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AN “EFFECTIVE
MULTILATERALISM”: THE
CASE OF THE EUROPEAN
UNION

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ABBREVIATION INDEX

CFSP: Common Foreign and Security Policy;

EU: European Union;

EC: European Communities;

European Coal and Steel Community;

EEAS: European External Action Services;

EEC: European Economic Community;

ESS: European Security Strategy;

EURATOM: European Atomic Energy Community;

IO: International Organisation;

TEC: Treaty of the European Community;

TEU: Treaty of the European Union;

TFEU: Treaty of Functioning of the European Union;

CHAPTER 1. INTRODUCTION

1. MULTILATERALISM IN A GLOBALISED CONTEXT

Globalisation is a phenomenon that has shaped and continues to shape every aspect of how we live our daily lives and interact with one another. However, beyond that, and focusing on how this phenomenon has affected the world from a State's point of view, the ever-growing interdependence and interconnectedness which characterises our society due to globalisation goes far beyond mere economic questions of trade and investment, but rather includes other issues such as the environment or energy and dimensions of demography (Surdej, 2020, p. 338). In this global context, this interdependence has come from the norms of supply and demand of natural resources, but also, more recently, from the impact and influence of technological changes and advancements". The interdependence has been sustained and maintained by a political intent that is a consequence of post-Cold War logic that pushes States to work towards building "*a relatively open, rule-based, hence, stable economic environment for contemporary States in hope to increase the aggregate welfare*" (Surdej, 2020, p. 338).

We then see how globalisation is achieving a deepening of global interdependence and interconnectedness at an unprecedented rate and, while this continues happening, more varied actors become more connected through more interactions that happen at different levels. On the governmental or State level, these interactions can be bilateral, inter-regional or multilateral (Renard, 2016, p. 26). In this increasingly global and interconnected world driven by globalisation, multilateralism has presented itself as a logical and more effective solution to the problems that naturally arise from a context that is complex and interlinked. Multilateralism comes when actors realize that their problems cannot be solved unilaterally which will only be the answer to global problems when the actor involved is able to create and carry out an effective solution, on their own which is rare, as in a changing world, issues become more complicated over time. These days, most global problems or conflicts require actions that are collective and agreed on by those affected by it (Surdej, 2020, p. 339). Moreover, while having to face many different obstacles, multilateralism remains a central element of the international system as a whole; but in order to do so, it evolves and adapts to the changing reality (Renard, 2016, p. 27).

In addition to a more globalised world, we are currently seeing a shift in global governance in favour of a more multipolar world in which more actors are expanding their role and influence in the international scope. In this sense, we can highlight the growing importance of China and the EU. Especially relevant to this work is the EU as it has become a referent in its promotion of multilateralism, specifically is foreign policy of ‘Effective Multilateralism’; as such, it has focused a lot on the promotion of this policy or instrument of foreign policy while also showing itself as very open and flexible in its own approach to multilateralism (Renard, 2016, p. 24)

The EU in the 21st century has made it one of its missions to create a more cohesive and effective international role for itself. In this sense we will see the series of institutional reforms carried out for this purpose. We will, however, more so focus on the EU’s promotion of Effective Multilateralism as one of the main elements to the image that it wants to show on the international scale. The EU seeks to become a more powerful actor internationally and as such, seeks to “*upgrade its status within the international society to better match its new ambitions and competences*” (Renard, 2016, p. 24). It is in this context in which this the present study takes place.

2. METHODOLOGICAL INTRODUCTION

2.1 Objectives or hypotheses to be pursued

The purpose of the present paper is to analyse the true effectiveness of EU foreign policy regarding its promotion of “Effective Multilateralism” as a concept created in 2003 through the European Security Strategy as well as determining whether it is an adequate policy to continue promoting and working towards in a growingly complex world.

2.2 Methodology used and work plan

In the process of carrying out a literature review and theoretical analysis, we will try to determine whether the EU’s “Effective Multilateralism” approach or policy really is effective

in today's world and whether or not it will allow the EU to continue establishing itself internationally according to its own values and principles.

We will first discuss the theoretical approaches carried out on multilateralism as an individual and fundamental phenomenon in International Relations. Subsequently, we will focus on the role of International Organisations in the use of multilateral channels of in the development of multilateralism as a phenomenon and concept in the 20th century. Later we will concentrate on the specific case of European Multilateralism; discussing first the general aspects of EU foreign policy in order to later bring our attention to the EU's promotion of "Effective Multilateralism".

CHAPTER 2. THEORETICAL FRAMEWORK OF THE CONCEPT OF 'MULTILATERALISM'

The most basic form of multilateralism, and, as such, its roots, and origins, is eminently linked to the idea of International Organisations (IOs) and thus takes us back to the first IO's that came about in the end of the 19th Century and beginning of the 20th Century. Commonly thought-out solutions to problems were not truly necessary until those problems became such that they touched upon more than one State's interests. In this sense, we think of common solutions decided upon through discussion and negotiations and that, in order to be effective and productive, are in some way enforceable or create a certain commitment for the States or actors involved. It was in this light that, in the post-World Wars context, States sought out formal and enforceable forms of cooperation in the search for peace, but also for its maintenance in the long term. It was in this post-Cold War context that multilateral cooperation flourished (Moreland, 2019, p. 1).

A possible question that derives from the in-depth analysis of IOs and their work internationally is that of the possibility of the existence of multilateralism without IOs; whether multilateralism can be sustained and maintained without the support and mere existence of IOs. In this sense, are we correct in considering IOs as international legal instruments created in order to support a multilateralism that is effective in nature (Surdej, 2020, p. 338). Yet, multilateralism can't be considered merely as an end in itself, but rather

an instrument used and put into practice in order to solve issues that are common (Surdej, 2020, p. 345). It is in this context in which we focus on the case of the EU as a *sui generis* IO which has become exemplary in its promotion of multilateralism.

In any case, in order to understand what we know as multilateralism today, we must first look back at those initial multilateral tools created over one hundred years ago and also delve into what theorists and international relations authors consider what the content within this concept is.

1. THEORETICAL APPROACH TO MULTILATERALISM

The importance of the concept of multilateralism is evident in today's world; yet, despite its practical relevance, it is a concept that has not been analysed and worked upon much within international relations theory. Some argue that this is because, up until rather recently with the fall of the USSR, the world was enmeshed in a Cold War logic in which what mattered was the duality and bipolarity of the two main blocs. Many saw this as the only logical way of studying the world and international relations and that, as such, multilateralism was in decline in the face of growing US bilateralism. Others argued that too much weight was put on the idea of an existing balance of power system which was "*a decentralised system or relations among powers that acknowledges little if any debt to world order or multilateral commitments*" (Caporaso, 1992, p. 600).

This isn't to say that multilateralism as an international tool or mechanism hasn't been used in recent history, rather, that multilateralism is not used as a theoretical category used or a concept used to explain certain relations or interactions between international actors (Caporaso, 1992, p. 601).

It was in the light of the post- Cold War period when the belief that multilateral norms and institutions were responsible for the creation of a stable international scenario after the fall of the Soviet Union. This had been predicted by international relations theorists of the 'new intuitionist' approach, however, they had mainly focused their work on cooperation and institutions. An example of this is how one of the authors who has most contributed to

institutionalism within international relations, Robert Keohane, barely uses the concept of multilateralism in his work (Ruggie, 1992, p. 565).

1.1. What is Multilateralism?

If we start with Ruggie's definition of multilateralism which is that multilateralism refers to "*coordinating relations among three or more States in accordance with certain principles of conduct*" (Ruggie, 1992, p. 568), we can extract an "architectural form"¹ within the concept; this leads us to understand multilateralism more so as a principle that organises international life and relations that is different from other forms due to three properties or characteristics: "*indivisibility, generalised principles of conduct, and diffuse reciprocity*" (Caporaso, 1992, p. 601). In relation to the first of these elements, we relate indivisibility to the scope over which we see costs and benefits are spread; in second place, in relation to the generalised principles of conduct, these tend to "*come in the form of norms exhorting general if not universal modes of relating to other States, rather than differentiating relations case by case on the basis of individual preferences, situational exigencies, or a priori particularistic grounds*"; and lastly, "*diffused reciprocity adjusts the utilitarian lenses for the long view emphasizing that actors expect to benefit in the long run and over many issues, rather than every time on every issue*" (Caporaso, 1992, p. 602).

