

**Lund University**  
**Master of Arts in European Studies**

**Punching Below its Weight?**  
The European Union @ the United Nations General Assembly

Jonas Herzberg Karpantschov  
Advisor: Anamaria Dutceac Segesten

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## **Abstract**

The thesis explores and analyses the behaviour of the European Union vis-à-vis the promotion and protection of human rights within the United Nations General Assembly (UNGA). It furthermore examines whether the theory of ‘normative power Europe’ is an appropriate theory in characterizing the external action of the EU at the UNGA. Drawing on seven interviews with EU and non-EU officials in both New York and Brussels, and through the method of discourse analysis, the thesis identifies four ‘core’ elements i.e. a) the structure of the UNGA, b) the intergovernmental nature of the EU (and the UNGA), c) the necessity for UN legitimacy in EU action and d) the norms and mechanisms, that ultimately determines the behaviour of the EU at the UNGA. The thesis additionally argues that, while the EU ideally would like to behave like a normative actor, its behaviour is prescribed by a number of limitations and inconsistencies, which ultimately hamper its effectiveness and credibility. Consequently the EU acts like a contradictory actor. In conclusion it is contended that the EU is an actor *punching below its weight*, as it, given its expanded membership and cooperation with like-minded states, should be able to be more effective, have more impact, and exercise more control than it currently does.

Keywords: European Union, EU foreign policy, United Nations General Assembly, human rights, normative power, norm promotion.

Words: 17117

## **List of Abbreviations**

CFSP	Common Foreign and Security Policy
EEAS	European External Action Service
ESS	European Security Strategy
EU	European Union
G77	Group of 77
TEU	Treaty of the European Union
ToL	Treaty of Lisbon
UN	United Nations
UNHRC	United Nations Human Rights Council
UNGA	United Nations General Assembly
UNSC	United Nations Security Council

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## 1.0 Introduction

According to both the European Security Strategy (ESS) and the Treaty of the European Union (TEU), the European Union (EU) is strongly committed to promote and protect human rights externally, as well as to uphold and develop international law through effective multilateral mechanisms within the framework of the United Nations (UN) system.<sup>1</sup> However, the question is whether the EU, and its twenty-seven Member States, are capable of ensuring internal coherence in order to become an increasingly effective actor and furthermore if the EU's principled strong normative commitments to both human rights and multilateralism, go hand in hand with actual practices.

As an actor comprised of twenty-seven Member States the EU has an enormous potential to influence the United Nations General Assembly (UNGA), an institution that *de facto* is based on Westphalian norms and which strongly emphasises the centrality of state-sovereignty. Since each UN Member State is represented equally with one vote per state, the EU would potentially have a stronger geometrical advantage as its membership consist of one seventh of the 193 UN Member States.

By using the empirical example of the UNGA Third Committee, this thesis examines which type of actor the EU is, and subsequently how effective it is with regards to the promotion and protection of human rights. The two overarching elements, human rights and the role of the EU at the UN, are two extremely complex and sensitive issues. The objective of thesis is thus to disentangle these complexities, and furthermore to analyse whether the human rights practices of the EU in the UNGA Third Committee live up to its normative ideals as prescribed by numerous EU treaties. Furthermore the thesis examines whether the theory of 'normative power

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<sup>1</sup> European Union. European Council, *A Secure Europe in a Better World: European Security Strategy*. Brussels, December 12th, 2003, accessed May 10 2012. URL: <http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>, Art. 21.  
European Union. Treaty of Lisbon: Amending the Treaty on European Union and the Treaty Establishing the European Community, Signed at Lisbon, 13 December 2007. Accessed May 12 2012. URL: <http://eur-lex.europa.eu/JOHtml.do?uri=OJ:C:2007:306:SOM:EN:HTML>.

Europe' (NPE) is an appropriate theory with which to characterize the role of the EU within the UNGA. The thesis is based on seven interviews with both EU and non-EU officials, and uses a discourse analysis method to address these issues.

## 1.1 Research Question

With this in mind the research question is as follows:

*Which factors (discourses, theories, principles, mechanisms) explain the behaviour (performance, action) of the EU vis-à-vis the promotion and protection of human rights within the United Nations General Assembly? A subsequent question is whether the 'normative power Europe' theory is an effective theory in characterizing the actions of the EU at the UNGA?*

## 1.2 Purpose of the Study

The objective of the study is firstly to examine the role of the EU's human rights practices and secondly to assess whether it lives up to its objective of promoting human rights within the framework of the UNGA. A subsequent objective is to examine whether the theory of 'normative power Europe' is sustainable, effective and valid when characterizing the external action of the EU at the UNGA. Thus, the study is a combination of theory testing of the normative ideals of the EU as well as an analysis of the effectiveness of the EU in the UNGA vis-à-vis the promotion and protection of human rights.

## 1.3 Scope and Demarcations

It has been essential to delimit the extent of the issues discussed in this thesis. Keeping the objective of the thesis in mind, the aim is not to explain or conceptualize explicit human rights mechanisms or implementation processes; nor will the paper discuss broader EU Common Foreign and Security Policy (CFSP) strategies in relation to the framework. Rather, the main emphasis will solely be on the explicit mechanisms of the EU within the UNGA. This implies that deliberations in the UN

Human Rights Council (UNHRC) or the UN Security Council (UNSC) will be marginal to this research. The thesis furthermore only examines deliberations from the 66<sup>th</sup> (2010-2011) and 67<sup>th</sup> (2011-2012) session of the UNGA.

As neither the EU nor the UN exist in a vacuum, it is important to emphasise that a few of the elements excluded above might appear in some forms. However, they will not be dealt with as independent subjects but will rather support the main research objectives of the paper.

Furthermore it is important to keep in mind that the engagement of the EU at the UNGA only is one aspect of the CFSP. This implies that other forms of the CFSP initiatives, such as démarches, bilateral dialogue and other forms of diplomatic endeavours taken outside the UNGA are disregarded.

#### 1.4 Definitions

In order to fully comprehend the thesis, this part will define the core concepts i.e. the European Union, norms and human rights.

European Union:

The EU is defined from a neo-functionalist approach that emphasises the supranational nature of the EU.<sup>2</sup> The thesis thereby identifies the EU as a unitary actor, which is only capable to act when there is agreement among the EU Member States. Neo-functionalism also emphasises that the EU is an actor that is capable of expressing a certain degree of autonomy.<sup>3</sup> This does not imply that the role of the Member States is neglected or disregarded but only that the focus lies on the unitary action of the EU.

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<sup>2</sup> Arne Niemann and Philippe C. Schmitter, "Neofunctionalism," in *European Integration Theory*, ed. by Antje Wiener et al. 45-66. (Oxford: Oxford University Press, 2009), 46.

<sup>3</sup> Paolo Foradori, Paolo Rosa, and Riccardo Scartezzini, "Introduction: The System of European Foreign Policy," in *Managing a Multilevel Foreign Policy*, ed. Paolo Foradori et al. vii-xxi. (Lanham: Lexington Books, 2007), vii.

Norms:

Throughout the thesis I will take a constructivist approach to norms. Hence norms are perceived as a “standard of appropriate behaviour for actors with a given identity.”<sup>4</sup> Norms are constructed through communicative processes and collective understandings of interest, political decisions and preferences. Norms within a given society are thus considered valid and legitimate because they are socially and collectively accepted.<sup>5</sup>

Human Rights:

Human rights are perceived as existential rights for all human beings in order to live their life in accordance with the principles of liberty, equality and human dignity. The focus of the thesis is primarily on the responsibility of the state and other regional and multilateral actors, to act in certain ways to promote and protect the rights of its citizens.<sup>6</sup> Human rights are primarily considered from a legislative perspective and are therefore applied in accordance to international law and treaties. Even though the norms constituting human rights are widely contested,<sup>7</sup> the definition adopted here implies that human rights form the sole “universally recognized system of values”<sup>8</sup>, as human rights norms are widely accepted within most international institutions and organisations.<sup>9</sup> It is important to note that the thesis solely emphasises human rights within the framework of the Third Committee of the UNGA.

## 1.5 Outline of the Paper

The thesis consists of eight chapters. Chapter 2 briefly presents the framework surrounding the thesis, introducing the Third Committee of the UNGA and the CFSP at the UN. Chapter 3 discusses the existing literature while chapter 4 presents as well

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<sup>4</sup> Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change." *International Organization* 52, no. 4 (1998): 887-917, accessed February 10, 2012, URL: <http://www.jstor.org.ludwig.lub.lu.se/stable/2601361>. 891.

<sup>5</sup> Thomas Risse and Kathryn Sikkink, "The Socialization of International Human Rights Norms into Domestic Practices: Introduction." In *The Power of Human Rights; International Norms and Domestic Change*, ed. by Thomas Risse et al. 1-38, (New York: Cambridge University Press, 2007), 6-7.

<sup>6</sup> Manfred Nowak, *Introduction to the International Human Rights Regime*. (Leiden: Martinus Nijhoff Publishers, 2003), 1.

<sup>7</sup> See Michael Ignatieff, *Human Rights as Politics and Idolatry*. (Princeton: Princeton University Press, 2001).

<sup>8</sup> Nowak, *Introduction to the International Human Rights Regime*, 1.

<sup>9</sup> Risse and Sikkink, "The Socialization of International Human Rights Norms Into Domestic Practices: Introduction," 4.

as discusses the theoretical framework. It firstly introduces the theory of ‘normative power Europe’ and subsequently the main theories within international relations i.e. realism, liberalism and social constructivism, followed by the discussion and critique. Chapter 5 introduces two contradictory hypotheses followed by the methodological considerations and the introduction to the discourse analysis in Chapter 6. Chapter 7 presents the results of the interviews, while chapter 8 discusses and analyses the results. The conclusion briefly outlines the results of the thesis as well as proposes recommendations for future research.

## 2.0 The Framework

### 2.1 The Third Committee of the General Assembly

The United Nations General Assembly (UNGA) is one of the principal organs of the UN. Its membership consists of the 193 Member States of the United Nations (UN) equally represented with one vote per Member State. It is thus the main policymaking and representative organ of the UN. The UNGA is comprised of six committees where the Third Committee (Social, Humanitarian and Cultural) is responsible for dealing with a variety of issues relating to human rights, including the advancement of women, protection of children, indigenous issues, the treatment of refugees, the promotion of fundamental freedoms through elimination of racism and racial discrimination as well as issues related to social development.<sup>10</sup> Even though the decisions and resolutions by the body are not legally binding, it is the primary human rights institution within the UN.<sup>11</sup> The Committee usually meets during an eight-week period in the fall of every General Assembly year.

### 2.2 CFSP @ the UN

Since the adoption of the Treaty on the European Union<sup>12</sup> in 1993 and the initialisation of the CFSP, the EU Member States have been legally obliged to coordinate their action, and 'to speak with one voice' in the external policies of the EU. The mandate was further expanded with the adoption of the Treaty of Lisbon (ToL) in 2009, which introduced a number of institutional changes, amongst other, the European External Action Service (EEAS). These changes should ultimately create greater consistency and enhance the effectiveness and the impact of the external actions of the EU.<sup>13</sup>

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<sup>10</sup> United Nations. "Social, Humanitarian & Cultural - Third Committee," accessed July 6, 2012. URL: <http://www.un.org/en/ga/third/index.shtml>.

<sup>11</sup> Linda Fasulo, *An Insider's Guide to the UN*. (New Haven: Yale University Press, 2009), 61-62.

<sup>12</sup> European Union. Treaty on European Union, signed at Maastricht on 7 February 1992, accessed June 5 2012, URL: <http://eur-lex.europa.eu/en/treaties/dat/11992M/htm/11992M.html>.

<sup>13</sup> Anne Degrand-Guillaud, "Actors and Mechanisms of EU Coordination at the UN." *European Foreign Affairs Review* (2009): 405-30, accessed March 26, 2012, URL:<http://www.kluwerlawonline.com.ludwig.lub.lu.se/document.php?id=EERR2009041.:408>

Furthermore, in May 2011 the UNGA adopted resolution 65/276, which gave the EU a new form of observer status that allows the EU the right to intervene, participate in the debates and to present proposals. Provisions usually only granted to UN Member States.<sup>14</sup>

The changes of both the ToL and the upgraded status of the EU in the UNGA constitute a significant institutional change for the EU. The most significant change was the elimination of the role and responsibilities of the EU Council Presidency. Prior to these changes the role of the six-month rotating Presidency at the UNGA was to represent, coordinate and deliver statements on behalf of the EU. With the introduction of the EEAS these prime responsibilities have subsequently been transferred to the EEAS in New York.<sup>15</sup>

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<sup>14</sup>United Nations General Assembly, "Resolution a/65/276 (Participation of the European Union in the Work of the United Nations)." 3 May 2011. Accessed July 10, 2012. URL:<http://daccess-ddsny.un.org/doc/UNDOC/GEN/N10/529/10/PDF/N1052910.pdf?OpenElement>. United Nations, 2011.

<sup>15</sup> Degrand-Guillaud, "Actors and Mechanisms of EU Coordination at the UN. 408-9.

### 3.0 Literature Review

This chapter offers a brief presentation of the existing literature, while analysing and debating it within the framework of the overall objective of the study. In order to simplify and illuminate the existing literature, the review is divided into three intersecting categories. The first category touches upon how the EU is characterized within international relations theory from an external affairs perspective. The second category emphasises and analyses the role of the EU at the UN. The third, and final category explores and analyses the literature on the EU vis-à-vis the external promotion of human rights.

The thesis contributes to the existing literature in three different ways. Firstly by analysing and examining the mechanisms of the EU within the UNGA, which is only vaguely represented in the existing literature. Secondly, by analysing what the EU actually does at the UNGA by using a qualitative approach, based on interviews and discourse analysis, to understand the mechanisms of the EU. Thirdly, by offering a critical assessment of the external affairs of the EU within a multilateral organisation.

#### 3.1 The EU as an Actor Within International Relations

Given the vast development of the EU through the last twenty years it is intrinsic that its role within international relations is widely debated. Thus there exist a plethora of studies attempting to depict and define the global role of the EU, its power and which type of actor it strives to be within international relations theory.<sup>16</sup>

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<sup>16</sup> Charlotte Bretherton and John Vogler, *The European Union as a Global Actor*, (London: Routledge: Taylor and Francis Group, 2006).

Richard Rosecrance, "The European Union: A New Type of International Actor." In *Paradoxes of European Foreign Policy*, ed. by Jan Zielonka. 15-23. (The Hague: Kluwer Law International, 1998).

John Peterson, "Introduction: The European Union as a Global Actor." In *A Common Foreign Policy for Europe? Competing Visions of the CFSP*, ed. by John Peterson et al. 3-17. (London, Routledge 1998).

