Schaik, 2013: 35–39). In that respect, it should not be conflated with ‘efficiency’, that is, the ratio between outputs accomplished and costs incurred (Jørgensen et al., 2011: 599). It is also quite distinct from the notion of ‘performance’, which is not only about the achievement of agreed-upon objectives but also goes deeper by taking into consideration the underlying, intra-organisational, agreement-reaching processes, assessing implicitly the content of these objectives and addressing issues of how they are defined (Blavoukos, 2015). An organisation may well meet the agreed objectives – that is, be effective – even when its overall performance is not very impressive. This may be an indication of low organisational standards of success, lack of ambition or simply awareness of internal and external constraints that impede an organisation from delivering on the objectives. By the same token, a positive performance in terms of activation and engagement may not be judged effective because the original goals were very ambitious and difficult to achieve in the first place or did not match the scarce organisational resources and its capacity to meet them (Gutner and Thompson, 2010: 231–232).

Intuitively, speaking with one voice – as an illustration of intra-EU policy coherence – creates political economies of scale. It entails a bundling of EU member-states’ institutional, political and economic resources, be they votes, quotas, expertise, diplomats, military personnel or others (Ginsberg, 1999). However, this does not lead deterministically but only probabilistically to effectiveness in international negotiations. As mentioned above, genuine coherence has a positive effect on the EU’s negotiating flexibility, which in turn is a necessary asset in international negotiations. However, it has an ambivalent effect on the EU’s bargaining power and its resulting effectiveness. It does convey an image of a unitary actor but it does not allow for the instrumental exploitation of internal strife. In contrast, generated coherence may on the one hand undermine negotiating flexibility, in the sense that deviation from the negotiation mandate may lead to the unravelling of the intra-EU package deal, but on the other hand it also renders the other negotiating partners more receptive to the EU’s ‘tied hands’ positions. Thus, the link of

genuine or generated coherence with effectiveness is heavily case dependent. Any account of the EU's international effectiveness should be heavily contextualised, looking at the structure and content of the specific multilateral negotiations under examination.

In this vein, attention should be paid particularly to the institutional features of the negotiating environment as well as to the spatial positioning of the EU's positions vis-à-vis the other negotiating partners. Starting from the latter, the probability of the EU being effective rises when the EU has middle-of-the-road preferences and is not an outlier in the bargaining process (Delreux, 2014: 1029–1030). In such cases, genuine coherence may provide the necessary flexibility that will allow for the conclusion of an agreement close to – but not identical with – the EU positions. Another important parameter is whether the EU adopts a reformist or a conservative agenda in the negotiations (Meunier, 2000). Given that international negotiations usually require the agreement of all participating partners to make the deal, or at least the (simple or special) majority of the involved state actors, being a status quo proponent gives the EU more bargaining power rather than in reformist cases. When the EU seeks to block change, generated coherence is more of an asset; the constraining internal EU decision-making process means that any single EU member-state rejecting change is a potential veto player, allowing for 'tied hands' tactics and an easier defence of the status quo (Meunier, 2000: 120–121). Finally, the intra-EU negotiations that predate generated coherence leave little space for bluffing or other negotiating tactics and reveal whether the EU has a good alternative to the negotiated agreement (best alternative to a negotiated agreement (BATNA)) or not. This curtails significantly the negotiating arsenal of the EU, with negative repercussions on EU effectiveness.

The institutional features of the negotiating environment, and more specifically the decision-making rules, also condition the link between EU coherence and effectiveness. International negotiations evolve in a very constraining decision-making environment, requiring more often than not the consent of all involved states. If this is not the case, for example in the UNGA where special majority rules apply, the negotiating dynamics change for the EU; examining how the degree of EU flexibility generated by genuine coherence positions the EU in this fluid political environment and the networking interactions it generates is a case-specific issue.

Seeking a single voice in the United Nations General Assembly

Setting the background

Prior to the entry into force of the Lisbon Treaty, the function of representing the EU at the UN was granted to the European Commission and the rotating Presidency of the Council. Seemingly there was a duality of representation, but in practice there was a clear demarcation of roles between the two. The Commission had observer status in the UN from 1974 and used to represent the European Communities, speaking only in those UN organs dealing with topics for which it had exclusive competence, such as the Economic and Social Council (ECOSOC) and UN conferences dealing with trade and economic policy issues. The Presidency took the floor mainly in the UNGA formal meetings wherein foreign and security policy issues were discussed.

The role of the rotating Presidency in the UNGA grew by default over time as a response to the EU need for representation in global fora. Through established practice, rather than through an amendment of the UNGA's Rules of Procedure, the Presidency acquired preferential speaking rights over individual UN members in UNGA formal meetings (De Haro, 2012: 8–9). Because of the conferral of such rights, the EU – acting through the rotating Presidency – was in the advantageous position in the UNGA of being able to speak in the first slots among the major regional groups, normally before the UN member-states. This enabled the EU to intervene in the early phases of the debates and set the tone of the discussions. In order to represent the EU in the UNGA and to speak with 'one single European voice', the rotating Presidency took on the managerial duty to coordinate the EU members in New York. The EU coordination process, in which the European Commission used to take part as a non-initiator, aimed at reconciling the different views of EU members in order to adopt EU statements and common positions on draft resolutions and other texts to be conveyed by the rotating Presidency during the UNGA debates (Rasch, 2008: 35–47).