Ruggie, as mentioned beforehand, argues that multilateralism is a way in which actors coordinate relations among them while complying with a series or principles of conduct or behaviour (Ruggie, 1992, p. 568). An example of a principle of conduct, in this sense, could be the principle of most favoured nation in the economic area, a principle by which discrimination among nations is not permitted when producing a same product; in security relations, we could see the same with collective security (Ruggie, 1992, p. 571). From Ruggie's definition of multilateralism we can reach two conclusions. In first place, that the principles of conduct he mentions logically require a certain sense of indivisibility among the collective in relation to the "*the range of behaviour in question*". In second place,

¹ See the following works of John Gerard Ruggie: "Unravelling the World Order: The United States and the Future of Multilateralism," mimeograph, University of California, San Diego, 1989; and "Multilateralism: The Anatomy of an Institution," in this issue of 10.

“successful cases of multilateralism in practice appear to generate among their members what Keohane has called expectations of ‘diffuse reciprocity’. That is to say, the arrangement is expected by its members to yield a rough equivalence of benefits in the aggregate and over time” (Ruggie, 1992, p.572).

The definition proposed by Ruggie then implies the need to distinguish between institution of multilateralism and multilateral institutions (Ruggie, 1992, 567) for a few reasons. In first place, there can be a difference in the strength or weakness of both depending on the organising principles; one may be strong while the other weak; for example, the G20 is evidently an example of strong multilateralism while its institutionalisation is quite weak in comparison to, say, the UN’s institutional system. In second place, the relationship between the two can be considered as a relation of cause and effect and, as such, one can never be substituted from or used in place of the other; *“multilateral institutions may provide the venue for behaviour aimed at changing perceptions and beliefs, whereas multilateralism in turn is liable to generate, maintain, change or even undermine specific organisations”* (Wouters, 2010, p. 167).

While the institution of multilateralism may be seen reflected within multilateral institutions, its significance is much greater. The institution of multilateralism refers to less formal and codified ideas, practices, and rules of the international arena (Caporaso, 1992, p 602). On the other hand, multilateral institutions are the way in which international life and the international community, as a whole, is formally organised and, as such, have physical locations, headquarters, and staff to their name.

If we go even further, the concept of ‘multilateral’ can be used to define *“an organizing principle, an organisation or simply an activity”* when this one involves, in some way, cooperation between more than one country. As opposed to ‘multilateral’, ‘multilateralism’ can be considered a belief of how actions and practices have to be organised in universal terms for a specific group of actors (Caporaso, 1992, p. 603). In this sense, we could imply that multilateralism is an ideology or belief that is created to promote and work towards the use of multilateral instruments and activities.

This leads us to think of multilateralism as a means for States to work towards their goals and interests; however, multilateralism can also be an end in and of itself. But it is generally conceived as a means to an end by authors and theorists of international relations.

This view then links the importance of multilateralism and its effectiveness to the result it achieves. However logical this seems, this perspective ends up being incomplete and narrow as it ignores the many instances and ways in which multilateralism benefits the international community regardless of the outcomes or results it brings (Pouliot, 2011, p. 18).

In this sense, while the results and efficiency of multilateralism is extremely relevant in global governance, the multilateral process must be seen and studied beyond those results and from the point of view of it being positive despite its results too. Most theorists argue that multilateralism is a necessary tool for two main reasons: in first place, multilateralism benefits all actors in many different ways. For instance, through multilateralism, smaller countries can gain a voice and thus, an influence that otherwise they would not have, while larger and more influential countries can use multilateralism to legitimise their interests on a much larger scale, and as such, prolong their influence and power advantage. In second place, seeing the global nature of emerging issues nowadays, those issues are becoming less and less linked to territories and borders meaning that solutions to those issues must be coordinated in order to be effective (Pouliot, 2011, p. 20). These two arguments are very much so based on the end result; they clearly see multilateralism as a means to an end, as an efficient tool to achieve certain objectives. However, they overlook how much multilateralism can positively bring to global governance (Pouliot, 2011, p. 20).

It is argued by some international theorists, that *“the axiomatic practice of multilateralism brings about benefits that reinforce the drive for negotiated governance regardless of substantive outcomes”* (Pouliot, 2011, p.20); in other words, that it created a motivation to cooperate. According to Pouliot, multilateralism is self-fulfilling for three main reasons. In first place, it creates patterns of action that are mutually recognisable for global actors. Social relations are formed through multilateralism as it requires a certain level of comprehensibility and accessibility between the actors involved that pushes for common solutions to be designed and implemented. This doesn't mean that it leads to everyone agreeing with everything, but rather it *“fosters the emergence of a shared framework of interaction that allows global actors to make sense of world politics in mutually recognisable ways”*. In second place, evidence shows that the multilateral process tends to lead to the adoption of global policies there are much moderate in nature. Multilateralism tends to push

actors away from radical solutions to issues and advocate for moderation and consensus as the multilateral decision-making process forces the actors involved to see issues and conflicts from similar viewpoints leading them to make choices that seem naturally moderate and consensual. In third place, the multilateral process naturally entails the recognition of the legitimacy of the policies and decisions adopted by the debate which characterises the process (Pouliot, 2011, p.22).

“Multilateralism is a global governance practice characterised by an inclusive institutionalised, and principled form of political dialog. By this definition, multilateral governance stands in opposition to a number of other institutional forms on the global stage (...) As a form of collective action, then, the qualitatively distinct nature of the multilateral procedure combines comprehensiveness, routinization, and non-discrimination” (Pouliot, 2011, p. 19).

This definition expands the one depicted by Ruggie that was mentioned before (Pouliot, 2011, p. 19)

In his text, *international relations theory, and multilateralism: the search for foundations*, Caporaso explains three theoretical approaches in the study of multilateral activities.

A. The individualist paradigm

This approach is a collection of theories that put at their focus individual actors in their context with their own preferences and their own capabilities and through them, explain social behaviour. In this way, States enter into relations with each other on the basis of rational and self-interested decisions. *“This diverse collection is unified by its focus on States as conscious goal-seeking agents pursuing their interests within an external environment characterised by anarchy and the powers of other States” (Caporaso, 1992, p. 605).*

In terms of international relations theory, the comparable theories to this paradigm would be realism and game theory.

Within these theories in order to reach the question of why actors turn to multilateralism, they first have to explain cooperation, in order to then, explain why and how this cooperation turns multilateral. However, being an approach that focuses on the individual who as such has its own interests and preferences, the explanation of cooperation

seems complex and difficult to reach. There have been many attempts to solve the problem of cooperation, namely the logic of the *k group* or the *logic of the repetition of the game* (Caporaso, 1992, p. 606) but, as they are majorly based on the individual and marginalises sociality elements, they contribute relatively little to the explanation of multilateral cooperation (Caporaso, 1992, p. 612).

B. Social-communicative approaches

This second paradigm or group of approaches still focuses on the identity and capabilities of the States but also delves into its social communicative abilities such as communication, debate, persuasion, and self-reflection. In other words, how it acts 'socially' with other States and within the environment of the international scenario (Caporaso, 1992, p. 605). In this sense, it starts from the same point of State rationality but broadens the concept by including it within the explanation of social relations which derive from individual intentionality.

“Thus, the focus is not only on individual choices but on how the choosing agent reflects, discusses, trusts and distrusts, tries to build consensus, alters others' perceptions of the world, and, in general, uses his or her capacities as a social being to identify problems, solve them, and shape the environment” (Caporaso, 1992, p. 613).

There are several attempts to explain multilateralism that are based on this social-communicative approach of which we can highlight discussion and persuasion, minimal contributing sets, and norms, promising and group identity as those explained by Caporaso in his text.