Ben Tonra and Thomas Christiansen (eds.), *Rethinking European Union Foreign Policy*. (Manchester: Manchester University Press, 2004).

Helene Sjørnsen, "What Kind of Power?" *Journal of European Public Policy* 13, no. 2 (2006): 169-81. Accessed February 5 2012. doi 10.1080/13501760500451584.

Most of the literature perceives the EU as a supranational organisation, while others focus on the EU as an intergovernmental actor.<sup>17</sup> The intergovernmental approach stresses the role and the significance of the EU Member States and contends that they only agree to common position whenever it is in their interest.<sup>18</sup> Thus the EU foreign policy is a result of decisions making mechanisms by national governments.<sup>19</sup>

In contrast, neo-functionalism emphasises the supranational nature of the EU with a rather limited focus on the role of the EU Member States.<sup>20</sup> Its core idea is based on the notion that Member States (and other actors) are a) able to change their preferences and to learn and adapt to others within a number of socialization processes; b) focus on incremental decision-making procedures; and; c) that institutions are capable of moving away from their creator(s) i.e. the EU Member States and hence can adopt a life on its own.<sup>21</sup> Neo-functionalism thereby challenges the mere static intergovernmental ideas on a number of parameters.

While these two interpretations of EU policies are the two extremes, they are nonetheless essential to keep in mind. Within the existing literature there is a clear preference emphasising the neo-functionalist approach. It is, however, important to note that most of the studies acknowledge the role of the EU Member States and thus recognize the complexity of the EU decision-making procedures.<sup>22</sup>

The EU has been characterized as a ‘civilian power’<sup>23</sup>, ‘economic power’<sup>24</sup> ‘middle power’<sup>25</sup> and as a ‘superpower’<sup>26</sup>. The common denominator of these definitions is that they tend to perceive the EU from a very Eurocentric point of view and thus in a

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<sup>17</sup> Foradori and Scartezzini, "Introduction: The System of European Foreign Policy," Karen E. Smith, *European Union Foreign Policy in a Changing World*. (Cambridge: Polity Press, 2011).

<sup>18</sup> Adrian Hyde-Price, "'Normative' Power Europe: A Realist Critique." *Journal of European Public Policy* 13, no. 2 (2006): 217-34, accessed February 5, 2012. doi:10.1080/13501760500451634.

<sup>19</sup> Foradori and Scartezzini, "Introduction: The System of European Foreign Policy," vii.

<sup>20</sup> Bretherton and Vogler, *The European Union as a Global Actor*.

<sup>21</sup> Niemann and Schmitter, "Neofunctionalism", 45.

<sup>22</sup> Foradori and Scartezzini, "Introduction: The System of European Foreign Policy," Smith, *European Union Foreign Policy in a Changing World*.

<sup>23</sup> François Duchêne, "Europe's Role in World Peace," in *Europe Tomorrow - Sixteen Europeans Look Ahead*, ed. Richard Mayne. 32-47. (London: Fontana/Collins: Chatham House, 1972).

Ian Manners, "Normative Power Europe: A Contradiction in Terms?" *Journal of Common Market Studies* 40, no. 2 (2002): 235-58, accessed February 5. doi: 10.1111/1468-5965.00353.

<sup>25</sup> Katie Verlin Laatikainen, "Pushing Soft Power: Middle Power Diplomacy at the UN," in *The European Union at the United Nations: Intersecting Multilateralisms*, ed. Katie Verlin Laatikainen et al. 70-91. (New York: Palgrave Macmillan, 2006).

<sup>26</sup> Smith, *European Union Foreign Policy in a Changing World*.1.

very positive light. In contrast most critiques tend to come from a non-European perspective and thus focus on how the EU is perceived from an external angle which often sheds a more critical light on the contributions, role and the power of the EU.<sup>27</sup> A common theme in the literature is the comparison of the power and capabilities of the EU with those of other powers,<sup>28</sup> in particular, the United States.<sup>29</sup>

While acknowledging the existence and the importance of other contributions, this thesis primarily uses Ian Manners' 'normative power Europe'<sup>30</sup> theory, in its characterisation of the EU. NPE stresses the ability of the EU "to shape the conception of 'normal' in international relations,"<sup>31</sup> in accordance with a number of normative values that distinguishes the EU as a unique actor within international relations.<sup>32</sup>

Bretherton and Vogler agree with Manners' interpretation on the role of the EU, as they perceive the EU as a model, a promoter of its values, and as an alternative power to the United States.<sup>33</sup> Their objective is to analyse the role and power of the EU's foreign policy and they conclude that the EU is currently able to play a leading role in global politics even though its structure poses a number of limitations that oftentimes constrain it.<sup>34</sup>

Manners as well as Bretherton and Vogler argue that the most important element of the EU is not how it chooses to act, but rather how the EU is conceptualized. Bretherton and Vogler argue that the *presence* of the EU in external affairs has

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<sup>27</sup> Yiwei Wang, "The Identity Dilemmas of EU Normative Power: Observations from Chinese Traditional Culture." In *Normative Power Europe in a Changing World*, ed. André Gerrits. 67-76. (The Hague: Netherlands Institute of International Relations, Clingendael, 2009).

Tatiana Romanova, "Normative Power Europe: A Russian View." In *Normative Power Europe in a Changing World*, ed. André Gerrits. 51-66. (The Hague: Netherlands Institute of International Relations, Clingendael, 2009).

<sup>28</sup> Jan Zielonka, "The EU as an International Actor: Unique or Ordinary?" *European Foreign Affairs Review* 16, no. 3 (2011): 281-301, accessed February 5 2012. URL:

<http://www.kluwerlawonline.com.ludwig.lub.lu.se/document.php?id=EERR2011021>.

Steve Wood, "The European Union: A Normative or Normal Power?" *European Foreign Affairs Review* 14, no. 1 (2009): 113-28, accessed February 5 2012.

URL:<http://www.kluwerlawonline.com.ludwig.lub.lu.se/document.php?id=EERR2009007>.

<sup>29</sup> Robert Kagan, *Of Paradise and Power: America and Europe in the New World Order*. (New York: First Vintage Books, 2004).

<sup>30</sup> Manners, "Normative Power Europe: A Contradiction in Terms?"

<sup>31</sup> *Ibid.*, 239.

<sup>32</sup> *Ibid.*, 240-242.

<sup>33</sup> Bretherton and Vogler, *The European Union as a Global Actor*, 223.

<sup>34</sup> *Ibid.*

contributed greatly to a number of processes in international affairs.<sup>35</sup> Thereby they contend that the pure presence of the EU often is enough to shape perceptions, expectations and the behaviour of other actors. Thus what the EU *is*, is more important than what it actually does.<sup>36</sup>

In juxtaposition to both Manners' and Bretherton and Vogler's approach, Smith focuses on how the EU actually carries out its external affairs in practice. Through an analysis of five different EU foreign policy objectives including human rights, she examines whether the policies of the EU are different to those of other actors. In conclusion she contends that the policy instruments and mechanisms used by the EU i.e. international agreements and incentives, rather than coercion, are different than those mechanisms used by other actors. Thus the uniqueness of the EU is the way that it pursues its policy objectives, rather than through the policy objectives themselves.<sup>37</sup> Additionally, she also demonstrates that the external affairs of the EU is extremely fragmented and inconsistent due to a number of strategic and economic interest-driven processes. These factors consequently compromise both the credibility as well as the effectiveness of the EU as a whole.<sup>38</sup>

### 3.2 The European Union at the United Nations

The literature on the interaction of the EU within the UN can roughly be divided into three separate, although intersecting categories of studies. The first type of study is based on analysis of the voting behaviour of the EU Member States within the UNGA; the second form of study concentrates on the representation and coordination of the EU at the UN as well as the affiliation and relationship between the EU and the UN. The third type of study explores the EU coordination for specific issue areas.

A number of studies have analysed the voting behaviour of the EU within the UNGA by using a roll-call analysis in order to identify the degree of voting cohesiveness of the EU Member States. Most studies concur that the voting cohesion has increased in

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<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

Manners, "Normative Power Europe: A Contradiction in Terms?" 252.

Bretherton and Vogler, *The European Union as a Global Actor*, 27-29.

<sup>37</sup> Smith, *European Union Foreign Policy In a Changing World*.

<sup>38</sup> Ibid., 230-233.

parallel with the expansion of the CFSP. They furthermore demonstrate that the voting coherence and voting pattern of the EU Member states repetitively varies according to issues.<sup>39</sup> However, a number of studies have shown that the EU voting coherence in recent years, and in particular after the adoption of the ToL have declined, and thus have put the CFSP at the UNGA under pressure.<sup>40</sup> However, a number of reports by Gowan and Brantner show that the voting cohesion on human rights issues is increasingly high.<sup>41</sup>

The main objectives of these studies have primarily been to analyse the voting coherence of the EU Member States and subsequently not to explain the behavioural changes or differences in the voting patterns. As the EU does not have any voting rights it is intrinsic that the studies primarily focus on the intergovernmental nature and procedures in order to determine whether the EU can claim to be ‘speaking with one voice’.

The second type of study explores the EU representation and coordination at the UN. These studies focus on the neo-functionalist perspective and look mostly at the EU as a supranational actor. The studies are primarily based on qualitative data with the objective to explore the *modus operandi* of the CFSP within the UNGA.<sup>42</sup> As all of

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<sup>39</sup> Jan Wouters, “The European Union as an Actor within the United Nations General Assembly.” Working Paper No 2 - May 2001. (Leuven: University of Leuven: Institute of International Law, 2001), accessed February 10 2012. URL:<http://www.law.kuleuven.be/iir/nl/onderzoek/wp/WP02e.pdf>. Paul Luif, *EU Cohesion in the UN General Assembly*. Occasional Papers No. 49. (Paris: European Union Institute for Security Studies, 2003), accessed February 12 2012. URL: <http://www.peacepalacelibrary.nl/ebooks/files/occ49.pdf>.

<sup>40</sup> Xi Jin and Madeleine O. Hosli, “Pre and Post-Lisbon: European Union Voting in the United Nations General Assembly.” Paper presented at the Workshop: ' Decision-making in the European Union Before and After Lisbon', Leiden University, November 3-4, 2011, accessed April 10 2012. URL: [http://www.ces.ufl.edu/files/pdf/DEUBAL/workshops/2011/HosliJin\\_DEUBAL\\_110311.pdf](http://www.ces.ufl.edu/files/pdf/DEUBAL/workshops/2011/HosliJin_DEUBAL_110311.pdf). Ulf Jakobsson, "An International Actor under Pressure: The Impact of the War on Terror and the Fifth Enlargement on EU Voting Cohesion at the UN General Assembly 2000–05," *Journal of Common Market Studies* 47, no. 3 (2009): 531-54, accessed April 10, 2012. doi: 10.1111/j.1468 5965.2009.01814.x.

<sup>41</sup> Richard Gowan and Franziska Brantner, *The EU and Human Rights at the UN - 2009 Review*. (Brussels: European Council on Foreign Relations, 2009). accessed February 12 2012. URL: [http://ecfr.eu/page/-/ECFR15\\_The\\_EU\\_and\\_Human\\_Rights\\_at\\_the\\_UN\\_-\\_2009\\_Review.pdf](http://ecfr.eu/page/-/ECFR15_The_EU_and_Human_Rights_at_the_UN_-_2009_Review.pdf). Richard Gowan and Franziska Brantner, *The EU and Human Rights at the UN: 2010 Review*. (Brussels: European Council on Foreign Relations, 2010). Accessed February 12 2012. URL: <http://ecfr.eu/page/-/the-eu-and-human-rights-at-the-UN-2010-review.pdf>. Richard Gowan and Franziska Brantner, *The EU and Human Rights at the UN: 2011 Review*. (Brussels: European Council on Foreign Relations, 2011). Accessed February 12 2012. URL: [http://www.ecfr.eu/page/-/ECFR39\\_UN\\_UPDATE\\_2011\\_MEMO\\_AW.pdf](http://www.ecfr.eu/page/-/ECFR39_UN_UPDATE_2011_MEMO_AW.pdf).

<sup>42</sup> Degrand-Guillaud, "Actors and Mechanisms of EU Coordination at the UN". Mary Farrel. *EU Representation and Coordination within the United Nations*. GARNET Working Paper no. 06,. (Centre d'Etudes et de Recherches Internationales, 2006).

these studies have been finalized before the entrance of the ToL and the upgraded status of the EU at the UNGA, it can be argued that a number of these studies already are redundant. A different type of study analyses the role of the EU within the UN from two different perspectives. The first is to analyse whether the EU can become an increasingly effective actor. The second is to assess whether the EU Member States conduct their work at the UN through the EU, or whether they choose to act as individual states.<sup>43</sup>

The third type of study explores EU coordination for specific issue areas both within and outside the framework of the UN. As the thesis only deals with human rights this will be dealt with under section 3.3.

The three types of studies provide three essential elements for the continuation of the study. The first is to demonstrate that the EU Member States vote almost cohesively on most issues, particularly on human rights. This indicates either a) that there is a strong wish of the EU Member States to unite within the UN or b) that the ideology/identity of the EU Member States are closely connected and thus they automatically vote cohesively. Secondly, that the process of ‘speaking (and voting) with one voice’ is an incremental and on going process. It also shows that the EU constantly attempts to increase its effectiveness and credibility within its external affairs. Thirdly, that the power of the EU, within the UN, lies with the EU Member States and thus the intergovernmental procedures and working methods of the states are still essential.

### 3.3 Human Rights as a EU Foreign Policy Objective

Most of the literature on the EU vis-à-vis the promotion of human rights acknowledges that there is a specific European approach to the promotion and

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Sieglinde Gstöhl. "'Patchwork Power' Europe: The EU's Representation in International Institutions." *European Foreign Affairs Review* 14, no. 3 (2009): 385-403. Accessed March 12, 2012. URL: <http://www.kluwerlawonline.com.ludwig.lub.lu.se/document.php?id=EERR2009028>

<sup>43</sup> Katie Verlin Laatikainen and Karen E. Smith (eds.), *The European Union at the United Nations: Intersecting Multilateralisms*. (New York: Palgrave Macmillan, 2006).