The Lisbon Treaty consigned the rotating Presidency to the past in the area of the EU external representation. According to Article 221 of the Treaty on the Functioning of the EU (TFEU), the role of representing and coordinating the EU in international organisations is assigned to the High Representative (HR). However, in the UN setting, the HR and the EU Delegation did not inherit the advantageous rights the rotating Presidency had enjoyed in the UNGA, but only the EU's observer status and related limitations (Brewer, 2012; Smith, 2013: 68). Most importantly, the EU Delegation could only be inscribed in the list of speakers after the representatives of the major regional groups and the UN member-states had already taken the floor. Thus, in practice, a strictu sensu application of the Lisbon Treaty arrangements automatically weakened the EU's political presence and influence in UNGA and downgraded the EU to secondary status in the UN context (Laatikainen and Palous, 2011). This created the need for the EU to seek an alternative way of representation in the UNGA.

The first EU failed attempt (2008–2010)

Shortly after the conclusion of the Lisbon Treaty negotiations and having in mind the above mentioned concerns, the EU member-states sought to address the urgent need to replace the rotating Presidency while retaining a visible and strong role in the UNGA. The EU member-states shared the view that some kind of action should be undertaken to ensure that no downgrading of the EU political presence and visibility in the UNGA would occur. The initiative originated in New York, where this imminent downgrading of EU representation at the UN would be mostly felt; the EU Delegation brought this issue into the foreground and pushed it upwards on the EU foreign policy agenda.¹ As the intra-EU debate evolved, three alternative options were contemplated (Laatikainen and Palous, 2011: 16). The first was to maintain the existing observer status of the EU, an option that would have automatically weakened the EU position in the UNGA. The second option called for the establishment of new practices, mainly revolving around a case-by-case series of interventions by the EU Delegation in the Assembly, which would, by default and in due time, empower the EU Delegation's representation responsibilities.

This option, however, generated concerns among the EU members about its potential effectiveness, since it entailed the entanglement of the EU delegation in an evolutionary and long-lasting path of representation practices that could be easily contested by any non-EU member of the UNGA. The third option was to strive for an enhanced observer status through the passage of an UNGA Resolution. Following informal consultations with UN officials and other UN member-states, the EU opted for this third option because it offered better prospects for the coherence, effectiveness and ultimate upgrading of EU representation in the UNGA.² Building on the already existing EU observer rights and taking into account as useful precedents the cases of Palestine (entity) and Holy See (non-member-state) – both observers with enhanced rights of participation – the EU aspired to upgrade its status.

The EU member-states had a common understanding of the problem, although they differed to some extent on the exact modality of tackling it. This common understanding ensured an effective – albeit not frictionless – process of internal decision-making. Reflecting this convergence of views, the EU finally came up with a maximalist draft resolution that differentiated EU status from that of other observers. In essence, the additional rights constituted exclusive privileges that, considered as a set, had never been granted to other regional groups. The EU could make use of these rights in the UNGA's plenary, Committees and Working Groups, in international meetings and conferences convened under UNGA auspices, as well as in all UN conferences. The draft Resolution referred to the right to speak in a timely manner, similar to the established practice for representatives of major groups; circulate documents; make proposals and submit amendments; raise points of order; reply; and to appropriate seating arrangements necessary for the exercise of the above actions.

The EU took the draft to UNGA at the same time as the transitional phase of the EU's institutional adaptation to the requirements of the Lisbon Treaty concerning its external action activities began. The new HR had been appointed in December 2009 while the new born EEAS – established only in July 2010 – was apparently lacking the organisational structure to take over the EU external strategic planning. As a consequence of this institutional turmoil, the burden of pushing forward the resolution was shared between the Acting Head of the EU delegation in New York, the rotating Council Presidency – still active throughout the transitional period – and the EU member-states, although it seemed to most observers that the EU representatives were pushing harder than the member-states.³

The EU completely miscalculated the difficulties of passing the draft resolution. It was wrongly perceived that the accommodation of the EU position depended solely on the EU's own input in the process without considering the peculiar context of UNGA, in which a large number of small and medium members have enhanced bargaining leverage from their combined votes and can influence the outcome of negotiations.⁴ In such an environment, a broad congregation of non-EU members was necessary to pass the resolution. Even more ambitiously, taking into account the potential long-term effect of the resolution on the internal working of UNGA, the EU aspired to a more or less consensual UNGA decision. Such an ambition meant that the EU should have framed the resolution accordingly and used appropriate argumentation in order to be well received by most UN members (Panke, 2014: 1061).

In summary, the EU was not a pivotal player in the negotiations in UNGA's majoritarian decision-making institutional setting; furthermore, it was a reformist partner seeking to shift the existing status quo with an unsatisfactory own alternative solution that would bring about the relegation of the collective EU institutional representation after Lisbon; although asymmetrical relations did exist with most small and medium UN member-states individually, their collective presence in regional groupings offset this EU advantage. These elements should have led to an integrative bargaining strategy, using extensive deliberations, persuasion and a rhetoric that framed the issue in terms of global values, norms and principles and not on particularistic EU interests.