C. Institutional approaches

This third approach takes elements from the previous two. It considers the importance of the social communicative elements of State's interactions; however, it does not consider that State actions and interests are only based on individual and self-calculated motivations and desires.

The institutional approach is born from a “*dissatisfaction with rational choice, pluralist and international systematic approaches to international relations theory*” (Caporaso, 1992, p. 621). Institutional theory is “*mostly about quite purposeful, goal-oriented, habit driven, unthinking behaviour in which the identities, preferences, beliefs, and behaviour of microunits*

are given a structural determination” (Caporaso, 1992, p. 623). It prioritises institutions, norms, and roles. Institutions are different than the sum of the actors that are a part of it, yet *“they rest on a basis of human actions that are continually contested, are only partly propelled by norms and role expectations, and always reflect a tension between the desires of individuals and the needs of institutions”* (Caporaso, 1992, p. 623). In brief, institutionalists view interactions between actors are affected by norms and practices of cooperation. While institutions might not always be created on a basis of rationality, but rather, through unconscious decisions based on State’s self-interest and pressures from the environment. It is through these institutions that multilateralism is used and applied.

In short, we see how the theoretical concept of multilateralism has been relatively neglected by international relations theorists in the past. While its significance is huge in international relations today in practical terms, not much can be found on it in a theoretical point of view. This is why, in many cases, we have to approach the concept from others that in some ways are similar or even based on it such as ‘cooperation’, as seen above, or ‘institutions’. In any case, while the theoretical approach to such a concept is relevant as it allows us to understand the reasoning more deeply behind State action in the international sphere, the fact is that in a growingly interconnected and globalised world, international relations are being affected and influenced by a growing number of external and internal factors and, as such, it is the practical use and interpretation of multilateralism by States and other actors today that we must analyse. In this sense, we will now see the case of European multilateralism and, specifically its foreign policy of ‘Effective Multilateralism’.

CHAPTER 3. EUROPEAN MULTILATERALISM

For the EU, the promotion of multilateralism as well as regionalism has always prevailed over bilateral ways of conducting its foreign affairs or relations (Renard, 2016, p.23). In this sense, we have to acknowledge the ability of the EU to use different cooperation levels or techniques

in order to achieve its foreign policy objectives. For example, in the case of trade, in many instances it is more fruitful and productive to turn to bilateral ways of cooperation,

“particularly when there are pressing (economic) concerns or immediate gains to be pursued with this shift (...) In other words, for practical reasons of effectiveness, the EU is overcoming its ‘ideological preference’ for multilateralism to contemplate a multi-dimensional approach encompassing all ‘lateralisms’” (Renard, 2016, 27).

However, in order to understand this firm positioning in favour of this way of conducting policy, we must first focus on how the EU was created, being key in this formation process the intention of cooperation and integration.

1. CREATION OF THE EU IN BRIEF.

Although when we deal with the subject of the Creation of the European Union as we know it today, we begin with the creation of the European Coal and Steel Community (ECSC), created through the Treaty of Paris of 1951, as a high authority in charge of overseeing and controlling Franco-German coal and steel production, we will bring our focus more so on the period of 1956 when the European Communities were established and especially on the key events or treaties that were enacted up until recent history.

The late 1950s, would be a time known as the European relaunch (*La relance européenne*) when there was a new and stronger approach towards more integration within the continent that went hand in hand with the proposition of the creation of the European Economic Community. The six founding States, France, Great Britain, Germany, Belgium, Luxemburg, and the Netherlands jointly signed the Treaty of Rome in 1957 and the European Economic Community was thus established in 1958. In parallel, the founding States would sign a second Treaty which would set up the European Atomic Energy Community (EURATOM). In addition to these two international organisations, the ECSC was still very much present and functioning. All three constituted the European Communities; there was an Assembly and a Court of Justice that were common to all three, and each had their own Commission and Council. They would go on to merge in 1965 through a merger Treaty. This was followed by a period of enlargements and processes of institutional reinforcement and deepening integration.

The Single European Act, which came into force in 1987, introduced a major reform to the system. It gave new powers to the Communities in order to facilitate the achievement of a true single internal market, giving a decisive impetus to the European common market. It also gave the European Economic Community (EEC) powers in new areas, such as the environment, social policy, economic and social cohesion, etc. It also strengthened the powers of the European Parliament.

The next major change or step up was the Maastricht Treaty, which was signed in 1992 and entered into force in 1993. This Treaty established the European Union's institutional system on the basis of a pillar structure. The EU was comprised of three main pillars. In first place was the European Communities or the Community pillar (the three communities or organisations mentioned beforehand: ECSC, EEC, EURATOM). The second pillar was that of the Common Foreign and Security Policy (CFSP). Lastly, there was third a pillar of Police and Judicial Cooperation in the fields of justice and home affairs. The three pillars jointly constituted the European Union, which, during this time, did not have its own individual legal personality in its entirety. The first pillar did have legal personality, but the other two were considered intergovernmental forms of cooperation.

On the other hand, Maastricht broadened the scope of EU competences (e.g., culture) and strengthened previous competences (e.g., environment). It also created the Economic and Monetary Union and established EU citizenship. Institutional reform is achieved by increasing the powers of the European Parliament by establishing its capacity for co-legislation and co-decision. Finally, the figure of the Ombudsman is introduced.

Later we see the signature and ratification of the Treaty of Amsterdam which was signed in 1997 and came into force in 1999. Regarding formal aspects, the Treaty of Amsterdam introduced a new numbering and simplification of the provisions of the Treaties. The co-decision procedures were also extended and simplified. There was also a strengthening of the democratic principle through the creation of what is known as the "nuclear option". Additionally, there was a process of communitisation of certain aspects of the European communities especially in relation to the intergovernmental cooperation regime, social policy, and the Schengen Space.

Then came the Treaty of Nice which was signed in 2001 and came into force in 2003. As the 1996 Intergovernmental Conference (the one that led to the Treaty of Amsterdam) failed on its objective of an institutional reform, a new, urgent, and comprehensive reform was called for. Nice therefore addressed what is known as the "Amsterdam leftovers". In Amsterdam they had very ambitious objectives, and because in these cases decisions are usually agreed by consensus, there was no agreement, and they were not adopted.

Subsequently there was an unsuccessful attempt to create a European Constitution.

Finally, the Treaty of Lisbon was signed in 2007 and came into force in 2009; it amended the EU and EC Treaties in the classic way, without merging them into a single text as the failed Constitution Treaty did. There are therefore now two treaties: the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU) (what used to be the TEC).

Regarding the structural changes introduced in Lisbon, it should be noted that the European Community disappeared and became integrated into the EU, which now, has legal personality of its own (Art. 47 TEU); from this point onwards, the EU is referred to as a subject of international law, as it has legal personality in its entirety. Although everything is unified, the CFSP of the EU continues to have some intergovernmental characteristics. Lisbon dissolved the pillar structure set out in Maastricht by integrating police and judicial cooperation in criminal matters into the other policies integrated into TFEU, although exceptionality intergovernmentalism is maintained in the CFSP. It also clarifies competences, dividing them into exclusive, shared and coordinating competences. The new TEU provides for an ordinary procedure and several simplified procedures for revising the treaties.

In relation to institutional changes, the European Council and the European Central Bank were transformed into institutions and the institutions become seven: Parliament, European Council, Council of the European Union (or, simply, the Council), European Commission, Court of Justice of the European Union, European Central Bank and Court of Auditors. It created the presidency of the European Council and the figure of the High Representative for Foreign Affairs and Security Policy into which we will delve deeper in subsequently.

2. EU FOREIGN POLICY UNTIL LISBON

Before Lisbon, it was really the Member States who pushed for cooperation and integration in this field and not the Commission as is now; the Commission is the executive power of the European Union which allows it to lead the legislative process and the enforcement of EU laws as well as the management and design of EU policies. The idea was essentially that of keeping EU foreign policy on a very short leash in the sense that the Member States wanted to have as much control as possible. *“In practice, the agenda was set by the six-monthly rotating Presidency. While having the advantage of bringing new impulses, the major flaw of the rotating chair system was lack of continuity and direction”* (Vanhoonacker, 2013, p. 1316). This was an element that Lisbon wanted to change.