Barbara Delcourt, *The EU at the UNGA*. Work Package 4: Politics and Ideology. Brussels:

EuroBroadMap (2011): 1-42. Accessed April 25 2012. URL:

[http://halshs.archivesouvertes.fr/docs/00/63/83/79/PDF/EWP\\_politics\\_ideology\\_EU\\_at\\_the\\_UN.pdf](http://halshs.archivesouvertes.fr/docs/00/63/83/79/PDF/EWP_politics_ideology_EU_at_the_UN.pdf).

protection of human rights both internally and externally.<sup>44</sup> Most authors contend that the commitment of the EU towards human rights is founded on its obligations to international law and multilateralism. Human rights are furthermore perceived as a founding principal of the EU and it is thus a precondition for the legitimacy of the union.<sup>45</sup> This implies that the principal characteristics of the EU is the *de facto* commitment to the promotion and protection of human rights at home as well as abroad,<sup>46</sup> which is reflected in the fact that human rights have become one of the core issues of the EU's foreign policy objectives.<sup>47</sup>

Despite the EU's commitment to human rights a number of authors have strongly criticised its human rights record. This is analysed from a number of different perspectives focusing on a) the lack of comprehensive policy outcomes,<sup>48</sup> and b) the gap between the expectations and the capabilities of the EU.<sup>49</sup> Thus, these studies question whether the EU is as committed to human rights as prescribed in the various EU treaties.

A number of studies have questioned the commitment and the ability of the EU to promote human rights within the UN.<sup>50</sup> Since 2009 Gowan and Brantner have published an annual review of the human rights record of the EU within both the UNHRC and the UNGA. These studies explore the voting records of the EU, the human rights objectives of the EU in the UN and analyses how the EU positions itself in relation to other actors. All the reviews conclude that despite the strong commitment to human rights there are a number of internal and external limitations that compromises the capabilities and effectiveness of the EU.<sup>51</sup> In a similar type of

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<sup>44</sup> Armin von Bogdandy, "The European Union as a Human Rights Organization? Human Rights and the Core of the European Union," *Common Market Law Review* 37 (2000): 1307-38, accessed February 17 2012. URL: <http://www.kluwerlawonline.com.ludwig.lub.lu.se/document.php?id=315870>.

Philip Alston, and J. H. H. Weiler, "An 'Ever Closer Union' in Need of a Human Rights Policy." In *The EU and Human Rights*, ed. Philip Alston et al. 3-66 (Oxford: Oxford University Press, 1999).

<sup>45</sup> Charles Leben, "Is There a European Approach to Human Rights?" in *The EU and Human Rights* ed. Philip Alston et al. 69-97. (Oxford: Oxford University Press, 1999).

<sup>46</sup> Alston, and Weiler, "An 'Ever Closer Union' in Need of a Human Rights Policy"

<sup>47</sup> Smith, *European Union Foreign Policy In a Changing World*. 111-141.

<sup>48</sup> Alston and Weiler, "An 'Ever Closer Union' in Need of a Human Rights Policy."

<sup>49</sup> Christopher Hill, "Closing the Capabilities-Expectations Gap?" In *A Common Foreign Policy For Europe? Competing Visions of the CFSP*, ed. John Peterson and Helene Sjursen. 18-38. (London: Routledge: 2001).

<sup>50</sup> Gowan and Brantner, *The EU and Human Rights at the UN. 2009*

Gowan and Brantner, *The EU and Human Rights at the UN. 2010*

Gowan and Brantner, *The EU and Human Rights at the UN. 2011*

<sup>51</sup> Ibid.

analysis Smith draws similar conclusions and argues that the main obstacle for the EU is the intergovernmental structures and its internal deliberations.<sup>52</sup>

### 3.4 Summary

The reviewed literature is divided into three intersecting categories. The first type of literature examines the role of the EU within international relations. The second category examines the EU within the UN and the third scrutinizes human rights as a foreign policy objective of the EU. The presented literature is specifically selected due to significance for the overall comprehension of the thesis.

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<sup>52</sup> Karen E. Smith, "Speaking with One Voice? "European Union Co-Ordination on Human Rights Issues at the United Nations." *Journal of Common Market Studies* 44, no. 1 (2006): 113-37. Accessed January 29 2012. doi 10.1111/j.1468-5965.2006.00616.x.134

## 4.0 Theories

This chapter presents an overview of the concept of ‘normative power Europe’ in relation to the main theories of international relations, i.e. realism, liberalism and constructivism. The aim of the chapter is to present, critique and discuss the various theories to NPE.

### 4.1 ‘Normative Power Europe’

The concept of ‘normative power Europe’ is a complex and abstract phenomenon. The main concept of NPE was initially conceptualized by Ian Manners in order to elaborate and theorise on the existing theories on the identity, role and practice of the EU within international relations.<sup>53</sup>

The core notion of NPE lies in the EU’s “ability to shape the conception of ‘normal’ in international relations”<sup>54</sup>, in accordance with its normative foundations that are based on its historical developments, hybrid structure and its commitment to international treaties. The power of NPE lies within the power of opinion and the diffusion of ideas, rather than on the traditional forms of power, such as economy and military.<sup>55</sup>

The objective of NPE is that the EU promotes and expands its ‘normative’ core values i.e. the centrality of peace, the idea of liberty, democracy, rule of law and respect for human rights and fundamental freedoms as well as three minor values i.e. social solidarity, anti-discrimination and sustainable development,<sup>56</sup> into its external affairs. Which according to Manners are norm that are acknowledged and universally applicable.<sup>57</sup>

Norms and values are, according to Manners, diffused through six different factors, namely, “contagion” (unintentional diffusion of ideas), “information” (as a result of

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<sup>53</sup> Manners, "Normative Power Europe: A Contradiction in Terms?"

<sup>54</sup> Ibid., 239

<sup>55</sup> Ibid., 240-242.

<sup>56</sup> Ibid, 242-244.

<sup>57</sup> Ibid., 248.

strategic communication), “procedural” (as institutionalisation of a relationship between EU and a third party), “transference” (exchange through goods and trade etc.), “overt diffusion” (as a result of the physical presence of EU representatives), and finally, “cultural filter” (through the impact of international norms and political learning).<sup>58</sup>

## 4.2 Criticism of ‘NPE’

### 4.2.1 Realism

Realism holds that the international system is built on anarchy where states are the primary actors<sup>59</sup> that operate on the basis of distribution of power.<sup>60</sup> Furthermore, it is regarded that states only act on issues of their core interests and consequently other issues such as human rights are perceived to be of less importance.<sup>61</sup> Due to conflicting interests, the role of multilateral cooperation is clearly constrained as states cannot be sure about the intentions or interests of other states or actors.<sup>62</sup> This implies that states only agree to common action when in their own interest. Thus multilateral organisations are regarded as empty shells wherein Member States are in ultimately control.<sup>63</sup>

The intergovernmentalist approach lies very close to this rational by contending that the power and authority solely lie with the individual state. Consequently the decision-making of the multilateral organisations is fully dependent on the decision-making procedures at the national level.<sup>64</sup>

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<sup>58</sup> Manners, "Normative Power Europe: A Contradiction in Terms?" 244-245.

<sup>59</sup> John J. Mearsheimer, "The False Promise of International Institutions." *International Security* 19, no. 3 (1994): 5-49, accessed February 5 2012. URL: <http://www.jstor.org.ludwig.lub.lu.se/stable/2539078>.

<sup>60</sup> William C. Wohlforth, "Realism and Foreign Policy." In *Foreign Policy - Theories, Actors, Cases*, ed. Steve Smith et al. 31-48. (London: Oxford University Press, 2008) 38.

David P. Forsythe, *Human Rights in International Relations*. (Cambridge: Cambridge University Press, 2007) 266-267.

<sup>62</sup> Mearsheimer, "The False Promise of International Institutions," 9-13.

<sup>63</sup> Michael N. Barnett and Martha Finnemore, "The Politics, Power, and Pathologies of International Organizations." *International Organization* 53, no. 04 (1999): 699-732. Accessed February 10, 2012. URL: <http://www.jstor.org.ludwig.lub.lu.se/stable/2601307>, 703-705.

<sup>64</sup> Helene Sjursen, "Not So Intergovernmental after All? On Democracy on Integration in European Foreign and Security Policy." *Journal of European Public Policy* 18, no. 8 (2011): 1078-95. Accessed June 5 2012. doi: 10.1080/13501763.2011.615194, 1078.

The main criticisms of NPE within realism are three-fold. The initial criticism suggests that the EU is a supranational organisation that cannot be equated to that of a state actor. Rather the deliberations of the EU are only reflections of state interests and the distribution of power. As a consequence the hybrid structure of the EU is not fully comprehended, as the realist approach solely recognizes the EU from an intergovernmental perspective where the Member States only engage as long as they benefit from participating in the processes.<sup>65</sup>

The second criticism contends that the CFSP has been developed as a result of the structural distribution of power. This implies that the states (and other actors) only have a certain amount of manoeuvrability within the international system, and therefore they are not capable of deciding what type of power they wish to be.<sup>66</sup> Rather they are dependent on a number of circumstances that is outside the control of the EU, and thus NPE is a reflection of those circumstances rather than a deliberate choice by the EU.

The third and final criticism is that NPE ignores the actual practices of the EU's external affairs and the dynamics of the traditional forms of power. In other words, the economic, material or the security interests of the EU will, according to realism, always override the normative agenda of the EU.<sup>67</sup>

#### 4.2.2 Liberalism

Like realism, liberalism suggests that the international system is based on anarchy. However, in contrast it contends that it should be based on international cooperation and mutual trust between states to foster cooperation and to overcome collective dilemmas.<sup>68</sup> Liberalism holds that national preferences change in response to domestic transformations and pressures. Consequently, there are no fixed preferences

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<sup>65</sup> Ibid., 1081.

<sup>66</sup> Hyde-Price, "Normative' Power Europe: a Realist Critique."

<sup>67</sup> Lisbeth Aggestam, "The World in Our Mind: Normative Power in a Multi Polar World." In *Normative Power Europe in a Changing World*, ed. André Gerrits. 25-36. (The Hague: Netherlands Institute of International Relations, Clingendael, 2009).

Klaus Brummer, "Imposing Sanctions: The Not So 'Normative Power Europe.'" *European Foreign Affairs Review* 14, no. 2 (2009): 191-207, accessed March 26, 2012. URL:

<http://www.kluwerlawonline.com.ludwig.lub.lu.se/document.php?id=EERR2009015>

Barnett and Finnemore, "The Politics, Power, and Pathologies of International Organizations." 701-702.

or interests, rather the preferences are ‘issue-specific’, and may change due to specific circumstances.<sup>69</sup>

The focal element of liberalism is the strong emphasis on equality and individual rights as well as the promotion and development of strong democratic institutions. Interrelated is the support of the democratic peace theory, a theory grounded on the notion that liberal democracies do not go to war with one another. Therefore, there is a positive duty to safeguard other liberal societies and, furthermore, to ensure that non-liberal societies will gradually advance into liberal democracies.<sup>70</sup>

The main criticism of NPE from a liberal perspective can be divided into three central elements. Firstly, the notion that NPE rather than being a unique depiction of Europe, should be understood through the traditional prisms of power. NPE should thereby be perceived as a form of liberalism, as the fundamental aim of the EU is to remodel the world as a reflection of the EU.<sup>71</sup> The second criticism is based on the idea that NPE solely apprehends one aspect of the power of the EU and therefore disregards other forms of power. The final criticism refers to the outcome of NPE and the fact that it is almost impossible to measure the direct outcomes of the action and practices of the EU when carried out through the prisms of NPE.<sup>72</sup>

#### 4.2.3 Social Constructivism

Social constructivists perceive the world as socially constructed. This implies that states do not have specific interests or preferences, rather that they are constructed through norms and social structures. Norms influence and reconstruct identities of individuals, such as politicians and diplomats, which ultimately lead to behavioural change in the states’ policies at different levels.<sup>73</sup> Thus the behaviour of the actors (states) is contingent of the identity of the state, its historical and cultural framework,

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Andrew Moravcsik and Frank Schimmelfennig, "Liberal Intergovernmentalism." *European Integration Theory*, ed. Antje Wiener et al. 67-87. (Oxford: Oxford University Press, 2009), 69-70.

<sup>70</sup> Michael W. Doyle, "Liberalism and Foreign Policy," in *Foreign Policy - Theories, Actors, Cases*, ed. Steve Smith et al. 49-70. (Oxford: Oxford University Press, 2008) 62-67.

<sup>71</sup> Asle Toje, "Normative Power in Europe after the Post-Cold War." In *Normative Power Europe in a Changing World*, ed. André Gerrits. 37-50. (The Hague: Netherlands Institute of International Relations, Clingendael, 2009).

<sup>72</sup> *Ibid.*, 49.

<sup>73</sup> John M. Hobson, *The State and International Relations*. (Cambridge, United Kingdom: Cambridge University Press, 2002), 146.

language, communication as well as interaction with other actors. This also implies that multilateral cooperation is perceived as a platform where states are capable of influencing one another while also being influenced by the norms and key understandings embedded in the multilateral institutions. Consequently the multilateral institutions have a unique capability in promoting key understandings and norms across states.<sup>74</sup>

Risse and Sikink have demonstrated how the social constructivist approach is particularly useful in regards to the promotion of human rights. Through a 'socialization process' they depict how human right norms and practices slowly transpire within a given country, due to number of causal mechanisms including external pressure from primarily multilateral organisations as well as other state actors.<sup>75</sup>

NPE and social constructivism are both characterized by norm diffusion, socialization processes and the power of opinion. Thus, it seems obvious to draw the conclusion that NPE is deeply embedded in the theories and ideas of constructivism. This criticism is in a similar vein echoed by liberalism in which NPE is not perceived as anything new,<sup>76</sup> rather it is regarded as a liberal based theory with the ultimate aim of diffusing Western liberal norms and ideas into the international system in order to sustain, protect and expand Western liberal democracies across the world. Consequently, the question arises of how NPE distinguishes itself from the social constructivism as well as from liberalism?

### 4.3 Discussion

Manners argues, that the essence of NPE is not what the EU achieves, nor what it does, rather the essence is what the EU *is* and what the EU represents both internally and externally.<sup>77</sup> The normative foundation of the EU and its perceived five

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<sup>74</sup> Jacob C. Øhrgaard, "International Relations or European Integration: Is the CFSP Sui Generis?" In *Rethinking European Union Foreign Policy*, ed. Ben Tonra et al. 26-44. (Manchester: Manchester University Press, 2004), 35.

<sup>75</sup> Risse and Sikink, "The Socialization of international human rights norms into domestic practices: introduction." 11.

<sup>76</sup> Toje, "Normative Power in Europe after the Post-Cold War," 49.

<sup>77</sup> Manners, "Normative Power Europe: A Contradiction in Terms?" 252.

interrelated core norms are thereby adequate in characterizing the EU as a fundamentally different actor. Diez, however, disagrees and contends that NPE is similar to the constructivist discourse and due to its well-developed discourse the EU cannot regard itself as a unique normative power.<sup>78</sup> Rather, it is one of many normative powers throughout history. Furthermore, he argues that the main difference between the EU and other contemporary powers is that the EU unambiguously has committed itself to the international treaty system and multilateral cooperation.<sup>79</sup> Both Manners' and Diez' reasoning is quite essential in order to distinguish NPE from other types of social constructivist theories, and it seems quite obvious that the sole but immensely central element that distinguishes the two is the commitment of the EU to multilateralism and to the rule of law.