The EU did the exact opposite: firstly, the initial draft of the resolution was framed along the lines of the EU's particularistic concerns, undermining its potential for success (A/64/L.67, 2010). After all, no matter whether the EU speaks with one voice or not, biased particularistic EU claims have little appeal to UN members (Panke, 2014: 1062). Acting within the narrow confines of pre-determined EU interests, the EU drafters of the resolution tabled a text '...with too much of the EU in it'.⁵ It contained extensive references to the EU and to the Lisbon Treaty to the point where one could question whether the draft Resolution was a EU- or a UN-document.⁶ However, more importantly, the first draft took for granted that the Union's achievement of a higher level of integration – signified by the advent of the Lisbon Treaty – should lead necessarily to a higher status in the UNGA. Reflecting intra-EU homogeneity, the validity of this argument was self-evident for the EU member-states; however, it was hardly convincing for a large number of other UN members that considered the EU claims a serious encroachment of the UN's intergovernmental nature. Granting the requested rights to the EU entailed the equalisation of sovereign states with regional organisations, a serious and unacceptable development to many UN states. Opposing voices reveal what a large number of states considered to be at stake:

While the draft resolution stresses the continued observer status of the European Union, it would also accord powers to it equal to those held by the member states. We wish to lay particular stress on the intergovernmental nature of the United Nations. Hence, nothing in the content of the draft resolution must be interpreted in any way as a modification of that status, which is clearly established in the Charter.⁷

Small and medium-sized UN members considered that the draft resolution could potentially jeopardise their status in the UN.⁸ The implementation of the resolution requirements would open the Pandora's Box, triggering similar demands by other regional entities (Grevi, 2011: 3). This might eventually turn the UN into an 'organisation of organisations', where individual members, particularly smaller states, would lose their voice and their arithmetical advantage (De Haro, 2012: 18).

Secondly, directly correlated with the former point on the framing of the issue and the long-term consequences of the EU initiative, for many small and medium-size UN states the draft resolution resembled a black box. The output was known, but the real intentions of the EU remained largely invisible. The EU should have clarified what was actually at stake, putting to rest the fears and concerns that this was an orchestrated attempt at a radical change in the Assembly's internal functioning with profound implications for the

very nature of this body and its constituent member-states.⁹ The EU failed to develop an appropriate communication policy to explain to its interlocutors in advance the complicated post-Lisbon external *modus operandi* of the EU and how this necessitated change and guided the EU's efforts for an enhanced observer status in the UNGA.¹⁰

Thirdly, this communication deficit prior to the tabling of the resolution was further aggravated by the way the EU brought it for discussion to the UNGA and the attitude adopted during the negotiations. The draft resolution was circulated just before August 2010, when the UNGA was in recess, and officially tabled at the end of the same month. Prompted by the eagerness to set the enhanced status in place from the beginning of the 65th UNGA session, the EU left insufficient time for UNGA members to examine the resolution, and for itself to launch an extensive deliberation phase reaching out to the UN members that had expressed their concerns. In contrast, the EU engaged in limited and selective outreach activities, approaching major states and representatives of regional organisations but contemptuously dismissing the concerns of small states, for many of which the proposed text had crossed 'red lines'.¹¹ In these outreach activities, the EU had an attitude of stony immobility regarding the main features of the resolution. This attitude boiled down to a 'take it or leave it' approach, leaving little if any margin for flexibility or scope for modifications of the draft resolution. This uncompromising attitude '... imbued with a spirit of arrogance' aroused anti-colonial sentiments and led a large number of small states to corroborate their fears that '...the EU had been transformed into a beast seeking to impose its decisions and alter the very nature of the body at her will and at any cost'.¹²

Matters came to a head during the 122nd plenary UNGA meeting convened to discuss the draft resolution on 14 September 2010. The EU suffered a surprise defeat when a large number of small states in the chamber, mostly belonging to the Pacific Islands, the African group and the Caribbean Community group (CARICOM), resisted the EU initiative. During the meeting, they appeared reluctant to engage in a debate on the substantive content of the proposed resolution. They deliberately refrained from taking a position over the issues raised by the draft resolution in a well-orchestrated effort to convey, first of all, their strong dissent with the way in which the draft resolution had been processed by the EU. Emphatically put, they were '... able to see merit in some elements of the EU resolution. However, it is our collective view that the General Assembly would err to the detriment of procedure if we discussed merit before procedure'.¹³ In that respect, they heavily criticised the EU for the faulty way in which it handled the process, focusing on the selective way the EU consulted with some member-states but not others.¹⁴ This practice,

...did not offer the necessary transparency, which could only have been provided through open and inclusive discussions... [T]he long established UNGA practice of holding informal open meetings... cannot be replaced by a limited number of unilateral briefings and a series of bilateral consultations.¹⁵

This unsatisfactory process did not give them the opportunity to have a substantive input in consultations. They requested more time to evaluate the text and its implications, enabling them to make an informed decision. On that ground, opposing countries moved

a motion to defer consideration of the draft resolution. The motion was approved by 76 votes in favour to 71 votes against, with 26 countries abstaining from the voting procedure. The message was clear and unequivocal: so far as it remained a bystander and not an active interlocutor in the shaping of such propositions, the EU would have little chance to pursue its objectives in the UNGA.