The external dimension of the European Union is one of its most unique and complex components. Located at the most sensitive core or centre of the sovereignty of States, foreign policy offers the greatest resistance as an object of the phenomenon of integration. Despite this, European integration, as was being developed during the second half of the 20th Century, could not be without an external dimension for three main reasons. In first place, it would be impossible to adopt an autarkical policy in an international context where economic interdependence is ever more important; the EU would not be able to live in isolation. In second place, the historical colonial links of some Member States are also a relevant factor that pushes for the EU having some sort of foreign policy. Lastly, and evidently, the impact that the creation of an EU market has on international trade relations is such that the EU must take it into account when determining its foreign affairs (Mangas Martín, 2016, p. 537)

It is well known that the EU's Common Foreign and Security Policy is an area of external action that was added late to the Community's external relations under the formula of intergovernmental cooperation. It wasn't until 1970, when European political cooperation was created and institutionalized in the Single European Act (1986). This was the beginning of cooperation in external action, but it was very weak, as the Member States still retained all the power. The policies and forms of cooperation set out in the creation of the European Communities were the Common Foreign and Security Policy and police and judicial cooperation in criminal matters, which together with the EEC constituted the three pillars or foundations on which the EU was based. The Lisbon Treaty sought to unify the three pillars

as its objective was to create an image of EU external action that was cohesive and unified. (Mangas Martín, 2016, p. 538).

The CFSP, as set out in the TEU, is the result of an evolution that began in the 1970s with the establishment of the political cooperation model and then with the provisions of Title V of the Maastricht Treaty, where it received the title of CFSP and where its essential features were designed and constructed. Subsequently, Nice and Amsterdam modified some important aspects of the CFSP regulation but did not alter its structural elements; with Amsterdam, it was agreed to create the post of High Representative of the Council for the CFSP, which would be held by the Secretary-General of the Council. Javier Solana was the first person to hold this post. Lisbon also didn't fundamentally alter the intergovernmental nature that characterises the CFSP (Mangas Martín, 2016, p. 538).

3. THE EU AFTER 2007.

The Treaty of Lisbon introduced major institutional changes and reforms in order to provide the Union with a coherence and effectiveness that it did not have before. One of the main aims that the EU had been working towards at this time and that was still a goal in Lisbon was that of further introducing the EU in the international scenario and establishing it with international relevance like never before. The idea was that of giving the EU more coherence. In this sense, we must briefly reference the principle of coherence in order to understand the reasoning behind the institutional reform carried out in Lisbon. This is a principle that is fundamental in foreign policy and as such, it guides it (Koehler, 2010, p. 28). Its importance for the EU is such, that we can find it in article 13 of the TEU which States:

“The Union shall have an institutional framework which shall aim to promote its values, advance its objectives, serve its interests, those of its citizens and those of the Member States, and ensure the consistency, effectiveness and continuity of its policies and actions” (Treaty of the European Union).

As mentioned above, the entirety of the EU pillar system was reformed with the Treaty of Lisbon. With this Treaty came the decision to create the European External Action Service (EEAS) which came into action in 2010 after the effective ratification of the Treaty of Lisbon.

The purpose of this addition to the institutional system of the EU was to reinforce the EU's foreign affairs by providing it with coherence, efficiency, and unity; the EU began to have an interest in the design and creation of a unified front and image of the Union before the rest of the world, and as such become a relevant actor capable of international influence. It constituted the EU's intention on reorganising the entirety of its foreign institutions. For some authors, this would be the result of a 'spill over' from the foreign spheres of commercial, economic and aid to a willingness to expand into areas of high politics. Others simply understand that it would contribute to the emergence of a single acting mind in foreign policy design and execution (Guinea Llorente, 2010, p.766). In any case, the restructuring of the entire system was a large task at hand and its creation had to be carried out in different phases.

The European External Action Service (from now on EEAS) would be the institution within the EU which would be put in charge of designing and carrying out EU foreign policy. The head of the institution would be a sort of Minister of Foreign affairs who would fill the position of High Representative of the Union for Foreign Affairs and Security Policy (from now on the High Representative) and who would also be Vice-President of the European Commission as is established in article 27 of the TEU. The idea behind this "double hat" was to provide the institution with coherence by having the head of EU foreign policy also participate in the elaboration of foreign policy (EU Council and specifically being president of the Foreign Affairs Council within this institution) while also participating as Vice President within the executive institution of the EU, the Commission. The creation of these two fundamental figures within EU institutions, the High Representative on the one hand, and the EEAS, on the other, is what is considered by many the beginning of European diplomacy as we know it today (Guinea Llorente, 2010, p.764).

"The Lisbon Treaty aimed to address the continuity and leadership problems by installing a longer-term chair both at the level of the European Council and the Foreign Affairs Council (FAC). The latter is the dual-hatted High Representative of the Union for Foreign Affairs and Security Policy, who besides chairing the FAC is also Vice-President of the European Commission. She is assisted by her own foreign policy administration, the EEAS. Like the Member States, the HR has the right to put forward foreign policy proposals" (Vanhoonaeker, 2013, p. 1316).

While the creation of a sort of diplomatic service within the EU would lead to doubt and uncertainty on the part of EU Members States about possible negative effects on their sovereignty and their own individual foreign policies, the creation of the EEAS was in no way thought to negatively impact the legal bases, responsibilities and competences of each Member State in relation to its foreign policy, its relations with third countries and its participation in other international organisations in any way (Guinea Llorente, 2010, p. 765).

We will now focus more specifically on the two new figures or roles created in this sphere of foreign policy for the EU: The High Representative of the Union for Foreign Affairs and Security Policy and the European External Action Services.

3.1 The High Representative of the Union for Foreign Affairs and Security Policy

As mentioned previously, the role of the High Representative as we know it today was created through the Treaty of Lisbon. However, before Lisbon, the figure that most resembled it was the High Representative for the Common Foreign and Security Policy, position that was held by the Spaniard Javier Solana from 1999 to 2009. After him and the creation of the role as we know it today, the position was in the hands of Catherine Ashton, from 2009 until 2014, then Federica Mogherini succeeded her from 2014 to 2019 and finally Josep Borrell Fontelles became High Representative, and still holds the position today.

The current High Representative carries out functions of the former High Representative for Foreign Affairs and Security, as well as the Commissioner for External Relations and the foreign minister of the country which holds the rotating presidency at that time (Drieskens & Van Schaik, 2014, p. 2).

In relation to his responsibilities and obligations, the High Representative is charged with the representation of the Union as well as with the putting into effect of common foreign policy and security policy all while ensuring that the action of the Union is united, consistent, and effective (art 26. 2 TEU). In this line, the High Representative: *“shall contribute through his proposals to the development of the common foreign and security policy and shall ensure the implementation of the decisions adopted by the European Council and the Council”* and

*“shall represent the Union for matters relating to the common foreign and security policy. He shall conduct political dialogue with third parties on the Union’s behalf and shall express the Union’s position in international organisations and at international conferences”*² (Treaty of the European Union).

The EU’s High Representative is an essential part of the CFSP. He or she is appointed by the European Council, acting by qualified majority, with the approval of the President of the Commission. The current High Representative, as mentioned before, is said to wear a “double hat” as, on the one hand, he is Vice-President of the European Commission, and on the other, he chairs the Foreign Affairs Council.

His main functions and responsibilities are: to ensure, jointly with the Council, the coherence and effectiveness of EU action; to contribute with its proposals to the drafting of the CFSP; to express the EU's position before international organizations and other international forums; to convene extraordinary Council meetings, either ex officio or at the request of a Member State; to ensure relations with the European Parliament on CFSP issues; and to lead the Union delegations to third countries and international organizations.