Similarly the difference between NPE and liberalism is very limited. The prime difference is the hybrid character of the EU, compared to the state centred focus of liberalism. But even more important is the fact that the norms advocated by NPE are somehow perceived as being different from those of liberalism. The main difference, according to Manners, is that NPE promotes norms and values that are universally accepted and adopted by UN treaties and thereby also by non-liberal societies, in contrast to the liberal norms, which are perceived as being exceptionally Western. By applying the liberal discourse to the theory of NPE it seems obvious to draw the conclusion that NPE can be perceived as being a new form of hidden colonialism that through norm diffusion is enforced on non-liberal democracies.

Manners argument, that it is not important what the EU does but rather what the EU *is*, is to a certain degree quite convenient as there is no need for the EU to demonstrate that their actions ultimately have any outcomes. Or in other words, there is no need for Manners to demonstrate any empirical data that indicates that the results of the external action of the EU ultimately generate any positive results as long as the EU still acts according to its normative foundation.

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<sup>78</sup> Thomas Diez, "Constructing the Self and Changing Others: Reconsidering 'Normative Power Europe.'" *Millennium - Journal of International Studies* 33, no. 3 (2005): 613-36. Accessed February 28 2012. doi: 10.1177/03058298050330031701, 635.

<sup>79</sup> *Ibid.*, 622.

Sjursen, in contrast, argues that the lack of empirical data is the main obstacle in order to determine whether the EU can be perceived as a normative power.<sup>80</sup> In practice it is evident that it is difficult to show any direct outcome of NPE. Particularly, as the primary focus of the EU is based on structural change and norm diffusion, mechanisms that objectively are extremely hard, if not impossible to measure. However, it can be argued that the lack of empirical data and measurable outcomes is not an adequate argument to determine that the EU is not a normative power. Rather it poses the question of defining the power of NPE, and furthermore examines whether the objective of NPE is based on power projection.

It can also be argued that NPE has been developed as a prerequisite to satisfy a internal European need in order to demonstrate that the EU has not yet lost its relevance and furthermore to show that the EU indeed is a central player in global politics.

The question is whether these theoretical characterizations and discrepancies are satisfactory in determining whether NPE is uniquely European or whether other powers are also based on the same discourse. In other words, is the EU a unique actor? Is NPE truly European? And can the norms diffused by NPE be characterized as being European?

A focal point of Manners' conception of NPE is the acknowledgment that NPE, in practice, is not the sole type of power carried out by the EU. Rather, it is a type of power that occurs simultaneously with other types of EU strategies.<sup>81</sup> This assumption is shared by both liberalism and realism that holds that NPE only apprehends one element of the power of the EU.<sup>82</sup>

There are a number of thoughtful elements in NPE, in particularly the willingness to abandon the Westphalian state-system as well as the core concept of norm diffusion. These elements can be quite attractive compared to other forms of power. However,

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<sup>80</sup> Helene Sjursen, "The EU as a 'Normative' Power: How Can This Be?" *Journal of European Public Policy* 13, no. 2 (2006): 235-51, accessed February 5 2012. doi: 10.1080/13501760500451667.

<sup>81</sup> Ian Manners, "The EU's Normative Power in a Changing World." In *Normative Power Europe in a Changing World*, ed. André Gerrits. 9-24. (The Hague: Netherlands Institute of International Relations, Clingendael, 2009), 10.

<sup>82</sup> Toje, "Normative Power in Europe after the Post-Cold War," 49.

unfortunately it also seems as if a number of different elements are missing. A missing element is how the EU should react to dire human rights issues and respond to situations with mass atrocities as well as how it should engage with tyrannical regimes. In these situations it does not seem that NPE as a theory has the necessary breadth to react to these types of atrocities, as its prime objective is to slowly and gradually diffuse its norms into the political and international realm rather than acting with coercive means.

#### 4.4 Summary

This chapter has demonstrated how the traditional theories of international relations respond to and have criticised the emergence of NPE. It can be argued that NPE embraces all the traditional forms of international relations theories discussed in this chapter. As demonstrated NPE does not deny the influence of interests (realism), furthermore it is closely connected to the traditional understandings of liberalism and constructivism, such as the hybrid power, the commitment to rule of law and multilateralism.

## 5.0 Hypotheses

This chapter presents two hypotheses that each will be tested in the empirical data below. The hypotheses contradict each other as one focuses on the hybrid and supranational structure of the EU, while the second focuses on the intergovernmental nature of the EU and the obstacles it consequently faces.

### 5.1 Hypothesis I

The actions and decisions of the EU vis-à-vis the promotion and protection of human rights are primarily based on the normative foundations of the EU.

According to the NPE theory presented in earlier chapters there is no doubt that the EU is somehow unique within international relations, in particular due to its hybrid and supranational structure, its commitment to international treaties as well as its profound commitment to multilateralism and human rights. These elements should intrinsically reflect how the EU acts and behaves within the UNGA. Thus the promotion and protection of human rights are based on the ability of the EU to promote norms and values in a cohesive, reflexive and coherent manner. This implies that the EU will base its *modus operandi* on mechanisms such as political and engaging dialogue through upholding international law and emphasizing structural change rather than through coercive means, such as degrading resolutions or sanctions.

This implies that the EU, through the mechanisms characterized by NPE, overrides or disregards other forms of applications of power within the UNGA, and solely utilizes instruments that will ensure the promotion of the norms and values presented by Manners.

The pooling of interest of the EU Member States and the socialization processes within the EU is in this regard the *raison d'être* of the EU within the UNGA, even though that all states do vote within an intergovernmental framework. The way that

national interests are shaped in order to fit into the European one is thereby fundamental for the EU in order to be perceived as a unitary actor and to reach the desired objectives. The pooling of interests is thus a strong indication of which signals the EU wants to send to the other Member States of the UN.

## 5.2 Hypothesis II

The EU's commitment to human rights within the UNGA is based on a number of limitations and constraints. Disagreements among the twenty-seven Member States will lead to lowest-common denominator decisions, which ultimately is a hindrance for the coherence and credibility of the EU as well as its supranational structure.

This hypothesis is based on the notion that the EU interaction within the UNGA is based on a number of constraints, which limits the effectiveness, coherence and credibility of the EU. The primary constraint is based on the intergovernmental structure of the UNGA vis-à-vis the supranational structure that the EU wishes to present externally. This is based on the fact that the EU consist of twenty-seven Member States that all a) represent their individual constituencies, b) represent a number of different and oftentimes contradictory interests and historical backgrounds c) all have individual external bilateral as well multilateral negotiations with non-EU Member States, d) all are individual members of the UN and want to represent and negotiate on behalf of their own nations (which can consequently work against the interest of the EU), e) due to the consensus based negotiation processes within the CFSP<sup>83</sup> all EU Member States are capable of vetoing any decisions.

The second limitation is based on the structure of the UN system and the geometrics of the UNGA. While the EU consists of twenty-seven Member States plus additional like-minded<sup>84</sup> partners, the EU remains a minority within the UNGA. This implies

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<sup>83</sup> Bastian Giegerich and William Wallace. "Foreign and Security Policy, Civilian Power Europe and American Leadership, in *Policy-Making in the European Union*, ed. Helen Wallace et al. (Oxford: Oxford University Press), 432.

<sup>84</sup> Like-minded partners are defined as non-EU Member States that align with the EU on more than 50% of the votes. These state usually include other 'Western' states such as the US, Australia as well as a number Latin American states. The definition is based on Gowan and Brantner definition of

that the EU needs to reach out to at least additional sixty-seven non-EU Member States in order to get a resolution or decision adopted.

The fact that there is a constant pressure both internally in reaching consensus, and externally in reaching the right objectives according the normative framework, poses a number of limitations and constraints upon the EU. It leaves the EU as a reactive power within the UNGA, or in other words, a power that is not capable of controlling the action or direction of the UNGA.

### 5.3 Summary

The two hypotheses presented above focus on two very different elements and aspects of the EU as an actor within the UN. The first hypothesis stipulates that the EU will act as a hybrid and normative power projecting its values into the international system. The second hypothesis in contrast depicts the EU as a fragmented and inconsistent power that bases its incentives and motives on a number of limitations within the UNGA. In order to test both hypotheses evenly, and to ensure consistency, they will both be answered using the same method and data.

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Liberal Internationalists states. See Gowan and Brantner, *The EU and Human Rights at the UN - 2009 Review*, 4.

## 6.0 Methodological Considerations

The method used to examine the role of the EU at the UNGA is based on a discourse analysis. Discourse analysis has been chosen since it can potentially unveil a number of aspects within the NPE discourse that have usually been neglected in previous studies on European foreign policy.<sup>85</sup> Furthermore the empirical data and the outcome of the analysis offer insights on how the EU acts at the UNGA and why and how the EU decides to act the way that it does.

### 6.1 Discourse Analysis

Discourse analysis is part of the interpretative<sup>86</sup> tradition that focuses on how actions and institutions are shaped and how meanings are expressed. This implies that the core function is to unveil and analyse the language of the empirical data. From an ontological perspective it is anti-foundational and thus rejects positivism and the existence of an objective truth. It has been heavily criticized for its lack of measurable outcomes and clear objectives.<sup>87</sup>

Discourse analysis is based on a social constructivist approach that perceives language as part of social reality and as part of a discourse. This implies that individual perceptions are constructed by discourses, which are shaped by social interactions.<sup>88</sup> In this regard, language is the primary expression of social meaning and is thus perceived as having an important and independent status.

Laclau and Mouffe argue that discourse is not limited or constrained to language, rather it is comprised of numerous elements such as physical objects. However, as physical objects do not attain a specific meaning in themselves, discourses ascribe

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<sup>85</sup> Henrik Larsen, "Discourse Analysis and European Foreign Policy." In *Rethinking European Union Foreign Policy*, ed. Ben Tonra et al. 62-80. (Manchester: Manchester University Press, 2004), 62-63.

<sup>86</sup> Mark Bevir and R.A.W Rhodes, "Interpretive Theory," in *Theory and Methods in Political Science*, ed. David Marsh et. al. 131-52. (New York: Palgrave Macmillan), 2002, 131.

<sup>87</sup> Jennifer Milliken, "The Study of Discourse in International Relations." *European Journal of International Relations* 5, no. 2 (1999): 225-54. Accessed May 10. doi: 10.1177/1354066199005002003, 227.

<sup>88</sup> Larsen, "Discourse Analysis and European Foreign Policy." 65.

meanings to the objects.<sup>89</sup> A discourse is thus understood as a structure that assigns a “fixation of meaning within a particular domain”<sup>90</sup> or “as a particular way of talking about and understanding the world”.<sup>91</sup> Thereby discourse is the social element that shapes the world and it is therefore essential to discuss and analyse in the context of NPE, as it can be argued that we are only able to comprehend why actors act the way they do through analysis of discourse.

## 6.2 Discourse Analysis as Method

Discourse analysis is a number of interdisciplinary approaches that can be used either independently or cooperatively in order to achieve the best possible outcome.<sup>92</sup> The method used for this thesis is based on Laclau and Mouffe’s abstract approach, which is concerned with analysing the general, all-encompassing patterns in order to map out the discourse.<sup>93</sup> In practical terms, it means that the analysis focuses on the concept of NPE as an analytical tool in order to comprehend and analyse the embedded issues, such as human rights, the type of power the EU is, what values the EU represent, and the role of the EU. This implies that Manners’ theory of NPE is utilized as a framework for analysing the role of the EU at the UNGA.

In addition to the overall aim of the thesis, I will simultaneously conduct a theory testing of NPE in order to examine whether NPE is an effective theory in characterizing the actions of the EU at the UNGA.

## 6.3 Qualitative vs. Quantitative analysis

While most studies on the interaction of the EU at the UNGA are based on quantitative approaches, this study offers a qualitative alternative. The main reason for choosing a qualitative approach is the nature of the study as well as the type of results I would like to produce. While resolutions and other forms of measurable

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<sup>89</sup> Marianne Jørgensen and Louise Phillips, *Discourse Analysis as Theory and Method*. (London: Sage Publications, 2002), 35.

<sup>90</sup> *Ibid.*, 26.

<sup>91</sup> *Ibid.*, 1.

<sup>92</sup> *Ibid.*

<sup>93</sup> *Ibid.*, 20.

outcomes undoubtedly are essential elements in order to analyse the effectiveness of EU action at the UNGA, I would argue that other, non-measurable, elements are equally, if not more important in the overall understanding of how the EU operates in the UNGA. This is particularly important when dealing with soft power issues, as one of the main criticisms of NPE is, that it is impossible to show any measurable outcomes. Thus, a central objective is to explain, comprehend and reflect on the various processes driving EU's positions at the UNGA.

As the objective of the interpretivist method is not to strive to achieve an objective outcome, the research offers a subjective analysis, understood through the various discourses and prisms that are ultimately dependent on individual perceptions and of the social, cultural and normative context of the EU's actions.

## 6.4 The Data

### 6.4.1 Case Selection: Why the UNGA?

It can seem somewhat unconventional to analyse the normative approach of the EU within an institutional framework such as the UN, which ideationally is based on the values and norms that the EU wants to promote. The purpose of examining the external relations of the EU vis-à-vis the UNGA, and not the UNHRC is two-fold. Firstly, all the twenty-seven Member States of the EU are members of the UNGA, compared to the UNHRC, where only a handful of EU Member States are represented. Furthermore, the UNGA is more influential than the UNHRC. However, the main reason for conducting the study within the UNGA is that the EU representation in New York is far more developed, compared to one in the UNHRC in Geneva. This is in particular due to the newly upgraded status of the EU in the UNGA, which allows the EEAS to actually 'speak with one voice' – unlike the UNHRC where the Member State holding the Council Presidency still represents the EU.

## 6.4.2 The Interviews

The empirical data used for the research comes from five interviews with EU officials, one interview with an official from a like-minded state and one interview with a high-level representative from a global non-governmental organisation. Four of the interviews are face-to-face interviews and were conducted in New York between April 30<sup>th</sup> – May 2<sup>nd</sup> 2012, the interviews with Brussels-based officials were conducted by phone in May-June 2012. The face-to face interviews lasted approximately sixty minutes, while the interviews conducted by phone lasted between thirty-sixty minutes. All interviews were conducted in English.