The return of the EU: Accommodation and success (2010–2011)

The failure of the EU-sponsored resolution caused great surprise and resentment in the EU and among its member-states. Bluntly put, it shocked many officials in Brussels, with extreme voices criticising the ‘...ingratitude of many countries greatly benefiting from the EU development and aid policy’ and calling – in the beginning at least – for some kind of retaliation.¹⁶ More in-depth analyses created fears that it would severely undermine the integration momentum of the Lisbon Treaty and the assumed international political weight many EU actors thought the Treaty would bestow on the EU.¹⁷ However, the failure did not stop the process; despite the September 2010 setback, the EU did not abandon the idea of an enhanced representation status in the UNGA, but it became obvious that it had to be pursued in a more cautious way, taking into consideration the new dynamics of negotiation. At this stage, the fact that the initiative had solid support from all EU member-states was a critical determinant in the bouncing back of the EU. Had the resolution been an output of prolonged and contentious internal negotiations, little flexibility would have been possible, which would most probably have led to the shelving of the proposal. However, the genuine convergence among EU member-states ensured that the EU analysed properly the situation and came back with a new proposal that was not its optimal choice, but was far more pragmatic and politically feasible.

In their negative disposition and voting, the countries in the UNGA that had opposed the EU initiative had drawn their red lines. Although the margin was tight and it could be credibly argued that with some diplomatic effort the outcome of the voting could have been changed, the end result would be far away from the consensual resolution the EU had initially aspired to. Thus, the EU changed course and adopted a much more moderate attitude to master the necessary acquiescence of the recalcitrant states.¹⁸ The EU laboured hard and long – from September 2010 to May 2011 – in pursuit of this objective. In this second stage, not only did there exist much stronger support from Brussels, which was considered lacking in the first stage, but the EEAS was also by this time in full and formal operating capacity and could therefore better contribute to the orchestration and coordination of the joint effort.¹⁹

In that respect, the EU launched an unprecedented series of consultations with the whole UN membership through two rounds of open consultation with all UN member-states, numerous informal bilateral encounters and meetings with all regional groups. Through these EEAS-coordinated intensive outreach efforts, the EU obtained first-hand information about the concerns and points of resistance of all UN members, especially those that voted against the draft resolution. This information permitted the EU to delineate accurately the existing zone of possible agreement and construct a revised draft resolution within this zone.²⁰ The revised draft was a conscious attempt to reach out to states that might be considering abstaining or voting against it, and accommodate their

concerns. Concessions were progressively introduced to the resolution as a result of intensive consultations, including personal talks of the Union's HR especially with CARICOM states, even on the last night before the discussion and voting in the Plenary.²¹ The intensity of these consultations was apparent in the introduction of a last-minute oral revision by the EU to the submitted text in the expectation of a consensual decision on the resolution.²²

These concessions gave final shape to the text, which was tabled, discussed and approved by 180 votes to none, with two abstentions, in May 2011. In the debate that preceded the voting, the EU representative made explicitly clear that the resolution was mutually beneficial for both the EU and the constituent UN member-states. Not only would the EU acquire a more orderly framework for coordinated action, but the other delegations would also have more space to express their views, given the diminishing number of interventions from EU member-states.²³ This was another indication of the conscious EU integrative strategy to build the necessary support for the resolution.

In this vein, the revised draft contained substantive amendments to the September 2010 failed attempt (see Table 1). Firstly, particular emphasis was laid on the intergovernmental nature of the UN, reinstating the fact that the UN is and should remain an organisation of sovereign states. This countered expressed concerns about the alleged EU intention to upset the organisational structure and basis of the UN, undermining the Westphalian world order. Secondly, the EU put forward a much more restrained set of rights to reassure opposing member-states that the EU did not intend to acquire state-like privileges and rights. More importantly, perhaps, the revised draft resolution explicitly proscribed the EU from the right to veto, the right to co-sponsor resolutions or to put forward candidates. This provision was inserted into the draft text at the request – more accurately, at the no-vote threat – of CARICOM states, who wanted to ensure that the EU would not take advantage of customary practice over time to expand the agreed rights.²⁴ As CARICOM states underlined, the provisions of the revised draft resolution ‘... constrains the EU to enjoy only those rights that are specifically and explicitly delineated in the Resolution’.²⁵ Thirdly, the rights envisaged for the EU could be conferred to other regional organisations without prejudice to their level of integration. In contrast to the first attempt, which referred to an advanced level of integration as a prerequisite for such a conferral of rights, the revised draft provided that, as long as a regional organisation had developed agreed arrangements that allowed its representatives to speak on behalf of the organisation and its member-states, that organisation may avail of those rights enumerated in the draft resolution. In line with this, all references to the Lisbon Treaty were removed from the 2011 draft.