3.2 European External Action Service (EEAS)

This institution was officially launched in 2011 in accordance with the Treaty of Lisbon and the consequent consolidation of the current Treaty of the European Union. As such, it was a completely new creation that allowed for many changes within EU foreign policy decision making and execution. It allowed EU foreign policy do achieve the coherence and unity that it set out to achieve with the Treaty and Lisbon. However, it was also not without doubts and obstacles as the idea of a ‘diplomatic service’ of an international actor that was not a State was questioned by many. It however persisted and has allowed the Union to consolidate its

² See Article 27 of the Treaty of the European Union. Accessible at: https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF

power internationally and make a mark for itself in terms of global politics and international relations.

According to what is established within the Treaty of the European Union, the final mission of the EEAS is to support the role of the High Representative being the 'diplomatic corps' of the EU. Article 27.3 TEU States: *"In fulfilling his mandate, the High Representative shall be assisted by the European external Action Service (...)".* Within this mission, we have to highlight the obligation for the service to work hand in hand with the diplomatic corps of the Member States who take up a certain percentage of the composition of personnel (27.3 TEU). In this sense, we talk about assistance both in the High Representatives' role as the one in charge of conducting the Common Foreign and Security Policy and the Common Security and Defence Policy with a view to ensuring the consistency of the EU's external action and in his role as President of the Foreign Affairs Council. Similarly, assistance in his role as Vice-President of the European Commission is also guaranteed.

The EEAS is integrated by personnel from the secretary of the Council, from the Commission as well as staff on assignment from the diplomatic services of the Member States. This is all established in article 6 of the TFEU. It is established that 60% of staff have to be permanent employees of the Union and around 30% have to come from the Member States' diplomatic corps. A 10% is left undetermined as a buffer for possible adjustments. It is the High Representative who oversees the naming and celebrating the contracts of EEAS staff, although this competence can be delegated.

Additionally, and in relation to EEAS staff, there is a sort of disassociation from their Member States in that, when they work for the EEAS, they are responsible for ensuring the interests of the Union alone in complete independence and are therefore forbidden to seek or accept instructions from governments, institutions, or persons outside the EEAS, with the due exception of those who, for their work, have to collaborate with other institutions. In this sense, their priority is thus changed from what would be their personal interests in their member States and the interests of the Union as a collective.

The EEAS is structured around a central administration, based in Brussels, and many delegations in third countries and before international organizations. Its functions are to

assist the EU High Representative in carrying forward the Common Foreign and Security Policy; to manage diplomatic relations and strategic partnerships with non-EU countries; and to work hand in hand with the national diplomatic services of the Member States.

3.2.1 EEAS structure

We talk about the two branches of the EEAS, the central administration located in Brussels and an external branch which is composed of a network of Delegations of the EU to third countries and international organisations. The former oversees the design and execution of the Common Foreign Policy of the EU while the latter represents the EU abroad and implements that same foreign policy on the ground.

Central Administration

The central administration is regulated the TFEU. Its head is in the role of an Executive Secretary General, now Jeppe Tranholm-Mikkelsen, who is under the authority of the High Representative. His purpose is to ensure the correct functioning of the EEAS including its administrative and budgetary management and ensuring coordination between all services in the central administration and between the central administration and the delegations.

Delegations

The actual delegations of the European Union are under the authority and command of the EEAS; however, before the Treaty of Lisbon, they were delegations of the Commission and, as such, represented the foreign affairs of the Commission solely.

After Lisbon the EEAS took over the role with the intention of creating a general culture of communication that should be extended to all EU institutions involved in the external actions of the EU. In this way, the delegations represent the combined interests of the EU's external action; they also support Member States in their individual diplomatic relations and in the function of providing consular protection to citizens in third countries. In this sense, the strategic elements of public diplomacy and information activities are coordinated from Brussels while the implementation and technical aspects are dealt with by the delegations and their staff.

Article 27.3 of the Treaty of the European Union (TEU) States:

“(…) This service shall work in cooperation with the diplomatic services of the Member States and shall comprise officials from relevant departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services of the Member States. The organisation and functioning of the European External Action Service shall be established by a decision of the Council. The Council shall act on a proposal from the High Representative after consulting the European Parliament and after obtaining the consent of the Commission³”.

4. FOREIGN POLICY DECISION MAKING.

With regards to how foreign policy is designed and implemented, as we have stated before, the High Representative, through the Treaty of Lisbon, was granted the power of initiative in area of foreign policy decision making. This competence is shared with the European Council and the Council of the EU and counts with the additional support of the EEAS, who has the obligation to support the High Representative in his responsibilities. What is relevant in this instance is how the real power in foreign policy is thus in the hands of the Member States.

In this in this post-Treaty of Lisbon Treaty framework, we see how there is a separation between economic aspects and other areas of foreign policy. Thus, the EU's foreign policy is separated into a Common Commercial Policy which is an exclusive competence of the EU according to article 3 TFEU; and a Common Foreign and Security Policy (CFSP) which is an area that continues to maintain an intergovernmental dimension which is why the presence of the State is more of a conditioning factor.

In relation to the decision-making method in itself, for matters that fall within the CFSP, it is intergovernmental in nature (Morillas, 2011, p. 120). This means that the Council of the EU dominates with the support of the High Representative and the EEAS while unanimity is the standard procedure in its decision-making process. The High Representative also has a formal right of initiative in these matters (Morillas, 2011, p. 123). This is reflected within the TFEU.

³ Treaty of the European Union. Accessible at: https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF

5. THE EU'S PROMOTION OF "EFFECTIVE MULTILATERALISM"

5.1 What is Effective Multilateralism?

It is evident that the EU's commitment to multilateralism has been a key principle in its external relations since its creation (Wouters, 2010, 165). Effective Multilateralism as a foreign policy in itself, however, was introduced by the EU with the publication of the European Security Strategy (ESS) in 2003. The context into which this document slides into is one of reaction towards a radical inward-looking foreign policy applied by the US after the 9/11 attacks (Peterson & Pollak, 2003)⁴, reflected in the US' National Security Strategy and the political divisions in Europe created by the controversial invasion of Iraq in 2003. The idea was to create a common and cohesive security strategy that would not only serve its purpose of providing the union with more security but also to promote cohesion within the EU and bring together the divisions created prior.

This ESS proposes a definition of Effective Multilateralism as "*the development of a stronger international society, well-functioning international institutions and a rule-based international order*" (European Council, 2003, p. 8). In this sense, the concept is presented as the most favoured action strategy of the EU while also being considered as an objective in itself (Renard, 2016, p.18). After its adoption, Effective Multilateralism became the reflection of the EU's intention to become a more coherent and capable actor in the international arena (Drieskens, 2014, p. 4); it was a concept that served for the unification of the EU's goals and objectives in foreign affairs, especially in its relations with and within the UN. Although we will focus more so on the idea of Effective Multilateralism, we must consider how the EU's intention is to conduct its foreign policy through other means such as bilateralism, inter-regionalism simultaneously as multilateralism (Renard, 2016, p. 19). The promotion of this stance on a foreign policy level is a key element of EU policy documents and policy practice (Renard, 2016, p. 24).

⁴ Peterson, J. & Pollak (eds.) 2003, Europe, America, Bush: Transatlantic Relations in the twenty- first century. London: Routledge.

“After the ESS, ‘Effective Multilateralism’ developed into a veritable mantra to guide the entire approach to foreign relations to be taken by the EU, and the content of the norm was gradually elaborated upon in the process” (Wouters, 2010, p. 170).

The Treaty of Lisbon further strengthened the EU’s commitment to Effective Multilateralism explicitly including its commitment to it within its constitutional texts of the Treaty of the European Union and the Treaty of Functioning of the European Union.

For the EU, a commitment to Effective Multilateralism is a defining principle for the way it implements and executed its external action and policy which means *“taking global rules seriously, [...] engaging actively in multilateral forums, and promoting a forward-looking agenda that is not limited to a narrow defence of national interests” (Gstöhl, 2011, p. 181).*

The fundamental ideas behind the concept of Effective Multilateralism were, on one hand, promoting and working towards a universal and legally binding multilateral system which was based around the United Nations; and on the other hand, upholding and supporting the effectivity of multilateral institutions as the best way to tackle international contemporary conflicts and challenges as these would set binding commitments. Also, within the idea of Effective Multilateralism, lied the EU’s intention of reinforcing strong regional governance (Renard, 2016, p.18).