The interviews with the EU diplomats were all carried out as semi-structured interviews<sup>94</sup> and were recorded and subsequently transcribed. The interview guide is included in Appendix I. The interviews with both the like-minded diplomat and the NGO representative were based on unstructured interviews<sup>95</sup> and were not recorded per request of the interviewees. All interviewees requested to be anonymous; hence the interviews will be referred to by the Roman numeral system. The EU officials will be referred to as ‘EU official I-V’. The like-minded official will be referred to as “like-minded official”, while the representative of the NGO will be described as “NGO representative”.

### 6.4.2.1 Selection Process

The EU diplomats were chosen based on their positions and responsibilities within the EEAS in conjunction with their involvement within the UNGA. The like-minded diplomat was similarly chosen due to his/her position and involvement in the UNGA. The choice of diplomatic representative was due to his/her state’s close ideological, cultural and political ties to the EU, a like-minded state. The main incentive to conduct an interview with a non-EU diplomat was to balance the internal perception of the EU with an external opinion, to challenge the positions of the EU, and furthermore to test the Eurocentric critiques of NPE. As a supplement, the data also includes an interview with a high-level official from a New York based global non-

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<sup>94</sup> Alan Bryman, *Social Research Methods*. (Oxford: Oxford University Press, 2004). 320.

<sup>95</sup> Ibid.

profit organisation that works closely with both the EU and the UN. The main incentive to interview this representative was to get his/her unique insight into the workings of the EU at the UNGA, information that could not be provided from any diplomats.

#### 6.4.2.2 Limitations and Inconsistencies in the Data

It is intrinsic that there are a number of challenges and inconsistencies when conducting this type of study. The fact that the interviews were audio recorded may have led some of the interviewees to feel that they could not be completely open or honest. However, the recordings and subsequently the transcriptions ensure the validity of the study. In contrast, the advantages of the non-recorded interviews, is that the interviewees may have been more open and honest, while the notes taken might be less accurate than the transcribed recordings.<sup>96</sup>

As all the interviewees were anonymous, they may have been willing to share sensitive information, which he/she would not have shared or been allowed to share if he/she was quoted. Nonetheless the objectivity, motivation and honesty of the interviewees have been kept in mind whilst analysing the data.

Even though the questions in the interviews were set to be non-leading open-ended questions, there is always a possibility that the interviewee has perceived the questions as insinuating. Hence it is essential to thoughtfully consider how the questions are asked and furthermore consider what questions to ask, as the consequences may be that the interview ends up on a side-track or without the interviewee having answered the intended questions.<sup>97</sup>

### 6.5 Summary

The chapter has presented the methods and empirical material that have been used in writing the thesis. In addition I have presented the main challenges and obstacles as

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<sup>96</sup> Ibid., 119-120.

<sup>97</sup> Ibid.

well as inconsistencies in the method and in the primary data collection. The method presented is based on Laclau and Mouffe's discourse analysis, and the material used is based on seven first-hand interviews with EU and non-EU diplomats.

## 7.0 Results

The aim of this chapter is two-fold, firstly, to decode the empirical data and secondly to present the results of the interviews. In order to present the results in a clear and coherent manner the chapter has been divided into four sub-sections. Each sub-section represents key-elements identified in the interviews, indications of factors that determine the behaviour of the EU in the UNGA. Other factors might be relevant, however, they are not essential for the overall comprehension of the study. Furthermore, it is important to note that most of the issues intrinsically intersect with one another.

The interviews with the five EU officials indicate a number of similarities in their perception of the EU, the role of the EU and in pointing out a number of factors that are essential in order to comprehend the behaviour of the EU within the UNGA. These similarities are despite the discrepancies in the role, positions and geographic locations (Brussels and New York) of the interviewees and notwithstanding the discrepancies in the interview method used (face to face and telephone). In contrast the interviews with the non-EU officials indicate a clear gap in how the EU diplomats and non-EU actors perceive the EU.

### 7.1 The Structure of the UNGA

All of the interviews with the EU officials indicate that one of the main challenges for the EU is the structural organisation of the UNGA.<sup>98</sup> Thus, the UNGA is perceived as a very challenging environment for the EU and a “difficult political animal.”<sup>99</sup> The major reason indicated is that the EU does not have a natural majority. One EU official furthermore stressed, “The EU is twenty-seven, maybe sixty with those who align with us”<sup>100</sup> and thus the EU is in a constant process of building alliances in order

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<sup>98</sup> Interview with EU official I, May 1 2012 in New York, Interview with EU official II, May 2 2012 in New York, Interview with EU official III, May 24 2012 by telephone, Interview with EU official IV, May 30 2012 by telephone, Interview with EU official V, June 11 2012 by telephone.

<sup>99</sup> EU official III.

<sup>100</sup> Ibid.

to achieve any results.<sup>101</sup> This intrinsically implies that “nothing comes for free for the EU”,<sup>102</sup> and everything has to be negotiated in order to ensure a majority.

Secondly and interrelated, the geometrics also imply that there is “a structural majority against us [the EU].”<sup>103</sup> This intrinsically implies that there are dynamics in the UNGA, which the EU cannot influence and consequently has no control over.<sup>104</sup> Thus, it is not enough to have a good policy or great objectives; other actors might be able to reject the proposals of the EU on the grounds of opposite politics or values.

## 7.2 North-South Divide

A significant and correlated concern for all the EU and the non-EU officials interviewed is an increasingly growing tension and division between the states of the ‘North’ and the states of the ‘South’<sup>105</sup> and in particular between the Group of 77 (G77)<sup>106</sup> and the EU.<sup>107</sup> The division between the parties has, according to all the officials interviewed, created an increasingly polarized environment, where it is becoming harder and harder to reach the desired objectives.<sup>108</sup> This position is supported by Thomas G. Weiss, who argues that the two sides increasingly oppose each other and thus have created a counterproductive and artificial environment

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<sup>101</sup> Ibid.

<sup>102</sup> Ibid.

<sup>103</sup> EU official V.

<sup>104</sup> EU official II.

EU official III.

<sup>105</sup> EU official I, EU official II, EU official III, EU official IV, EU official V. Interview with like-minded official, April 30 2012 in New York, Interview with NGO representative. May 1 2012 in New York.

The EU officials also referred to this division as a tension between the ‘developed and the undeveloped states’. The states of the North refers to the ‘Western world’, while the states of the ‘South’ refers to the rest.

The Group of 77 (G77) was established in order for former colonial states and others to articulate their joint security and economic interest in the UN. It was thus the only way for the states to organise debates between the North and the South. See Thomas G. Weiss, *What's Wrong with the United Nations and How to Fix It*. (Cambridge: Polity Press, 2009), 49-50.

The G77 has 132 Member States. See also The Group of 77 at the United Nations. "The Member states of the G77," <http://www.g77.org/doc/members.html>. Group of 77 at the United Nations. Accessed July 10 2012. URL: <http://www.g77.org/doc/members.html>.

<sup>107</sup> EU official III.

<sup>108</sup> EU official I, EU official II, EU official III, EU official IV, EU official V.

dominated by group dynamics and block voting rather than creating a cooperative atmosphere.<sup>109</sup>

The tension seems to be particularly stern when debating human rights as it is a sensitive subject that touches upon values, norms and sovereignty and where there are strong positions from many different sides.<sup>110</sup> Additionally human rights are often perceived as a Western invention and thus “the issue of human rights are not very sexy, to say the least”.<sup>111</sup>

A member of the EU diplomatic corps in New York emphasises that the EU is “partly equated with, or seen, now as the new villain on the block”<sup>112</sup> rather than being the middle-power that the EU traditionally views itself as.<sup>113</sup> The attempt to bridge the gap between the United States at the G77 has failed; instead, we deal with a big stand-off between the EU and the G77.<sup>114</sup> It was also emphasised that the EU policies in recent years have become tougher, more dogmatic and more conservative.<sup>115</sup> This was furthermore emphasised by a EU official who stated that the EU acts as “the good voice in negotiations”<sup>116</sup> by representing the entire like-minded coalition.<sup>117</sup> Thus the EU is, according to the EU official, the prime human rights defender as it takes the responsibility to represent and speak out on behalf of more states than the EU members.

The EU officials further acknowledged that the members of the G77 see the issues of human rights (and many other matters) from a completely different angle than the EU.<sup>118</sup> The Member States of the G77 are also perceived coming from countries that are “not representing the best interest of their own members and constituencies”<sup>119</sup>, and the “only reason they stick together as a group is in order to stand stronger”<sup>120</sup>

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<sup>109</sup> Thomas G. Weiss, *Can We Fix the United Nations?* (New York: Acronym, World Federation of United Nations Associations, 2012,) 6-7.

<sup>110</sup> EU official V.

<sup>111</sup> EU official II.

<sup>112</sup> EU official I.

<sup>113</sup> Ibid.

<sup>114</sup> Ibid.

<sup>115</sup> EU official II.

<sup>116</sup> EU official I.

<sup>117</sup> Ibid.

<sup>118</sup> EU official III.

<sup>119</sup> EU official I.

<sup>120</sup> Ibid.

even though they may not have more in common other than their opposition to the EU. According to this descriptive interpretation, the contrast between the EU and the G77 appears to be extremely stark, close to incompatible. This position (albeit in a softer tone) is not unique, but is shared by the rest of the EU officials interviewed.<sup>121</sup> Furthermore, one EU official noted the “absurdity”<sup>122</sup> of the situation as the EU and the majority of the members of the G77 have an increasingly closer cooperation, as long as it is outside the framework of human rights.<sup>123</sup>

In an attempt to explain this growing tension, one EU official highlighted the historical circumstances and particularly the fact that most members of the G77 used to be former European colonies. Thus, they no longer “want to be told anymore what to do by the EU.”<sup>124</sup> Another EU official concurred by arguing that the EU loses credibility if it tries to “give lessons”<sup>125</sup> to other actors. Furthermore, all of the EU officials emphasise that policy recommendations or resolutions presented by the EU, are often received by non-EU Member States with a sort of mistrust and suspicion.<sup>126</sup> Thus there is according to the officials, a strong need for the EU to be a bit humble if the EU wants to achieve its objectives.<sup>127</sup> Another official emphasises that the EU in recent years has not been sensitive enough to the needs of the underdeveloped states, in particular in light of the current financial crisis.<sup>128</sup>

However, three of the EU officials also highlight the aspect that a number of members of the G77, and in particular the members of the Organisation of the Islamic Conference (OIC) in recent years have attempted to backtrack established human rights by imposing religious views, particularly on women’s rights, or regarding the question of freedom of speech.<sup>129</sup> Accordingly, the issue of cultural relativism gains more and more prominence and contributes to create a complex and polarized political environment, where the EU sees itself in a constant defensive and where it is a constant battle to defend the norms and values of the EU.<sup>130</sup> Or, as expressed by one

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<sup>121</sup> EU official I, EU official II, EU official III, EU official IV, EU official V.

<sup>122</sup> EU official I.

<sup>123</sup> Ibid.

<sup>124</sup> EU official I.

<sup>125</sup> Ibid.

<sup>126</sup> EU official III.

<sup>127</sup> Ibid.

<sup>128</sup> EU official I.

<sup>129</sup> EU official I, EU official II, EU official III.

<sup>130</sup> EU official III.

EU official, “ I don’t know if I should say this, attack on universal standards is a really big preoccupation...”<sup>131</sup> This intrinsically implies that the EU has less time to focus on issues that it would like to proactively promote.<sup>132</sup>

Furthermore there is a common understanding among the EU officials that the countries of the ‘South’ often proposes resolutions or initiatives not because of a particular interest but just in order to be in opposition to the EU and the rest of the ‘North’.<sup>133</sup>

While the tension is not unfamiliar within geopolitics and international relations,<sup>134</sup> it is an important point to emphasise, as it seems obtrusive as well as destructive within the UNGA, in particularly as the developing states, in accordance with the geometrics of the UN<sup>135</sup> are in a constant natural majority.

### 7.3 UN: a “Mecca of Intergovernmentalism”

All of the interviews clearly indicate the difficulties and the inconsistencies of managing a common foreign policy within a multilateral organisation that *de facto* is based on the centrality of state sovereignty, or as described by one EU official, “no matter the subject at the UN, we are still in, what a call, a Mecca of intergovernmentalism”.<sup>136</sup> The statement is echoed by the other EU officials,<sup>137</sup> in particularly as the foreign policy of the EU Member States is still perceived as a question of national sovereignty.<sup>138</sup>

Thus, the main challenge of the EU is that it is only capable to act on issues whenever there is consensus among all twenty-seven member states, or as stated by one EU official, “my bottom line is that it is a game, whereas you have twenty-seven players

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<sup>131</sup> EU official I.

<sup>132</sup> EU official V.

<sup>133</sup> EU official II.

<sup>134</sup> Ignatieff, *Human Rights as Politics and Idolatry*.

<sup>135</sup> The UN Member States are unofficially divided into five regional groups that are based on geographic representation. The groups discuss and propose resolutions and elections to various UN bodies done through these groups.

<sup>136</sup> EU official V.

<sup>137</sup> EU official I, EU official II, EU official III, EU official IV, EU official V, Like-minded official, NGO representative.

<sup>138</sup> EU official IV.

plus one, and the plus one can only be active if you have the full support of the twenty-seven. When you don't have the consensus of the twenty-seven, the plus one is not able to act. It's as easy as this."<sup>139</sup> This implies that the EU can only be active where there are full-fledged consensus and agreements between the Member States. This intrinsically also implies that in sensitive issues<sup>140</sup> or in situations with conflicting national interest, it is possible for one single state to block the issue and in this case the EU is not capable of acting as a unitary body. Furthermore it also implies that "whenever we do have a common position, it is only based on the least common denominator, its always like this..."<sup>141</sup>.

While this inherently poses a number of challenges, all of the EU officials affirm that there is a strong willingness of the EU Member States to engage in deeper coordination and to act together even though it from time to time might compromise the national interest of one or two Member States.<sup>142</sup> The officials indicate that these issues are quite limited and are focused around reproductive and sexual rights (i.e. abortion), the Middle East conflict and the fight against racism and discrimination,<sup>143</sup> or in cases where one or more EU Member States have specific interests in a given state and or situation.<sup>144</sup> According to one Brussels-based EU official, most issues with split opinions (when Member States disagree) are on issues "where the initiatives are taken by others" (non-EU), thus issues where the EU needs to be on defensive.<sup>145</sup>

All of the EU diplomats furthermore indicate that the need for cohesion among the Member States is extremely time-consuming<sup>146</sup> as they usually spend one-two hours daily in coordination meetings, or in others words, phrased by an EU diplomat in New York: "... you don't believe how often I've said, we don't want to be stuck in this room, we need to be out there in the real frontline of human rights work, really, it's out there at the UN"<sup>147</sup> Thus the EU is perceived, also by the EU officials themselves,

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<sup>139</sup> EU official II.