Conclusions

UNGA Resolution 65/276 constitutes a significant development as far as EU international interactions are concerned. It creates the institutional set-up of an enhanced EU collective representation in the most important political international organisation. Assessing positively this development rests upon the assumption that a single voice will create more visibility and lead to more international clout. However, as much of the relevant literature suggests and the empirics of the politics surrounding the passing of the

Table 1. Comparison between European (EU) draft Resolution A/64/L.67 and United Nations General Assembly (UNGA) Resolution 65/276.

| EU Draft Res. A/64/L.67 (September 2010) | UNGA Res. 65/276 (May 2011) | Differences |
|---|---|---|
| Modalities of EU participation (Rights) | The EU is allowed to be inscribed on the list of speakers among representatives of major groups, in order to make interventions. | No major differences between the two texts. |
| a The EU shall be invited to speak in a timely manner, similar to the established practice for representatives of major groups. | 'The EU is invited to participate in the general debate of the General Assembly, in accordance with the order of precedence as established in the practice for participating observers and the level of participation'. | The EU participates in the UNGA General Debate after invitation like in the case of the other two observers (Holy See and Palestine) (De Haro, 2012: 30). |
| b The EU representatives participate in the UNGA general debate. | The EU is permitted to have its communications, circulated directly, and without intermediary, as UNGA documents. | No major differences between the two texts. |
| c The EU '...shall be permitted to circulate documents'. | The EU '... is permitted to present proposals and amendments orally as agreed by the States members of the European Union; such proposals and amendments shall be put to a vote only at the request of a Member State'. | Res 65/276 restricts the EU to make only oral proposals and amendments; the EU as a non-state actor cannot put to a vote any such proposals and amendments. |
| d The EU '...can make proposals and submit amendments'. | The EU '... is allowed to exercise the right of reply regarding positions of the European Union as decided by the presiding officer; such right of reply shall be restricted to one intervention per item'. | UN member-states enjoy the right to reply even if they are not inscribed in the list of speakers; they are allowed up to two interventions per item (Sabel, 2006: 120–121). In contrast to the broad wording of the Draft, Res 65/276 restricts the EU right of reply only to cases where the EU has expressed own positions and only for one intervention per item. ³ |
| e The EU can '...exercise the right of reply'. | The EU will participate in '... its capacity as observer, in the sessions and work of the General Assembly and its committees and working groups, in international meetings and conferences convened under the auspices of the Assembly and in UN conferences'. | Same scope and similar wording emphasising the EU observer status. |
| Scope and prerequisites | Sessions and work of the UNGA, '... including the general debate, and its committees and working groups, in international meetings and conferences convened under the auspices of the Assembly, as well as in UN conferences'. | |

Table 1. (Continued)

| EU Draft Res. A/64/L.67 (September 2010) | UNGA Res. 65/276 (May 2011) | Differences |
|---|--|---|
| <p>Another organisation for regional integration can benefit from the conferring of equal rights when it '... develops common external policies and establishes permanent structures for their conduct and representation'.</p> <p>Other differences</p> <p>The EU can raise points of order.</p> | <p>A regional organisation '... that has observer status in the General Assembly and whose member States have agreed arrangements that allow the organization's representatives to speak on behalf of the organization and its member States'.</p> <p>No reference regarding the right to raise points of order.</p> | <p>The initial draft presupposed an advanced level of integration (Wouters et al., 2011: 5).</p> |
| <p>'The EU shall not have the right to vote or to put forward candidates in the General Assembly'.</p> | <p>'The representatives of the EU shall not have the right to vote, to co-sponsor draft resolutions or decisions, or to put forward candidates'.</p> | <p>The EU is not granted the right to raise points of order; this was a last minute concession of the EU at the end of the negotiation process (De Haro, 2012: 32).</p> |
| <p>Several references to the Lisbon Treaty.</p> | <p>No references to the Lisbon Treaty.</p> | <p>Res 65/276 further excludes the EU from co-sponsoring draft resolutions in an attempt to fully delimit the EU scope of action in the UNGA (see Bahama's explanation of vote in A/65/PV.88, 2011: 10–12).</p> |
| <p>No reference to the UN intergovernmental nature.</p> | <p>The Resolution '[c]eaffirms that the General Assembly is an intergovernmental body whose membership is limited to States that are Members of the United Nations'.</p> | <p>Criticism directed to the EU that it had drafted 'a EU rather than a UN document'; subsequently, all references were deleted.^b</p> <p>Explicit reference to the intergovernmental nature of the UN after the insistence of a number of small states that were afraid of the UN becoming 'an organization of organizations'.^c</p> |

^aInterview, EU official, New York, 7 May 2014; Interview, EU official, Brussels, 4 November 2014.

^bInterview, Diplomat of a non-EU member-state, New York, 6 May 2014.

^cInterview, New York, EU official, 12 May 2014.

resolution confirm, speaking with a single voice is a necessary but insufficient condition for an enhanced global role. The 27 – at that time – EU member-states did align behind the ambitious first draft but in vain.