Although the Strategy doesn’t truly go into what it considered as ‘Effective Multilateralism’, there has been much literature and analysis on it since. In any case, the ESS intended on EM being the EU’s main objective in terms of foreign policy. It was during this time when the EU did most within the multilateral international system.

The Commission in its Communication to the Council and the European Parliament on the European Union and the United Nations: The Choice of Multilateralism, put a lot of emphasis on the promotion of Effective Multilateralism and further noted:

“[It] means more than rhetorical professions of faith. It means taking global rules seriously, whether they concern the preservation of peace or the limitation of carbon emissions; it means helping other countries to implement and abide by these rules; it means engaging actively in multilateral forums, and promoting a forward- looking agenda that is not limited to a narrow defence of national interests” (Commission, 2003, p.3)

If we follow the study of Effective Multilateralism carried out by Robert Kissack and reflected in his publication *Pursuing Effective Multilateralism: The European Union, International Organisations, and the politics of decision making*, we see four main 'clusters' of research were born from the publication of the ESS. The first of these seeks "to appraise the EU's ambition of Effective Multilateralism by scrutinising the evidence it provides for its success" (Kissack, 2010, p. 26). The second cluster treats Effective Multilateralism pragmatically by focusing of policy application. Within this cluster we find two authors the specifically define Effective Multilateralism. On the one hand, Sven Biscop equates Effective Multilateralism to what we know as global governance and the way in which goods are provided for, their provision (Biscop, 2004, p. 27)⁵. However, it is also enforceable multilateralism as is suggested in the ESS,

In a world of global threats, global markets and global media, our security and prosperity increasingly depend on an effective multilateral system. The development of a stronger international society, well-functioning international institutions, and a rule- based international order is our objective... We want international organisations, regimes, and treaties to be effective in confronting threats to international peace and security and must therefore be ready to act when their rules are broken (European Council, 2003, p.36).

On the other hand, Kennedy Graham States that Effective Multilateralism is linked to how relevant and powerful actors actively participate within the decision-making processes as well as their compliance procedures internationally (Ortega et al, 2005, p.43). The third cluster of research is more comparative in nature by analysing EU performance throughout different projects and policies. In this instance we highlight 3 contributions. In first place, Laatikainen and Smith (2006)⁶, establish three characteristics of EU effectiveness in relation to its participation with the UN: "(i) EU as an actor, (ii) the EU in the UN, and (iii) the EU's contribution to UN effectiveness" (Laatikainen and Smith, 2006, p. 9-10). In second place, Wouters, Hoffmeister and Ruys (2006)⁷ are noted for their contributions as experts on the internal systems of both the EU and the UN but whose work according to Kissack is lacking in its "engagement with the wider academic literature analysing the same processes" (Kissack,

⁵ Biscop, S. (2004). 'Effective Multilateralism: Bringing the European Way into Practice' *Egment Paper 3: Audit of European Strategy Brussels*.

⁶ Laatikainen, K.V., Smith, K.E. (2006). *The European Union at the United Nations: Intersecting Multilateralisms*, London: Palgrave.

⁷ Wouters, J., Hoffmeister, F., Ruys, T., (eds) (2006). *The United Nations and the European Union. An ever-closer partnership*, The Hague: T.M.C. Asser Press.

2010, p. 28). In third place, Jørgensen (2009)⁸. The last cluster of research focuses on “*an interrogation of Effective Multilateralism using the tools of International Relations Theory*” (Kissack, 2010, p. 28).

Most recently, research on Effective Multilateralism has taken a normative approach. The focus has been on how the EU implements and executes its goals and policies in the fields of human rights, sustainability, governance, and multilateralism. An author that stands out is Ian Manners who argues that:

“the EU had the ability to shape global norms of behaviour that conduct relations in the post-Cold War international society, where ideas have been demonstrated to be more influential than material power. By promoting a set of normative values through its law, external relations, the exportation of the *acquis Communautaire* in the enlargement process and through the example demonstrated to the world by its own practice, the EU possessed a new form of power, not based solely on material capabilities” (Kissack, 2010, p. 29)⁹.

It is evident that the EU sees Effective Multilateralism as a configuration of global governance that has to be productive in relation to its effects “*whilst being embedded within strong, negotiated and enforceable multilateral regimes*” (Wouters, 2010, p. 174).

5.2 Why is the EU Interested in promoting Effective Multilateralism?

The EU is a multilateral construction in and of itself; multilateralism is, as such, instilled within the identity of the EU as we know it; not only is it a way of operating within the international system, but it is, by definition, the way in which the EU exists and operates internally and externally. Evidence of this is the entire legislative process and the creation and design of policies and how the institutions are created to coordinate and work together. This means that multilateralism is essential both internally and in its relations with the outside world.

⁸ Jørgensen, K.E. (2009). *The European Union and International Organizations*, London: Routledge.

⁹ In this instance, Kissack actively refers to the relation to what Manners explains in his publication 'Normative Power Europe: A Contradiction in Terms?'; 'The European Union as a Normative Power: A Response to Thomas Diez' Millennium' and 'Reflecting on normative power Europe'

Since the EU's conception, multilateralism was within the principles and values of the EU and, as such was considered a key element of its normative power (Scott, 2013, p. 34).

Some consider that the EU's strong emphasis on multilateralism and, especially, Effective Multilateralism as of 2003, as a response or counteraction to American unilateralism during the 2000s. Others, however, relate it to the difficulties the EU has been faced with in a complex multipolar world dominated by hard power and game playing (Scott, 2013, p. 33). Essentially, the idea is that the international system is becoming more and more multipolar and, in this new and everchanging scenario, it is in the interest of the Union to promote systematic and rules-based multilateralism. This is because without it, the EU would not be able to thrive internationally when its competitors are able to "play the multipolar game" better¹⁰.

Additionally, we must consider the EU's lack of traditional hard power or military power; this character flaw in its nature further proves the promotion of Effective Multilateralism is in the interest of the EU as it is a nonmilitary alternative source of power and influence in the international dimension and gives it more option for leadership when it comes to international and multilateral negotiation processes. It further utilizes the unions' strongpoints and minimizes the use of its weaker points, in this instance, military power.

When referring to the question of why the EU would promote multilateralism as a foreign policy, authors have come forward with two main reasons. In first place we consider multilateralism as a means; in other words, when the EU uses multilateralism or multilateralist measures or instruments as a way of working towards other distinct goals and objectives, for example in the fight against terrorism or for the reduction of greenhouse gas emissions, multilateralism would be acting as a means. It thus concerns the ways in which the EU interacts with States or International Organizations. The nature of conflicts and issues as well as the type of intended result for the EU is what determines the decision to use multilateral methods (Kissack, 2010, p. 20). In this sense, we see how the EU would use multilateralism in recognition of its more productiveness and effectiveness in achieving its foreign policy goals. On the other hand, we find the idea of multilateralism as an end; in other

¹⁰ Renard, T. (2010). 'From the New G20 to a Multilateral Order', *European Geostrategy*, available at: <http://europeangeostrategy.ideasoneurope.eu/2010/01/14/from-the-new-g20-to-a-multilateral-order/>).

words, working towards making multilateral institutions stronger and sturdier in and of themselves,

“in the knowledge that when the EU seeks to use those institutions for an explicit purpose they will operate with greater efficiency. (...) The investment of resources into multilateralism is an indemnity promising that they will be the first choice, not the last resort, of the EU foreign policy” (Kissack, 2010, p. 20).

In juxtaposition to bilateralism or unilateralism, multilateralism is considered to be the option that favours more transparency and stability. “By building up trust and reliance in multilateral institutions in the short and medium term, other States will become institutionalized into their practices too, making multilateralism the first choice of other States in the long term”. This logic is defined as ‘Structural diplomacy’ by Keukeleire¹¹.