<sup>140</sup> EU official V.

<sup>141</sup> EU official II.

<sup>142</sup> EU official IV.

<sup>143</sup> EU official V.

<sup>144</sup> EU official II.

<sup>145</sup> EU official V.

<sup>146</sup> EU official I, EU official II, EU official III, EU official IV, EU official V, Like-minded official, NGO representative.

<sup>147</sup> EU official I.

as “introverted”<sup>148</sup>, which ultimately limits its influence within the UN. Furthermore the EU is perceived to be inflexible during external negotiations as its position are “so fixed that it is very hard for the ones who negotiate to budge”<sup>149</sup> as there is a constant need to maintain the consensus internally.<sup>150</sup> However, this slow process is perceived to be a price worth paying in order to outline common positions,<sup>151</sup> or as highlighted by an EU official in New York: “whenever we manage to come with common position, it has a certain, not only a certain – it has a huge weight in the UN, not only because we are twenty-seven, and it’s a large number...this is a block you cannot simply ignore.”<sup>152</sup>

These statements clearly demonstrate that the EU officials perceive the EU as an increasingly strong and self-confident actor, whenever the EU Member States harmonise their policies. However, between the lines they also indicate that the EU Member States are to blame whenever the EU fails to come up with common solutions.

There is a general consensus among the EU officials that the issues of intergovernmentalism pose a number of challenges for the credibility and the coherence of the common foreign policy of the EU in the UNGA. However, intergovernmentalism is also perceived as a strength for the EU,<sup>153</sup> as the Member States historically have the diplomatic experience that the EEAS does not yet have. Thus, it is intrinsic that the Member States contribute to the development of the EEAS and that the EU simultaneously is able to utilise the strength of having a diversified group of members in order to be able reach out to non-EU members.<sup>154</sup>

According to two EU officials, burden sharing is one of the most important strengths of the EU. Burden sharing implies that one or two EU Member States, in full coordination with the EEAS (and the other Member States), take the responsibility and lead on a given issue without officially stating that the EU is behind the initiative.

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<sup>148</sup> EU official II.

<sup>149</sup> EU official III.

<sup>150</sup> EU official II.

<sup>151</sup> EU official III.

<sup>152</sup> EU official II.

<sup>153</sup> EU official IV.

EU official V.

<sup>154</sup> EU official V.

Thus this is a tactic used in order to show non-EU states, who might fear the block-logic, that the EU Member States are willing and able to detach themselves from the EU.<sup>155</sup> Furthermore, it “allows the Member States to keep ownership and to keep them visible in the process.”<sup>156</sup>

Burden sharing thus allows the EU Member States to act informally within the negotiation process while still acting on behalf of the EU.<sup>157</sup> It also ensures that the EU is able to attain a more diversified pool of voices, as the Member States support each other by having more “positive vibes in the room,”<sup>158</sup> as there might be “up to ten or more EU speakers in addition to the EU, and it really helps everybody to have parts of a cake but also to be together on the bigger picture.”<sup>159</sup>

#### 7.4 Necessity for UN Legitimacy

An essential issue stressed by three of the EU officials is the commitment of the EU to uphold international law and treaties as well as to work through multilateral organisations and primarily through the UN.<sup>160</sup> The commitment is based on a two-folded approach. Firstly, the UN is perceived as the sole democratic and legitimate actor according to the rule of law; secondly, it is regarded as an indispensable institution for the credibility of the EU, especially on human right issues.<sup>161</sup> Thus, it is a strategic priority for the EU to ensure that the UN lives up to its mandate in order for the EU to keep a high-level of universal standards, which ultimately can be used in the EU’s bilateral and multilateral activities.<sup>162</sup>

According to one EU diplomat, the UN is indispensable for the overall success of the EU as it gives legitimacy and credibility for EU action,<sup>163</sup> particularly in dealing with human rights situations in Asian or African countries. According to him/her the EU is often perceived as projecting European values on the countries of the ‘South’ by

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<sup>155</sup> Ibid.

<sup>156</sup> EU official V.

<sup>157</sup> Ibid.

<sup>158</sup> EU official I.

<sup>159</sup> Ibid.

<sup>160</sup> EU official III, EU official IV, EU official V.

<sup>161</sup> Ibid.

<sup>162</sup> EU official V.

<sup>163</sup> EU official V, EU official IV.

preaching and telling them what to do, which ultimately does not lead anywhere. However, if the EU rather than projecting European values, promotes universally adopted norms (as adopted by the UN), the likelihood for success is much greater, even if the values or norms are the same.<sup>164</sup> And thus there is, according to the EU official “an overwhelming preference to act through the UN” rather than acting unilaterally.<sup>165</sup>

## 7.5 Norm Promotion and Mechanisms

The interviews indicate that there is an immense gap between how the EU officials perceive the EU and how the non-EU officials see it. The EU officials define the EU as the “normative and default actor”,<sup>166</sup> or as an actor “that has human rights, individual rights, rule of law... as the centre of our policies and our societies”.<sup>167</sup>

Four of the interviewed EU officials indicate that the EU strategy within the Third Committee predominantly is based on the promotion and protection of human rights through the mechanisms of thematic issues and long-term structural change.<sup>168</sup> These issues focus on long-term development with an explicit “focus on values, democracy and respect for individual and democratic rights.”<sup>169</sup> According to another official, the goal of these initiatives is “bringing other actors with us and to promote certain values.”<sup>170</sup>

Some of the issues<sup>171</sup> are specifically focused around children rights, children and armed conflict, women peace and security, sexual violence, the abolition of the death penalty,<sup>172</sup> freedom on religion and belief as well as on economic, social and cultural rights and LGBT (lesbian, gay, bisexual, and transgender)<sup>173</sup> rights. This implies that

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<sup>164</sup> EU official V.

<sup>165</sup> EU official IV.

<sup>166</sup> EU official I, the statement is backed-up by similar statements from the interview with EU official II and IV.

<sup>167</sup> EU official IV.

<sup>168</sup> EU official I, EU official III, EU official IV, EU official V.

<sup>169</sup> EU official IV.

<sup>170</sup> EU official III.

<sup>171</sup> These issues were highlighted as strategic key-priorities by the EU officials.

<sup>172</sup> EU official I, EU official II, EU official III, EU official IV.

<sup>173</sup> The EU co-sponsored a resolution (with South-Africa) on LGBT rights in the UNHRC in June 2011. According to EU diplomat V it is expected that the EU will propose an adapted version to the

the EU favours to work on issues “where it is able of sharing standards, policies, institutional mechanisms and specialisation with third parties.”<sup>174</sup> In other words, the preference of the EU is specifically on issues where it is possible to promote norms and mechanisms that the EU would like to see being brought forward. In addition to the thematic issues, the EU has in recent years also taken the initiative to co-sponsor a number of country-specific resolutions, targeting human rights situations in respectively Burma (Myanmar), the Democratic People’s Republic of Korea, Iran as well as the ongoing situation in Syria.<sup>175</sup>

In contrast to how the EU officials perceive the EU the like-minded official and the NGO representative emphasise that the EU often is perceived as an “arrogant”<sup>176</sup> actor that often tries to force others into accepting the norms of the EU.<sup>177</sup> Thus, the interviews suggest that one of the main obstacles of the EU is its lack of coherence and credibility. The interviews furthermore indicate that the EU often is perceived to be arrogant actor as it tries to give “lessons to other actors”.<sup>178</sup>

The NGO representative gave an example of how the EU is perceived as being hypocritical and arrogant actor. This is exemplified in an anecdote of the internal/external dimension of the human rights priorities of the EU. In 2004 the European Parliament adopted a resolution that recommended the United States (via the Council) to ensure the right of the Guantánamo detainees to a fair trial based on international treaties and the rule of law.<sup>179</sup> A few weeks later, Cuba sponsored a resolution in the UN Human Rights Commission<sup>180</sup> that, according to the anecdote, was the exact same resolution as the European Parliament adopted a few weeks prior. This time, however, the EU Member States, most likely due to pressure from the

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Third Committee within the next GA session in October-November 2012. See United Nations Human Rights Council. “Resolution A/HRC/17/L.9/Rev.1 (Human rights, sexual orientation and gender identity).” 15 June 2011. Accessed August 12 2012. URL: <http://daccess-dds-ny.un.org/doc/UNDOC/LTD/G11/141/94/PDF/G1114194.pdf?OpenElement>, United Nations, 2011.

<sup>174</sup> EU official I.

<sup>175</sup> EU official V.

<sup>176</sup> NGO representative.

<sup>177</sup> Ibid.

<sup>178</sup> NGO representative, Like-minded official

<sup>179</sup> European Union. European Parliament, resolution 2003/2229, European Parliament Recommendation to the Council on the Guantánamo detainees' right to a fair trial. March 10 2003. Accessed June 18. URL: <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P5-TA-2004-0168&language=EN>.

The UN Human Rights Commission was replaced by the UN Human Rights Council in 2006.

United States, pressured Cuba to withdraw the resolution in order to avoid embarrassment both for the United States and for the EU.<sup>181</sup>

Whether the resolution proposed by Cuba was the exact same text as adopted by the European Parliament, or whether the story is factually true, is not fundamentally important.<sup>182</sup> What is important, is that the story, after eight years still lives in the memory of the non-EU officials, and has developed into an anecdote of the EU within the UN system. The anecdote confirms the bias of the EU and that the EU is portrayed as an inconsistent and hypocritical actor, guilty of double-standards.

### 7.5.1 Mechanisms

In order to achieve its priorities an EU official stated that “you have to be smart and effective, you cannot just go around preaching and giving lessons to everybody and saying this is what the EU wants.”<sup>183</sup> It is reflected in the arguments of the EU officials that the mechanisms used by the EU in order to achieve its objectives are based on a three-folded approach, namely burden-sharing (discussed above),<sup>184</sup> outreach, and cross-regional coalition building.<sup>185</sup> Two EU diplomats almost concordantly agree that outreach is a central element in order to build alliances and to work with others.<sup>186</sup> Thus outreach is emphasised as a “lobbying taskforce between the EU delegation and the like-minded countries.”<sup>187</sup>

The second approach, cross-regional coalition building, is closely interrelated with outreach. The aim is “to get countries from all regions to get together and start initiatives...in order to diffuse the block logic... this, requires the EU to be a bit humble”<sup>188</sup> in order to let other states push the progress, so that it will be perceived as an EU (Western) initiative. The best example of this, was given by two officials that highlighted the cross-regional cooperation, in particularly with the League of Arab

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<sup>181</sup> NGO representative.

<sup>182</sup> Unfortunately has it not be possible to get the story confirmed by third parties – or to locate the documents supporting the claims.

<sup>183</sup> EU official III.

<sup>184</sup> See burden sharing under intergovernmentalism

<sup>185</sup> EU official I, EU official III, EU official V.

<sup>186</sup> EU official III.

<sup>187</sup> EU official IV.

<sup>188</sup> EU official III, EU official V.

States, in an effort to keep the pressure on the Syrian regime.<sup>189</sup> This process implied that it was important to put the EU flag “in the second and the third line, or even to hide it and try to work through Member States and through coalitions, in order to get our objectives and priorities across”.<sup>190</sup> This statement was supported by another EU official who emphasises that there was a deliberate policy by the EU not to be visible during the debates on Syria.<sup>191</sup>

## 7.6 Summary

The interviews with both the EU and the non-EU officials suggest that the behaviour of the EU within the UNGA is constructed around four key-factors. These factors are the structure of the UNGA, the North-South divide, the UN as a *de facto* intergovernmental organisation and the necessity of UN legitimacy. Furthermore the interviews suggest that the strategic priorities of the EU primarily are based on the promotion of norms and long-term structural change.

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<sup>189</sup> EU official II, EU official V.

<sup>190</sup> EU official V.

<sup>191</sup> EU official II also emphasises that neither the US nor Japan took the floor. The reason given one of the underlying principles in the UN is that the regions concerned should primarily deal with the issues at hand

## 8.0 Analysis

This chapter aims to answer the overall question of the thesis, namely which factors explain the behaviour of the EU at the UNGA. The collected data is discussed in correlation to the theoretical framework introduced in chapter 3. As the data primarily comes from interviews with diplomats, I will, in order to conceptualize and analyse their diplomatic language, briefly offer a short introduction to the role and use of diplomatic language within international relations.

### 8.1 Use of Diplomatic Language

Diplomacy is a tool used by actors of international relations to pursue collaboration and consensus, while concurrently expanding a network to serve the interest of the actor. The essence of diplomacy is the use of language and communication in a constructive manner to achieve foreign policy objectives without utilising the means of force or propaganda.<sup>192</sup> It functions as a form of *lingua franca* i.e. a common language utilised by states,<sup>193</sup> in order to make other actors fully comprehend the positions and policies of the state, and to avoid misunderstandings.<sup>194</sup> Diplomats are often perceived as being in full control of both language and communication, as they know that every single word articulated often will be scrutinized and analysed by others.<sup>195</sup> This implies that all language should be decoded in order to really understand and comprehend the underlying meanings and contexts.<sup>196</sup>

The interviews with the EU diplomats showed a number of interesting elements about the use of diplomatic language. Firstly, I was positively surprised by the openness of the EU officials, or what I perceived as honesty. This is also emphasised by the fact

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<sup>192</sup> G.R. Berridge, *Diplomacy Theory and Practice*. (New York: Palgrave-Macmillan, 2010),1-3.

<sup>193</sup> Traditionally diplomacy was only used by state actors, however with the development of multilateral organisations and so forth, diplomacy is now a tool used by other actors. See Jovan Kurbalija, "Hypertext in Diplomacy." In *Language and Diplomacy*, ed. Jovan Kurbalija et al. 162-182. (Academic Training Course, 2001),166.

<sup>194</sup> Berridge, *Diplomacy Theory and Practice*, 1-3.

<sup>195</sup> Stanko Nick, "Use of Language in Diplomacy." In *Language and Diplomacy*, ed. Jovan Kurbalija et al. 17-22. (Academic Training Course, 2001), 20.

<sup>196</sup> Aldo Matteucci, "Language and Diplomacy - a Practitioner's View." In *Language and Diplomacy*, ed. Jovan Kurbalija et al. 26-32: (Academic Training Course, 2001), 26.

that two EU officials expressed opinions that they subsequently requested to be taken off the record. Concurrently, I also encountered non-diplomatic outbursts where the EU diplomats characterized partners and adversaries as arrogant and undiplomatic.<sup>197</sup> However, it is critical to note that the officials interviewed, were chosen based on their positions, hence their choice of words and answers are inevitably influenced by the positions they hold.