This genuine coherence did not produce a fruitful outcome. However, it did allow for a second round of diplomatic activity in which the EU showed exceptional flexibility and was effective in the end. Thus, flexibility emerges as a key hinge between coherence and effectiveness in the sense that the two identified types of coherence differ in the degree of flexibility they bestow upon the EU. We do not claim that there is a deterministic relationship between genuine coherence and effective international EU action; genuine coherence will *probabilistically* lead to more international effectiveness precisely because it allows for more EU flexibility in the negotiations. Generalisations are difficult because of the contextual negotiation-specific environment, especially its institutional features and the relative positioning of the EU within it.

In the case of UNGA Resolution 65/276, the EU did the exact opposite of what should have been done in terms of formulating the proposal and reaching out to the UNGA members. The converging views of member-states led to a maximalist first draft; this is a point of caution in the sense that homogeneity and genuine coherence may distance and isolate the EU from its international entourage. In other words, the discussion about international effectiveness and performance of the EU is not only about who delivers the message and whether this is done in unison, but also about the content of the message and the method of delivering it. On both issues, the EU failed initially to read the situation appropriately and develop the right strategy to communicate its message, although all member-states stood by the common position from the beginning.

However, the glass is never only half-empty. In support of that, two points can be raised: firstly, the shock of the first failed attempt helped overcome a very EU-centric world view, predominant especially in the Brussels micro-cosmos. Exhausted by the continuous internal negotiations, many national and EU policymakers often forget that the EU is not alone in the world and that even more political capital is required to ‘go international’ and render the EU a significant and influential world actor. This is no less so even when a genuine convergence of positions exists within the EU. If nothing else, the 2010 failure helped rupture this false – and arrogant – impression of a world system revolving around the EU, especially given that opposition came first and foremost from countries that had benefited from EU international programmes and actions.

Secondly, one could credibly focus on the second stage of the negotiations; after having suffered this embarrassing defeat, the EU stood up, regrouped and adjusted its negotiating strategy accordingly. In this narrative, emphasis should be laid on the EU’s capacity to adapt as an international actor and the efficiency of the EU’s diplomatic machinery, including the EU Delegation at the UN, the EEAS and member-states, in carrying out this delicate task. At this stage genuine coherence can make the difference, in the sense that it entails a greater deal of flexibility and can facilitate such an adaptation. The initial failure could be attributed to the over-enthusiasm triggered by the Lisbon Treaty and the nascent stage of the same EU diplomatic machinery, with the newly born EEAS counting only a few months of existence. Although proactive international actors usually take most credit – and gains – in the international arena, quick reflexes in reactive

responses are also worth praising. In that respect, the EU exhibited a fast-track and correct new reading of the situation and the mistakes that led to it and appropriately altered the chosen bargaining strategy. This could not have happened easily in a domestic political environment in which member-states had had substantial disagreements at the beginning of the intra-EU policymaking process. The failure to achieve the finally agreed objective would perhaps have led to an airing of the initial grievances and a distancing from the agreed position that failed to master international approval.

Our work offers several pathways of generalisation, both narrow- and wide-ranging: in the former cluster, the offered insights are useful to the further enhancement of the EU's representational status in other UN fora and specialised agencies not covered by Resolution 65/276. Although the timing is not considered conducive, the EU is currently engaged in a process of mapping out other potential international settings within or outside the UN framework in which the resolution arrangements can be expanded.²⁶ In this venture, the proper analysis of what went wrong in the first stage and how this was remedied subsequently has an important added value. Furthermore, the EU often constitutes a beacon for other schemes of regional integration that may also seek an expansion of their political presence and representation in the UN and elsewhere. Our contention is that the dynamics of the EU venture offer very useful lessons to be learnt. More broadly, the insights of the analysis can feed into the discussion of the EU's engagement in international negotiations and the need to move beyond the one voice preoccupation. We repeat that this is a necessary but by no means sufficient condition for effectiveness; in this article, we have sought to advance our understanding of the underpinnings of what it takes to become an influential international actor.

Having said that, the resolution *per se* requires further research in at least in two respects: firstly, we need to examine the extent to which its provisions have been implemented and whether this has actually led to the desired enhancement of the EU's political role and status in the UNGA, as initially aspired to and envisaged; secondly, we need to explore the intra-EU repercussions of the resolution, in particular whether it contributes to the centralisation of the EU diplomatic system with the strengthening of the EU Delegations and the EEAS at the expense of national delegations and member-states.

Acknowledgements

We are grateful to all diplomats and officials in New York and Brussels who provided us with invaluable information via interviews.

Funding

The authors acknowledge the support of the European Social Fund and the Greek Ministry of Education and Religious Affairs, General Secretariat for Research and Technology, Operational Programme 'Education and Lifelong Learning - ARISTEIA II' [grant number 4647].

Notes

1. Interview, EU official, Brussels, 5 November 2014; Interview, Diplomat of a EU member-state, Brussels, 3 November 2014.
2. Interview, EU official, Brussels, 5 November 2014.