5.3. Is Effective Multilateralism compatible with bilateralism?

The ESS reflects a both the use of bilateralism and multilateralism simultaneously, implying the possibility of coexistence and compatibility between the two; however, it is also established that bilateral partnerships developed by the EU are done so in the attempt to achieve the objective of Effective Multilateralism (European Council, 2003, p. 24).

In his piece titled *Partnerships for Effective Multilateralism? Assessing the compatibility between EU bilateralism, (inter-) regionalism and multilateralism*, Renard argues that it is not bilateralism which automatically leads to Effective Multilateralism for the Union, but rather that it would facilitate it on the basis of three elements. In first place he explains the need for the EU to develop what he calls ‘bilateral pragmatism’ which he defines as “*deep and operational contacts within but also outside the multilateral system*”. In this sense, the EU can simultaneously work towards its interests in the context of multilateral encounters through bilateral means while also achieve its objectives “*at the multilateral level through bilateral operation initiatives*” (Renard, 2016, p. 30). In second place, he mentions the need for ‘strategic bilateralism’ which refers to the identification of key partners that

¹¹ Keukeleire, S. (2003). The European Union as a diplomatic actor: internal, traditional, and structural diplomacy. *Diplomacy and Statecraft*, Vol 14, No 3, pp 31-56

would facilitate the achievement of progress on important global issues *“preferably but not always within the multilateral system”* (Renard, 2016, p. 31). Lastly, and more so linked to issues in the long term, the EU should work towards what he refers to as ‘trustful bilateralism’ in relation to Effective Multilateralism; in other words, the EU has to work focus on establishing trusting strategic partnerships. Renard argues that the differences in views on global governance between the EU and its partners leads, in many instances, to the inability to produce coherent policies through multilateral institutions; *“within the UN system, the EU and its partners are still regularly divided and strategic partnerships have had little positive effect on this cohesion so far”*. This is mainly due to lack of trust in the multilateral system as a whole. Strategic partnerships could thus be used as trust-enhancers, bilaterally and vis-à-vis multilateralism (Renard, 2016, p. 31).

The EU has long promoted a combined support of both regionalism and multilateralism; this is seen in the way the EU has always been forthcoming with its objectives within regional integration for instance. These instruments and policies have always been used in parallel to bilateral practices. In this sense, special relevance must be given to the prioritization so called “strategic partnerships” since the ESS which meant an upgrade of the bilateral practices carried out by the EU (Renard, 2016, p.24). While this concept was not fully detailed within the document, it still allows us to infer the EU’s interest in engaging systematically and prioritising those strategic partnerships in a way that would allow it to work towards meeting its goals and objectives within the international arena. In any case, the EU, since 2003 has worked on developing new strategic partnerships as well as maintaining and supporting its already existing partnerships. The question then became, is the EU beginning to lean more towards bilateralism than multilateralism? This was solved when in 2011 we see the creation of the concept of Effective Multilateralism in a context of prioritising this new policy in its foreign affairs but, in any case, the question remains to some degree to this day.

In this sense, it would be counterproductive for the EU to promote a certain system of functioning in the international arena that does not coexist or that is not compatible with one of the main forms of international cooperation and international relations as is bilateralism.

5.4. Is Effective Multilateralism effective?

As seen previously, the EU has taken on **Effective Multilateralism** as one of its main foreign policy instruments used to become a more powerful actor within the international community and also to “*upgrade its status within the international society to better match its new ambitions and competences*” (Renard, 2016, p. 24). However, it has also made it a very flexible and adaptable tool applicable to most of its external relations and actions and, while it has been given the priority within the EU’s external action, its flexible character allows the Union to be able to set it aside when the circumstances need the use of other mechanisms or policies.

We determine the effectiveness of this foreign policy tool in conjunction with others, mainly we will focus on the case of bilateralism; a relation which has been detailed above. The way in which EU foreign policy is designed and implemented to best suit the issue at hand means that it has to balance the use of both and there are various explanations for this. With globalisation on the rise, we see a growing interdependence and distribution of power to more international actors. This means that more actors become connected leading to more interactions between them and these interactions taking place through different means and channels. In relation to the diffusion of power we are experiencing, both in the sense of new emerging powers gaining international influence but also diffusion in how new, non-State actors are becoming relevant, there is a growing uncertainty in the international arena which is affecting the way international relations are conducted (Renard, 2016, p. 27). It is in this context of change and uncertainty where we position the current question; is multilateralism still the way to go? The EU’s answer in brief is yes, however, evidence shows that it has been able to create a dynamic that allows it to balance multilateralism with bilateralism;

“when the multilateral or the inter-regional approaches are not proving fruitful, the EU will easily switch to the bilateral level, particularly when there are pressing concerns or immediate gains to be pursued with this shift, as in the case of trade (...) In other words, for practical reasons of effectiveness, the EU is overcoming its ‘ideological preference’ for multilateralism to contemplate a multi-dimensional approach encompassing all ‘lateralisms’” (Renard, 2016, p.17)

Some consider the flexible use of multilateralism as an effective shift towards bilateralism over the former on the part of the EU, maybe because the EU considered this the more effective option. The fact is that the EU is becoming more aware of the way it can conduct its external action. Definitively, the structure through which the EU conducts its external action is still relatively young and, as such, is growing and evolving. It is in this evolution that the EU has realised that, depending on the issue or conflict at hand, it can lean more towards bilateralism if this strategic move could be more beneficial in its work towards its objectives and can do so more willingly than before possibly (Renard, 2016, p. 26). This, however, in no measure means that it is marginalising the multilateral process, but, rather, that it is embracing both in search for a more effective and coherent external action in general terms. Moreover, there is evidence of the Union's attempts to maintain Effective Multilateralism as its priority in its recent work.

In this sense, we are seeing how bilateralism is becoming a real strategic option for the EU and this is linked to the idea of working towards 'strategic partnerships'. The difference between the EU and a State, such as the US, is that the EU will favour multilateralism and only move towards a bilateral approach if this is what is needed in the specific issue or conflict that it is handling (Renard, 2016, p.28). The way in which both are used is complementary in most cases and while, bilateralism complements multilateralism, it is also strengthening it at the same time (Renard, 2016, p. 30). The creation and maintaining of those strategic and bilateral partnerships can easily become beneficial in multilateral relations as the relationship can be translated into political and effective support to proposals and recommendations that the Union might put forward in a multilateral conference or summit.

What we can take away from this, therefore, is that Effective Multilateralism can't be analysed and interpreted on its own, but rather, in conjunction with the other tools that the EU uses in its external action. What we see is that the EU is able to switch to those policies and instruments which suit best for it to achieve its goals and objectives internationally. However, the EU has to continuously work on its bilateral partnerships and its work through bilateralism not undermining its multilateral efforts in other areas.

Another element to consider when considering the effectiveness of 'Effective Multilateralism' is the way in which the EU behaves and presents itself within other

international organisations and at international conferences and forums. As we know, the Treaty of Lisbon set out a series of institutional reforms that were established in order to give the EU more coherence in its external action. The set up created through Lisbon offered the EU the chance to gain international power and influence, especially in relation to its role before international organisations for example. In light of the structures created through Lisbon, some authors consider that *“the EU’s influence in international institutions depends not only on its internal coordination and cohesion, but also on the extent to which the Union can garner support for its position among the wider membership”* (Gstöhl, 2011, p.190); in other words, beyond the effectivity of its institutional structure and organisation, is the EU influential internationally in the way it defends its positions and interests in the international arena? This leads many to question the real effectiveness of the idea of EU member States having one single voice in international conferences and forums as well as summits as,

“the ‘many voices’ strategy could ensure States fill the debating space rather than reduce themselves to one voice in a room filled with so many speakers who are often hostile to the EU’s positions” (Smith, 2010, p. 229). This begs the question, are we approaching an instance in which Effective Multilateralism might mean *“trading less European presence for more EU influence”* (Gstöhl, 2011, p.190).