Three of the interviewed EU officials indirectly confirmed the perceived arrogance of the EU, as they indicate that they believed in the supremacy of the norms of the EU.<sup>198</sup> This is highlighted by the choice of words used when referring to the countries of the ‘South’. While the usual UN lingo often distinguishes between the countries of the ‘North’ and ‘South’,<sup>199</sup> the EU officials<sup>200</sup> specifically referred to the countries of the ‘South’ as “underdeveloped states” compared to the “developed” states i.e. the EU and the Western world.

One EU diplomat confidently stated “we knew that we were right”,<sup>201</sup> thus indicating a higher moral standard than the rest of the world. This phrase once again indicates the perceived arrogance of the EU officials. While this on one hand can be perceived as arrogance, it on the other hand indicates a strong belief in the norms that the EU promote and thus a strong commitment to uphold and diffuse the norms and values of the EU.

## 8.2 Hypothesis I Answered

All the interviews with the EU officials strongly indicate that the key-objective of the EU within the UNGA is to share and promote norms according to the normative foundations of the EU.<sup>202</sup> When the EU diplomats were asked about the key-objectives of the EU as well as the mechanisms used to achieve the objectives, the

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<sup>197</sup> EU official I, EU official II.

<sup>198</sup> Ibid.

<sup>199</sup> Fasulo, *An Insider's Guide to the UN*, xiii.

<sup>200</sup> EU official I, EU official II, EU official III.

<sup>201</sup> EU official II.

<sup>202</sup> Manners, "Normative Power Europe: A Contradiction in Terms?" 240-242.

diplomats concurrently responded according to the values and mechanisms proposed by Manners.<sup>203</sup>

This is stressed by taking Manners' five factors of norm diffusion into account.<sup>204</sup> The "cultural filter" stresses the impact of international norms and political learning. Elements that were strongly emphasised by a number of EU officials as they throughout the interviews highlighted that the particular focus of the EU were concentrated around issues where the EU is able to share standards and policies. This is furthermore highlighted by the factor of "information" where the EU as a result of strategic communication is able to reach out and inform third parties, as well as the other Member States, about the decisions and positions of the EU. This is intrinsically also reflected in public statements and interventions during debates within the UNGA. The "procedural factor" refers to the institutionalisation of a relationship between the EU and third parties.

This aspect is strongly highlighted by mechanisms such as outreach and cross-regional coalition building. However, it can be disputed whether the EU specifically within the UNGA are building long-lasting partnerships, however, the data shows that the EU on a number of occasions have created long-lasting partnerships with non-EU states.<sup>205</sup> The element of 'overt diffusion' refers to the physical presence of the EU diplomats and the presence of the EU itself. Thus the upgraded status of the EU, and the fact that the EEAS officially represents the EU, indicates that this point is essential for the further development of a strong normative actor. The final factor, "contagion" refers to the facet that the presence of the EU may lead to unintentional diffusion of ideas and norms into the international arena. This factor is strongly related to Manners' as well as Bretherton and Vogler's core concept of the EU, that it is not what the EU actually does but what EU *is* that is essential.<sup>206</sup>

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<sup>203</sup> EU official I, EU official II, EU official III, EU official IV, EU official V.

<sup>204</sup> Manner suggests six factor, however, the sixth factor, 'transference' relates solely to the exchange of goods and trade and is thus not applicable in this context. See Manners, "Normative Power Europe: A Contradiction in Terms?" 244-245.

<sup>205</sup> EU official III.

<sup>206</sup> Manners, "Normative Power Europe: A Contradiction in Terms?" 252.  
Bretherton and Vogler, *The European Union as a Global Actor*. 27-29

One EU official emphasises that the presence of the EU, and the presence of the Member States, “help the debates because we get more positive vibes in the room,”<sup>207</sup> another official supported this argument by articulating that the presence of the EU shows the commitment of the EU to engage on the issues and furthermore to participate in the process.<sup>208</sup> However, neither of the interviews indicate whether the presence of the EU would lead to any unintentional consequences.

Another interrelated core element of NPE is the ability of the EU, “to shape what is normal in international relations,”<sup>209</sup> in accordance with the normative foundations of the EU i.e. the historical development of the EU, its hybrid structure and its commitment of international treaties.<sup>210</sup> Thus, a central element is whether the EU ultimately is capable of diffusing norms and thus shaping the norms of others.

Neither the interviews with EU officials or with the non-EU officials indicate that the EU should be more effective in shaping norms compared to other actors. One EU official stated that it is impossible to measure the impact and the effectiveness of the multilateral action of the EU within the UNGA.<sup>211</sup> Another official supported his/her statement by arguing that at this point the EU did not have time to reflect and analyse the results of its actions.<sup>212</sup> Another official indicates that the EU is efficient in number of different ways, even though it is not always possible to measure the outcomes.<sup>213</sup> The same three EU officials furthermore articulated that it is not always up to the effectiveness of the EU to determine whether the EU has any impact.<sup>214</sup>

The lack of measurable outcomes confirms both the realist and liberal criticisms of NPE, however, this intrinsically does not imply that the EU lacks the ability to diffuse norms into the international system. Rather the fact the EU primarily focuses on long-term objectives and thematic issues, which may lead to structural changes, confirms the commitment of the EU to the diffusion of norms. This ultimately leads to the

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<sup>207</sup> EU official I.

<sup>208</sup> EU official IV.

<sup>209</sup> Manners, "Normative Power Europe: A Contradiction in Terms?" 239.

<sup>210</sup> *Ibid.*, 239-242.

<sup>211</sup> EU official I, EU official II.

<sup>212</sup> EU official I.

<sup>213</sup> EU official III.

<sup>214</sup> EU official I, EU official II, EU official III.

element of whether it is essential for the EU to be effective to be a 'normative power' or whether the EU itself constitutes the elements of NPE.

While none of the core elements of NPE can be entirely confirmed, the fact that the EU is capable of empowering and cultivating third-parties to speak out on EU issues indicate, more than anything else, that the mechanisms used by the EU are based on socialization processes, and that the ability of the EU is exactly through norm promotion and soft power rather than using coercive means.

While there are no clear indications that the EU is effective or influential, it is unexpected that the EU officials kept emphasising that one of the core obstacles of the EU within the UNGA is the attempt from the G77 to backtrack the existing norms. Whilst outside the framework of this thesis, it is definitely worth contemplating whether other actors are more effective in their diffusion of norms than the EU. If this is the case, is it obvious to draw the conclusion that the EU is not unique due to its mechanisms of norm promotion, rather the EU is unique because of what it is and what it represents.

The interviews with the EU officials strongly indicate that the EU is fully committed to both international treaties and multilateralism. The main incentive is based on three separate but intersecting factors. Firstly, because the EU is grounded on the principles of rule of law, secondly, in order for the EU to be credible in the eyes of the other members of the UNGA; and thirdly, because it increases the effectiveness of the EU if it can refer the norms and values to the international accepted standards. Thus, the main mechanisms used, i.e. outreach and cross-regional coalition building, clearly indicates that one of the main objectives and strategies is based on gathering consensus both internally and externally.

While the intergovernmental structure of the UN poses a number of obstacles for the cohesiveness of the EU, there is, according to the EU officials a strong commitment to act jointly on most matters within the UNGA and thereby act as a hybrid power. All the EU officials emphasise that even though the EU Member States are not always able to agree, there are strong indications that they on most issues, are both willing and able to compromise on domestic interests in order for the EU to act like a unitary,

and consequently stronger actor. One official furthermore emphasises that it is important to keep in mind that the EU does not have a “united foreign policy, but a common foreign policy.”<sup>215</sup> Thus s/he indicates that even though the EU Member States are obliged to carry out common foreign policy, there is still room for independent action. Another official confirmed that it is important for the EEAS to give room and manoeuvrability to the individual Member States in order for a) not to marginalise them and; b) the Member States to show their visibility in an arena that usually has been a place for state action.<sup>216</sup>

Based on the interviews and analysis there are strong indications that the EU would like to act as a normative actor within UNGA. However, whether the actions and decisions of the EU vis-à-vis the promotion and protection of human rights are based on the normative foundation of NPE is impossible to determine without taking into account the various limitations and constraints stipulated in the second hypothesis.

### 8.3 Hypothesis II Answered

The interviews gave numerous indications that the commitment to human rights of the EU within the UNGA is based on a number of limitations and constraints rather than a proactive and targeted agenda. This is not to say that the EU does not have a determined strategy of its external affairs, but rather that it is calculated and strategized based on the existing limitations.

The first obstacle for the EU to ensure that it is a credible and coherent actor at the UN seems to be the delicate act of balancing the dualism of intergovernmentalism and its internal processes with those of supranationalism and its external action. This complexity is reflected in the fact that the decision-making powers *de facto* lies with the Member States. Additionally the UN is, particularly for smaller states, the only venue where they have equal representation to that of larger states<sup>217</sup>. According to two of the EU officials this implies that the EU Member States intrinsically have a

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<sup>215</sup> EU official IV.

<sup>216</sup> EU official I.

<sup>217</sup> EU official II.

strong interest in being visibly in order to show independence and thus to push their own agendas forward.<sup>218</sup>

According to all the EU officials interviewed the dichotomy between the intergovernmental and the supranational structure is extremely complex. All EU officials emphasise the role and the power of the Member States,<sup>219</sup> while also accentuating that there is a strong willingness by the Member States to work together and act cohesively, even though they may have to compromise values or interests.<sup>220</sup> Sjursen argues that the socialization process within the EU has reduced the likelihood of a veto from a EU Member State, as their positions are becoming more and more interconnected and thus the EU is slowly moving away from intergovernmentalism.<sup>221</sup> The interviews show that the interests of the Member States to enter into deeper integration does not imply that their role is excluded. Rather, the interviews indicate that the final outcome of the EU negotiation processes are reflected by the agendas of the Member States, and thus is a compromise, or a lowest common denominator decision. This position appears in the interviews of two EU officials.<sup>222</sup>

Three EU officials furthermore indicate that there are a number of issues where the EU is incapable of acting due to internal division between the Member States, or because one state, or a group of Member States, are not willing to compromise their interests.<sup>223</sup> While this problem only revolve around a few issues it is essential to emphasise as it severely limits the credibility of the EU. One EU official emphasised that it had been impossible to even discuss the human rights situation in Bahrain as at least one EU Member State was not willing to compromise or even engage on the issue.<sup>224</sup>

This possibly reflects why the EU has only sponsored very few country-specific resolutions, i.e. on Democratic People's Republic of Korea, Myanmar as well as having co-sponsored a resolution on Iran, over the last couple years. While all three

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<sup>218</sup> EU official I, EU official II.

<sup>219</sup> EU official I, EU official II, EU official III, EU official IV, EU official V, Like-minded official, NGO representative.

<sup>220</sup> Ibid.

<sup>221</sup> Sjursen, "Not so Intergovernmental after all? On democracy on integration in European Foreign and Security Policy." 1085.

<sup>222</sup> EU official I, EU official II.

<sup>223</sup> EU official I, EU official II, EU official III.

<sup>224</sup> EU official V.

states are responsible for committing severe human rights atrocities,<sup>225</sup> the interviews did not show any clear indication of why these three states have been specifically targeted compared to other states with equal or worse human rights records.<sup>226</sup>

When asked when the EU would sponsor a country-specific resolution, one of the EU officials emphasised that the EU would not be against sponsoring a resolution as long as there was coherence between all of its Member States.<sup>227</sup> This example indicates that the EU action is severely limited by the interests of its Member States. Thus this case suggests that the lack of action by the EU can be understood through the prisms of the realist doctrine.

The power of the EU at the UN has traditionally been understood through the prisms of a middle-power, i.e. a power that tries to build bridges between the various actors through dialogue and cooperation.<sup>228</sup> However, the interviews with both the EU and non-EU officials indicate that the EU no longer can be characterized as such. According to the EU officials, the EU is currently more outspoken and dogmatic and is therefore no longer perceived to be a power that improves the image and the credibility of the UN.<sup>229</sup> This is highlighted by the structural challenges and in particular by the North/South divide that seem to pose numerous obstacles for the EU, as the EU is perceived as an arrogant and incoherent actor. This aspect truly challenges the perceived role of the EU and emphasizes the need for the EU to constantly seek consensus through its outreach in order to regain legitimacy.

These challenges undoubtedly limit the effectiveness and the coherence of the EU within the UNGA. The constant pressure internally, in reaching consensus, as well as externally, in terms of reaching its objectives, poses a number of limitations and constraints on the EU. The fact that the EU continually needs to struggle in order to obtain a majority further stresses this, and it can thereby be argued that the EU can be perceived as a reactive power that is dependent on other actors to be able to control the actions or directions taken by the UNGA.

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<sup>225</sup>See for example Human Rights Watch, *World Report 2011 - Events of 2010*. (New York: Human Rights Watch, 2011). Accessed July 14 2012. URL: <http://www.hrw.org/sites/default/files/reports/wr2011.pdf>.

<sup>226</sup> EU official I, EU official II, EU official IV.

<sup>227</sup> EU official II.

<sup>228</sup> Laatikainen, "Pushing Soft Power: Middle Power Diplomacy at the UN." 70.

<sup>229</sup> EU official I, EU official II.

#### 8.4 The EU as a contradictory actor?

Whether or not the NPE doctrine is an effective theory in explaining the actions of the EU at the UNGA is hard to determine. On one hand the interviews suggest that the EU acts according to the framework of NPE and thus would like to be perceived as the principal human rights advocate within the UNGA. On the other hand, it is also important to be realistic about the capabilities of the EU, and its limitations within a structural complex environment that additionally is severely divided due to the geopolitical realities. With the objectives of the EU in mind, adjoined with the limitations and the geopolitical realities, it can consequently be argued that the EU is contradictory actor.

Whether the EU is an effective actor in its ability to shape what is normal in international relations is impossible to measure. This critique is present in the existing literature<sup>230</sup> as well as in the interviews with EU officials.<sup>231</sup> However what is particularly interesting is that the EU on a number of issues, for example on the situation in Syria and the resolution on the promotion of LGBT rights, has taken a step back in order for the resolutions or the issues to be adopted. While this intrinsically makes it impossible to measure the impact of the EU, it also shows an immense strength and that the success of the EU does not depend on the visibility of the EU. It could also be counter-argued that the resolutions on Syria and the LGBT rights would never have been adopted if the EU had been a visible player, as the initiatives would have been perceived as being too 'Western'. While it is often essential to show that the EU is an effective actor and does have impact, it is important to understand the mechanisms within the UNGA in order to understand what it means for the EU to be effective.

A central element of the NPE is whether the EU can be perceived as a different type of actor than the other UN Member States. Based on the interviews with the like-minded official and the NGO representative there are no indications that this is the case. Rather the EU is perceived as having the same broad interests and objectives of

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<sup>230</sup> Sjurssen, "The EU as a 'Normative' Power: How can This Be?"