3. Interviews, Diplomats of EU member-states, New York, 29 April and 9 May 2014.
4. Interview, Diplomat of a non-EU member-state, New York, 6 May 2014; Interview, Diplomat of a EU member-state, New York, 7 May 2014; Interviews, EU officials, Brussels, 4 and 5 November 2014.
5. Interviews, Diplomats of EU member-states, New York, 28 April and 6 May 2014; Interviews, EU officials, Brussels, 4 and 5 November 2014.
6. Interviews, Diplomats of non-EU member-states, New York, 6 May and 9 May; Interviews, Diplomats of EU member-states, New York, 2 and 12 May 2014.
7. See the speech of the Representative of Venezuela (A/64/PV.122, 2010: 4).
8. Interviews, Diplomats of EU member-states, New York, 6 and 7 May 2014; Interview, Diplomat of a non-EU member-state, New York, 6 May 2014.
9. Interview, Diplomat of a EU member-state, New York, 8 May 2014; Interview, EU official, Brussels, 5 November 2014.
10. Interview, EU official, New York, 7 May 2014; Interviews, EU officials, Brussels, 4–5 November 2014.
11. Interview, Diplomat of a EU member-state, New York, 13 May 2014; Interview, Brussels, EU official, 4 November 2014.
12. Interview, Diplomat of a non-EU member-state, New York, 6 May 2014; Interview, Diplomat of a EU member-state, New York, 12 May 2014.
13. See the speech of Suriname delivered on behalf of the 13 CARICOM countries (A/64/PV.122, 2010: 3).
14. See the speech of Suriname delivered on behalf of the 13 CARICOM countries (A/64/PV.122, 2010: 5). See also the speech of Nauru delivered on behalf of the Pacific Islands countries (A/64/PV.122, 2010: 4). See also the speech of Lesotho delivered on behalf of the African group (A/64/PV.122, 2010: 3).
15. See the speech of Iran (A/64/PV.122, 2010: 5).
16. Interview, EU official, Brussels, 4 November 2014; Interview, Diplomat of a EU member-state, Brussels, 3 November 2014.
17. Interview, EU official, New York, 7 May 2014; Interview, Diplomat of a EU member-state, New York, 9 May 2014.
18. Interview, Diplomat of a EU member-state, New York, 7 May 2014; Interviews, EU officials, Brussels, 4 and 5 November 2014.
19. Interview, EU official, Brussels, 5 November 2014.
20. Interview, Diplomat of a EU member-state, New York, 9 May 2014.
21. Interview, Diplomat of a EU member-state, New York, 12 May 2014.
22. See UNGA Doc. A/65/PV.88 (2011: 3).
23. See UNGA Doc. A/65/PV.88 (2011: 4).
24. Interview, Diplomat of a non-EU member-state, New York, 7 May 2014; Interviews, Diplomats of EU member-states, New York, 28 April and 7 May 2014.
25. See UNGA Doc. A/65/PV.88 (2011: 10).
26. Interview, EU official, Brussels, 4 November 2014.

References

- A/64/L.67 (2010) *Participation of the European Union in the Work of the United Nations*. New York: UNGA. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/LTD/N10/500/71/PDF/N1050071.pdf?OpenElement> (accessed 10 February 2015).
- A/64/PV.122 (2010) *Strengthening of the United Nations System*. New York: UNGA. Available at: http://www.un.org/ga/search/view_doc.asp?symbol=A/64/PV.122 (accessed 10 February 2015).