Others, however, argue along the lines of what the EU has always said about its prioritisation of multilateralism, that a common and strong position on issues, in the long term, will always be more positive. This position for the EU is logical as it is an international organisation created with the purpose of integration within the European territory. It is the system of competences set out in EU law that allows it to act internationally and that reflects the legal personality of this entity, a system of competences that was created by the Member States who willingly decided to confer those, typically, State competences to the Union. So, while some may criticise this and label it as a loss of sovereignty on the part of EU Member States, the Union considers this its strength and its element of distinction. The Union will always be a strong supporter of multilateralism because multilateralism is engrained in its identity and in its reason for being.

Moreover, and linked to the previous idea, *“if the EU is to operate effectively within a multilateral setting, it has to demonstrate both a great strategic/forward- looking capacity and a high level of visibility in multilateral institutions and fora in terms of clear and strong*

engagement with the issues under consideration” (Wouters, 2010, p.168). This is why the role of the EU before other institutions is such a key element for EU foreign policy.

In today’s world, multilateralism still holds a central position within the international system but, while this system keeps evolving and changing, so must multilateralism as well (Renard, 2016, p. 27). Similarly, the EU’s view on multilateralism must adapt to this changing reality. It is able to do so because of the flexible character that it has given to its external action policy and, specifically, to its objective of an Effective Multilateralism that is given priority but not an immovable and unchangeable priority, rather, one that can adapt and can be shaped accordingly. This is what gives the EU an advantage in its international relations; this flexibility is what allows the EU to move within the international community as a relevant and influential actor and what, according to many, will allow it to carry on exercising this role and position internationally in the future.

In this sense, while there is always room for improvement and mistakes are always made, the question of the effectivity of Effective Multilateralism is one that remains open; its successes are evident and so is the recognition of the EU as a global actor in today’s world that not only has a voice, but also holds a position of relevance and influence internationally, but there are also failures. In a growingly changing world, there is no way to know how circumstances will change, but the fact of the matter is that the EU will always search for the multilateral way to tackle problems and conflicts. So long as it continues respecting its multilateral roots while also gauging, according to each case, whether another approach is necessary, the EU will be able to maintain its position. The key remains in the flexibility of its use.

CHAPTER 4. CONCLUSIONS

Having seen an overview of both a theoretical approach to multilateralism and of the EU institutional system with regards to foreign policy as well as its use and consistent promotion of a multilateral policy known as 'Effective Multilateralism' and discussing the effectiveness of this EU policy within the context of the EU's current very prominent and active role within international society, we can draw a few conclusions as a way to outline the issue at hand.

Firstly, while we explained the institutional framework created through the Treaty of Lisbon in depth, one element worth discussing is that of the objective of coherence that the Treaty had. We know that the EU has consistently worked on creating a prominent position for itself, especially in its external relations that allowed it to be seen as a powerful and influential actor that acted in a way that was coherent, transparent, and effective. This was one of the main reasons behind the institutional reform of Lisbon and the subsequent creation of the SEAE as a main figure in the design and implementation of EU foreign policy. It is within the context of the search for coherence and influence that the EU determines much of what it does externally as well as how it represents itself to other States and International Organisations.

It is considered that the international system is in need of reform as the current organisation and framework it is set in does not reflect the reality of the global situation. This is justified in two ways: in first place we have experienced a growing interdependence globally which logically implies a greater need for cooperation in order to handle and solve the challenges of today; and, in second place, there has been a shift in the distribution of power, especially with the rise of the new emerging powers including the BRICS countries. In many cases these growing powers are not adequately represented in international forums and conferences leading to a certain "*impression of crisis of legitimacy*" (Wouters, 2010, p. 169). This point is relevant as the reform of the international system and framework can be considered as a precondition in the enhancement of the effectiveness of multilateralism; in other words, that the reform would allow for a subsequent enhancement of a multilateralism that is effective in its form. Essentially, and as is reflected in the ESS, this reform would then necessarily result in the creation of a stronger international society and a better working international order that is rules-based (Wouters, 2010, p. 170) which is something that the

EU has always been a firm believer and supporter of. In essence, the EU could benefit greatly from a reform of the international system if this reform would give it a greater chance at influence internationally.

Moving more to questions of Multilateralism a tool in international relations, while there is a certain scepticism towards the effectiveness of a multilateral order, many stand by it being the only way forward if we wish to live in a stable and peaceful world that relies on cooperation and interactions between States and other actors. Some argue that, while after the Cold War multilateral cooperation flourished, the current geopolitical context has brought about competition between great powers which exceeds the hopes for cooperation and that this competitive framework is effectively eroding the pillars on which multilateralism was able to successfully flourish (Moreland, 2019, p. 1). In this context of the fall of multilateralism and in relation to the question at hand, these would consider the European stance on multilateralism as ineffective and inadequate in today's world.

However, arguing from the opposing side of the question, multilateralism as a tool of international relations and a way to carry out foreign policy, gets its strength from its ability to adapt in a way that other forms of relations lack. This explains the *“roles that multilateral arrangements play in stabilizing the current international transformation”* (Ruggie, 1992, 568) and, as such, is key in the understanding of the multilateral order and multilateral form being used internationally in today's global politics.

The effectiveness of any foreign policy is not only measured by the tangible and real results that it achieves or that it allows the actor to achieve, but rather, has to be analysed in conjunction with the entirety of its foreign policy instruments. Definitively, an effective policy must be one that can work in parallel and jointly within the entirety of the system. In today's world governed by international politics and relations, it seems almost counterproductive to rely solely on one instrument or mechanism through which an international actor acts and navigates through the international arena. In the case of the EU, one of the many aspects that could have been analysed was the way in which multilateralism and bilateralism interacted as foreign policy approaches. The flexibility with which the Union is able to use both according to the circumstances and nature of the actions that it is carrying out, is an element that gives

it power and adaptability internationally; as such, it has to be something that the EU maintains in the future.

Furthermore, it is not uncommon for States to change their approaches to how they interact internationally, for example, there have been many cases in which, seeing a complex international scenario or even a complex domestic one, States have felt the need to retreat a bit into themselves, and carry forward an individualistic and inward-looking policies in search of a certain level of internal stability and safety in a way. However, for the European Union, as an integration International Organisation that was born from the very same idea of multilateralism as its core and pillar, the possibility of applying these types of policies is reduced to its minimum. Multilateralism is a fundamental element within the EU's identity and will continue constituting a key instrument in its foreign policy but also has to continue being a key principle that the EU promotes on all spheres of its external action. The EU is, by definition an example of multilateralism at its core. And in order for the EU to maintain the role that it has built for itself, the continuous and rigorous support and promotion of multilateralism has to continue being exercised within its external relations.

If we look forward into the future, one element worth noting is the current COVID 19 which we are still living through and what the EU's handling of it has taught us in relation to its stance on multilateralism in these complex and controversial times. While the pandemic did reveal some of the limits to European governance as well as internal struggles that it has, the EU's commitment as well as its Member States' commitment to Effective Multilateralism has remained as strong as ever, despite the criticism (Lavallée, 2021, p.18). The priority during the hard times was precisely close coordination both internally and externally with its strategic partnerships. If this tells us anything is that EU has stood its ground firmly on its effective multilateral stance, and as such, it is predictable that it will continue doing so in the future.

Effectively the EU's firm commitment to Effective Multilateralism is a fundamental issue for the functioning of the EU in all areas of its external relations, but it does not go uncriticised, of course. In any case, the question of its effectiveness is linked to the circumstances of the context in which it operates and is, and always will be, questioned and debated about. Despite the criticism, especially in recent times the EU's stance has remained

firm and unmovable from multilateral tools and from its objective of Effective Multilateralism and this is what has given the EU consistency and thus dependability in many cases. In this sense, the EU's use of Effective Multilateralism has allowed it to not only remain in a position of relevance, but also to develop and grow it in many fields of work and so, if we consider even only some of its successes, we could deem it as an intrinsically effective policy as it has allowed the EU to achieve many of its goals and objectives internationally and has also allowed it to make a place for itself on the international arena as the ultimate example of a multilateralism that is effective in nature; and this is what continues to make the EU influential and powerful.

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