<sup>231</sup> EU official I, EU official II.

other major actors and in particular the United States.<sup>232</sup> Thus, they compare the power and the power limitations to the same framework as they do with any other actor or any other regional group, such as the G77. Thus, for the like-minded official and the NGO representative the EU is a group of nation states that have come together just like any other regional group at the UN.<sup>233</sup>

However, the EU officials themselves strongly emphasise that the EU has a much stronger commitment to human rights and multilateral cooperation than other actors.<sup>234</sup> Despite the normative commitment of the EU they also stressed that it is an illusion to believe that the EU should act differently than other actors within the UNGA, as it is clear that it needs to be pragmatic in order to reach its objectives.<sup>235</sup> The argument is supported by Manners, who holds that the EU is different not because of its actions, but primarily because of its hybrid structure, its commitment to international law and its strong commitment to human rights.<sup>236</sup>

It is implied in the NPE theory that the socialization processes and the promotion of norms stem from a deliberate and proactive attempt to shape the norms of third parties. However, the results of the interviews indicate that the agenda of the EU is based on a reactive approach, where the socialization processes are the consequence of the lack of power of the EU rather than a deliberate attempt to shape the behaviour of other actors. However, it can also be argued that the behaviour of the EU may be grounded on this exact realization. Consequently, it must be considered whether the EU, if it would be more powerful, would act stronger and more forcefully rather than utilizing the soft power that it does today. While the issue is somewhat outside the framework of the thesis, the historical foundations of the EU, co-joined with the commitment of the EU to dialogue and cooperation, as well as the interviews with the EU officials, suggests that it is likely that it would not change its mechanisms in order to reach its objectives.

Despite the strong commitment of the EU Member States to vote as a block there are still huge obstacles that need to be dealt with. This either implies that the EU is unable

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<sup>232</sup> Like-minded official, NGO representative.

<sup>233</sup> Ibid.

<sup>234</sup> EU official I, EU official II.

<sup>235</sup> EU official III.

<sup>236</sup> Manners, "Normative Power Europe: A Contradiction in Terms?."

to act cohesively or that difficult issues are completely left out of the agenda. This complexity also questions whether the EU can be perceived as a hybrid power or whether it should be regarded as another regional group at the UN, thus underlining the intergovernmental structures of the both the UN and the EU.

According to the interviews there is no doubt that the foreign policy of the individual Member States still is perceived as high policy, a policy area where the EU Member States are less willing to compromise. The interviews, as well as the voting records, indicate that despite a strong willingness have a common foreign policy, there are a number of issues where the Member States are unwilling or unable to ‘speak with one voice’. Over time those issues are becoming less and less frequent. While I in the introduction indicated that the EU would be treated here as a unitary actor, the results imply it is impossible to understand the actions of the EU without taking into consideration the intergovernmental structures and mechanisms of the EU.

The deepened cooperation among the EU Member States sends very strong signals to the rest of the UN members. The EU Member States are not only willing to compromise on and bypass their own requirements and national interests to find common solutions, but they are prepared to compromise their own national sovereignty in order to reach common goals. However, issues with a split EU vote may send an even stronger signal in the opposite direction, as they show that the EU members (which have a strong historical and cultural bond) cannot easily find common solutions. Thus, other states with extreme diversified backgrounds and values may wonder how they are expected to reach common agreements and consensus, when not even the EU is able to do so. Therefore, the lack of EU consensus might challenge the power and the role of the EU more than in situations where there is a EU consensus.

An example of the considerable importance of the agendas and objectives of the Member States is the current human rights situations in Bahrain. According to one EU official<sup>237</sup> it is such a sensitive issue for so many EU Member States that it is not even discussed in the EU Human Rights Working Group (COHOM), that decide EU

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<sup>237</sup> EU official V.

strategic and potential country-specific priorities for the upcoming UNGA, in conjunction with the Member States.<sup>238</sup>

The reason that the human rights of the citizens of Bahrain have been neglected, while the EU in recent years has co-sponsored a resolution on Iran, was not explained by the EU officials. However, two elements might be of central importance. Firstly, as Canada took the lead on the resolution on Iran,<sup>239</sup> the EU only co-sponsored it and thus was not perceived as the initiator even though they had a strong influence on it. Secondly, the EU is not willing to propose resolutions that ultimately would not get adopted by the UNGA. Proposing resolutions that the EU would not (potentially) get a majority support for would intrinsically be a waste of resources<sup>240</sup> and would furthermore emphasise the political and strategic weaknesses of the EU. One EU official indicates that the EU in the past had an annual country-specific resolution on the human rights situation in Zimbabwe, however, due to strong opposition, primarily from members of the G77, the EU lost the vote, and have not recommenced the resolution since.<sup>241</sup>

This indicates that one of the main failures of the EU (and the UN) is the failure of reacting effectively and coherently to dire and emergent human rights situations. The most current example is the on-going situation in Syria, where more than 17,000 have been killed since the beginning of the uprising.<sup>242</sup> As the situation on the ground, as well as the political climate is complex it is hard to determine what the exact measures should be, but it is clear that the international community and the EU have yet to come up with a proper respectable solution to the situation. However, what is interesting in this regard is not to focus on the lack of a coordinated and effective multilateral action, but to see that the EU Member States jointly have decided to impose severe sanctions on the Syrian regime outside the framework of the UN.<sup>243</sup> While it is clear that imposing sanctions without the full-support of the UNSC is against the normative commitment of the EU to multilateral action, it is also clear that

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<sup>238</sup> EU official IV, EU official V.

<sup>239</sup> EU official I.

<sup>240</sup> Ibid.

<sup>241</sup> Ibid.

<sup>242</sup> No official number exist, according to the UN have more than 17,000 (mostly civilians) been killed since the emergence of the uprising seventeen months ago. United Nations News Centre. UN refugee agency reports increase in number of people fleeing violence in Syria. Accessed August 17 2012.

URL:<http://www.un.org/apps/news/story.asp?NewsID=42661&Cr=syria&Cr1=>

<sup>243</sup> EU official IV.

the EU is not willing to let other states dictate its foreign policy objectives and thus be paralyzed for further action. Furthermore, it demonstrates that the EU is not solely focused on the slower socialization processes, but it is also willing to use other types of mechanisms.

While the EU, according to one EU official, “has shown they are willing to do more... including additional sanctions outside the framework of the UN,”<sup>244</sup> it also has some true limitations within the UN system. This is emphasised by the fact that the EU is not a member of the UNSC, the one place at the UN where the decisions are legally binding.<sup>245</sup> Even though the EU is partly represented by the permanent members, United Kingdom and France, that according to the ToL are obliged to share information and strategies with the other EU Member States, EU officials emphasised that both states, despite their membership of the EU, exercise their national sovereignty, which intrinsically makes it harder for the EU to unite on dire human rights issues.<sup>246</sup>

While the example of Syria and the neglect of a coherent policy on the situation in Bahrain are examples of the human rights policy of the EU within the UNGA, they demonstrate that the EU is an incoherent actor that applies double-standards, despite its normative condemnation of such behaviour. However, it is encouraging to see that the EU officials are fully aware of these challenges,<sup>247</sup> and try to deal with them, even though it is a long and slow process.

From a normative perspective it makes great sense for the EU to primarily focus on structural long-term changes and thematic issues rather than on country-specific resolutions. Firstly, this would potentially divide the EU Member States internally, as well as would emphasise the North-South divide. Finally, country-specific resolutions are often perceived as being coercive and a tool that singles out the specific country.<sup>248</sup> However, this does not imply that the EU is not willing to engage on difficult or complex issues. The fact that the EU initiated the process of adopting the

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<sup>244</sup> Ibid.

<sup>245</sup> Fasulo, *An Insider's Guide to the UN*. 38.

<sup>246</sup> EU official I, EU official III.

<sup>247</sup> EU official I, EU official II, EU official III, EU official IV, EU official V, Like-minded official, NGO representative.

<sup>248</sup> EU official 1.

LGBT resolution at the UNHRC clearly shows that the EU is willing promote human rights issues that are not necessarily recognised in all parts of the world.

An interesting element is that none of the EU officials emphasise that the EU has any specific interests besides from shaping the norms of others to become more like the EU. Rather the interests of the EU are solely perceived through the interests of the EU Member States. However, as the interviews solely consisted of EU diplomats working in the human rights field, I would argue that the conversation must be expanded to include issues such as security, defence, economy as well as other geopolitical interests in order to fully comprehend the motivations of the EU.

An example of this is that the European Security Strategy paper clearly emphasises that the promotion of human rights is a main objective of the EU external action not only due to a utilitarian approach, but also due to a fear that conflict in third countries might lead to spill-over effect into the EU.<sup>249</sup> So while the EU strongly emphasises the promotion of human rights as one of the core pillars of the EU, is it intrinsic that human rights promotion in third countries is closely linked with a self-interest of the EU. Thus, it can be argued that if security is a core interest it might also influence the decision-making processes on which human rights agendas the EU will engage on. Thus, are there once again clear indications that interests play a significant role in decision-making processes of the EU.

According to three of the EU officials is it clear that the EU would like to it be a major player in the UNGA.<sup>250</sup> However, despite its ability to gather almost one-third of the Member of the UNGA, including the EU Member States as well as the like-minded coalition states, it does not seem that the EU is strong enough to play a leading role. Furthermore there are indications that other powers, and in particularly the BRIC countries (Brazil, Russia, India and China) are currently gaining more power and influence and are thus capable of building stronger alliances, which implies that the EU might be losing ground in the long run. Three EU officials say that it is not solely the EU that is under pressure, but most states within the UN.<sup>251</sup>

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<sup>249</sup> European Union. European Council, "A Secure Europe in a Better World: European Security Strategy." 2003.

<sup>250</sup> Ibid.

<sup>251</sup> EU official I, EU official III, EU official IV.

Given the commitment of the EU to the normative ideals presented by Manners, in conjunction with the limitations and obstacles that intrinsically characterises the *modus operandi* of the EU within the Third Committee of the UNGA, it can be argued that the EU is a contradictory actor. However, it is important to note that the development of the EEAS and the presence of a single EU representative are new features, and that the EU is currently in the middle of a process of establishing itself as a coherent and credible actor in world politics.

## 9.0 Conclusion

Based on the interviews, there is no doubt that the EU wants to be a different type of actor through its commitment to international law, multilateral cooperation and because it strongly has an interest in changing other actors to be more like itself in terms of values and norms. However, the study also shows that one must be realistic about the capabilities of the EU and thus understand that there is a strong need for the EU to be pragmatic if its wants to become increasingly effective and thus achieve its objectives. It can be argued that the EU currently is behaving like a contradictory actor that on one hand emphasises its commitment to human rights, multilateralism and its hybrid structure, while on the other hand is limited due to the intergovernmental structures of the EU and the UN. Furthermore, it can be argued that the EU is acting as a contradictory actor primarily because of its normative objectives that are diluted due to the interests of its Member States.

The tools and mechanisms used by the EU at the UNGA range from liberalism (cooperation and the shaping of the other in the image of the EU), realism (the focus on an interest driven external policy), constructivism (the emphasis on socialization processes) as well as NPE (the ability and focus of slowly changing norms). Consequently, any one theoretical approach is not sufficient in order to explain its behaviour. Rather, EU's action at the UNGA can be described as a 'full instrument power discourse'<sup>252</sup> as its discourse is characterized by using a number of different elements of NPE, realism, liberalism as well as social constructivism. Consequently, none of the international relations theories fully grasps the entire discourse and working mechanisms of the EU.

Whether or not the EU is a normative actor, as Manners has articulated it, is a question that depends on the framework and the subjectivity of the researcher, as it is possible to find arguments that the other theories are equally important in characterising the power of the EU. However, the fact that the concept of NPE does not exclude the usage of other power discourses within international relations is perhaps one of the strongest arguments for claiming that the primary discourse of the

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<sup>252</sup> Larsen, "Discourse Analysis and European Foreign Policy." 72.

EU is best characterized as being based on NPE. The strength of NPE is that it is able to encompass the other theories and thus it might offer a more realistic framework.

Even though NPE does serve as a good description of the power of the EU within the UNGA's Third Committee, it can further be argued that NPE better describes the aspirations of the EU rather than what it truly is at the moment. The limitations and constraints that to a certain extent define the workings of the UNGA place the EU in the position of a contradictory actor.

In the future it would be interesting to analyse and examine a number of the issues only briefly discussed in this thesis. For example it is not only relevant but also essential to analyse how to bridge the gaps between the EU and the G77. Connected to this is also the question whether the EU is an actor under pressure from among others the G77 and the BRIC countries. Furthermore it would be interesting to analyse how the EU could overcome its present limitations.

Given that the EU is composed of twenty-seven Member States, and has a broad coalition of like-minded partner states, it is surprising to see that the EU somehow is a vague and often reactive power. However, it is essential to note that the external affairs of the EU is in a process where it is slowly trying to build up the EEAS in order to enhance its effectiveness and in order to be an increasingly coherent and credible actor. For now it can though be argued that the EU at the UN is a contradictory actor who is punching below its weight.

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### **Interview guide:**

The interview guide was solely used indicatively when conducting the interviews.

#### **Introduction**

- Brief overview about the research
  - (Introduction to the concept of Normative Power Europe)
- Asking for permission to record the conversation

#### **Background**

What is your job title and role within the EEAS/Council/NGO etc.?

#### **Role of the EU**

- Which role does the EU play/would it like to play?
  - Bridge-builder or leader? Middle-power?
- Does the EU act differently than other powers?
- Are we realistic or perhaps too naïve about capabilities in the UN?
  - Are the expectations too high? Are they justified?
- Is the EU effective? Does the EU achieve what it sets its mind for?
- Which kind of limitations, do you believe that it has?

#### **Mechanisms**

- Which type of norms/values does the EU want to project and promote?
- Does the EU have a unique position or ability to influence others?
- Which type of mechanisms does the EU use in order to achieve its objectives and priorities?
- When does the EU sponsor/draft country specific resolutions?
  - North Korea, Myanmar etc.
  - When are resolutions effective?
- How has the EU reacted regarding Syria? And other forms of atrocities?
  - What is the next step regarding Syria (and Bahrain)?

## **Decision-making**

- How has the changing role of the CFSP and the development of the EEAS influenced and improved the effectiveness?
- How has the Member States reacted to the changes of the EEAS?
- Is there a lack of political direction, which compromises the effectiveness of the EU?
- How are the priorities decided for the upcoming session of the General Assembly?
- Is the EU spending too much time deliberating among themselves in order to achieve consensus?
- When and why do you have to scale down proposals due to internal disputes within the EU?
- When does the EU act ‘unilaterally’ and when does it choose to act through multilateral organisations?