- A/65/L.64/Rev.1 (2010) *Participation of the European Union in the Work of the United Nations*. New York: UNGA. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/LTD/N11/309/29/PDF/N1130929.pdf?OpenElement> (accessed 10 February 2015).
- A/65/PV.88 (2011) *Strengthening of the United Nations System*. New York: UNGA. Available at: http://www.un.org/ga/search/view_doc.asp?symbol=A/65/PV.88 (accessed 10 February 2015).
- A/RES/65/276 (2011) *Participation of the European Union in the Work of the United Nations*. New York: UNGA. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N10/529/10/PDF/N1052910.pdf?OpenElement> (accessed 10 February 2015).
- Blavoukos S (2015) Capturing the EU international performance: An analytical framework. In: Blavoukos S, Bourantonis D and Portela C (eds) *The EU and the Non-Proliferation of Nuclear Weapons: Strategies, Policies, Actions*. Basingstoke: Palgrave Macmillan, pp. 12–22.
- Brewer E (2012) The participation of the European Union in the work of the United Nations: Evolving to reflect the new realities of regional organizations. *International Organizations Law Review* 9(1): 181–225.
- Conceição-Heldt ED (2014) When speaking with a single voice isn't enough: Bargaining power (a)symmetry and EU external effectiveness in global trade governance. *Journal of European Public Policy* 21(7): 980–995.
- Conceição-Heldt ED and Meunier S (2014) Speaking with a single voice: Internal cohesiveness and external effectiveness of the EU in world politics. *Journal of European Public Policy* 21(7): 961–979.
- De Haro S (2012) *Participation of the European Union in the Work of the United Nations: General Assembly Resolution 65/276* (CLEER Working Papers 2012/4). Den Haag: Centre for the Law of EU External Relations.
- Delreux T (2014) EU actorness, cohesiveness and effectiveness in environmental affairs. *Journal of European Public Policy* 21(7): 1017–1032.
- Elsig M (2013) The EU as an effective trade power: Strategic choice of judicial candidates in the context of the World Trade Organization. *International Relations* 27(3): 325–340.
- Gebhard C (2011) Coherence. In: Hill C and Smith M (eds) *International Relations and the European Union* (2nd edn). Oxford: Oxford University Press, pp. 101–127.
- Gehring T, Oberthür S and Mühleck M (2013) European Union actorness in international institutions: Why the EU is recognized as an actor in some international institutions, but not in others. *Journal of Common Market Studies* 51(5): 849–865.
- Ginsberg R (1999) Conceptualizing the European Union as an international actor: Narrowing the theoretical capability-expectations gap. *Journal of Common Market Studies* 37(3): 429–454.
- Grevi G (2011) *From Lisbon to New York: The EU at the UN General Assembly*. Policy Brief no. 81, June. Madrid: FRIDE.
- Groen L and Niemann A (2013) The European Union at the Copenhagen climate negotiations: A case of contested EU actorness and effectiveness. *International Relations* 27(3): 308–324.
- Gutner T and Thompson A (2010) The politics of IO performance: A framework. *Review of International Organizations* 5(3): 227–248.
- Jørgensen KE, Oberthür S and Shahin J (2011) Introduction: Assessing the EU's performance in international institutions – Conceptual framework and core findings. *Journal of European Integration* 33(6): 599–620.
- Laatikainen KV and Palous M (2011) Contested ground: The effort of the European Union to enhance its status in the UN General Assembly. *Paper presented at the 2011 ISA annual convention*, 16–19 March, Montreal, QC, Canada.
- Laatikainen KV and Smith KE (2006a) Introduction – The European Union at the United Nations: Leader, partner or failure? In: Laatikainen KV and Smith KE (eds) *The European Union*

- at the United Nations: Intersecting Multilateralisms*. Basingstoke: Palgrave Macmillan, pp. 1–23.
- Laatikainen KV and Smith KE (eds) (2006b) *The European Union at the United Nations: Intersecting Multilateralisms*. Basingstoke: Palgrave Macmillan.
- Macaj G and Nicolaïdis K (2014) Beyond ‘one voice’? Global Europe’s engagement with its own diversity. *Journal of European Public Policy* 21(7): 1067–1083.
- Mayer H (2008) The long legacy of Dorian Gray: Why the European Union needs to redefine its role in global affairs. *Journal of European Integration* 30(1): 7–25.
- Mayer H (2013) The challenge of coherence and consistency in EU foreign policy. In: Telo M and Ponjaert F (eds) *The EU’s Foreign Policy: What Kind of Power and Diplomatic Action?* Farnham: Ashgate, pp. 105–117.
- Meunier S (2000) What single voice? European institutions and EU-US trade negotiations. *International Organization* 54(1): 103–135.
- Missiroli A (2001) European security policy: The challenge of coherence. *European Foreign Affairs Review* 6(2): 177–196.
- Niemann A and Bretherton C (2013) EU external policy at the crossroads: The challenge of actor-ness and effectiveness. *International Relations* 27(3): 261–275.
- Nuttall SJ (2005) Coherence and consistency. In: Hill C and Smith M (eds) *International Relations and the European Union*. Oxford: Oxford University Press, pp. 91–113.
- Panke D (2014) The European Union in the United Nations: An effective external actor? *Journal of European Public Policy* 21(7): 1050–1066.
- Rasch MB (2008) *The European Union at the United Nations: The Functioning and Coherence of EU External Representation in a State-Centric Environment*. Leiden: Martinus Nijhoff Publishers.
- Sabel R (2006) *Procedure at International Conferences: A Study of the Rules of Procedure at the UN and at Inter-Governmental Conferences*. Cambridge: Cambridge University Press.
- Smith KE (2010) The European Union at the Human Rights Council: Speaking with one voice but having little influence. *Journal of European Public Policy* 17(2): 224–241.
- Smith KE (2013) The European Union and the politics of legitimization at the United Nations. *European Foreign Affairs Review* 18(1): 63–80.
- Thomas DC (2012) Still punching below its weight? Coherence and effectiveness in European Union foreign policy. *Journal of Common Market Studies* 50(3): 457–474.
- Van Schaik L (2013) *EU Effectiveness and Unity in Multilateral Negotiations: More than the Sum of its Parts?* Basingstoke: Palgrave Macmillan.
- Wouters J, Odermatt J and Ramopoulos T (2011) *The Status of the European Union at the United Nations after the General Assembly Resolution of 3 May 2011*. Global governance opinions no. 10, July. Leuven: Leuven Centre for Global Governance Studies.

Author biographies

Spyros Blavoukos is Assistant Professor at the Department of International and European Economic Studies, at the Athens University of Economics and Business.

Dimitris Bourantonis is Professor at the Department of International and European Economic Studies, at the Athens University of Economics and Business.

Ioannis Galariotis is Max Weber Fellow at the European University Institute (2015–2017).