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Beyond a single voice

Exploring the effectiveness of informal cooperation
in EU foreign policy

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Abstract

Ergendosi primariamente sull'unanime volontà sovrana e sulle risorse dei propri stati membri, la capacità di azione esterna dell'Unione Europea (UE) è solitamente dipendente dalla volontà di questi ultimi di formulare e promuovere una politica estera in modo concertato. La conseguente necessità di assicurare la sussistenza di una visione strategica e di una volontà operativa comune tra gli stati membri ha fornito lo stimolo per la costruzione ed il progressivo consolidamento di una retorica, tanto istituzionale quanto nazionale, atta ad esortare il mantenimento di un'unità sia politica che pratica tra i medesimi. Sin dalla fondazione della Comunità Economica Europea negli anni Cinquanta, gli stessi sforzi di integrazione insiti la politica estera comunitaria, e successivamente unionale, sono stati accompagnati da un'analoga risolutezza nel difendere l'imperativo dell'unità europea in quanto prerequisito per garantire l'influenza dell'Unione a fronte di un panorama internazionale sempre più complesso e conflittuale. Così facendo, tali proposizioni hanno rivelato la forza delle convinzioni europee circa l'esistenza di un nesso diretto tra il potere aggregato dell'UE e la sua capacità di efficacia, comunemente espresse attraverso l'dea di una "singola voce" europea, considerata come indispensabile strumento per garantire il raggiungimento degli obiettivi unionali.

Tuttavia, il contesto internazionale così come la stessa dimensione interna all'Unione offrono chiare testimonianze dei concreti limiti di tale nesso causale, negando dunque la presenza di un sistematico legame positivo tra unità interna ed efficacia esterna, evidenziando invece l'esistenza di meccanismi alternativi così come diverse variabili intermedie il cui intervento è in grado di condizionare il grado di incidenza dell'Unione. In particolare, la pratica attesta il peso ostruttivo dello stesso criterio di unanimità, che si rivela spesso inadeguato a conciliare l'eterogeneità degli stati membri, trasformandosi al contrario in una risorsa per la difesa di interessi nazionali specifici, spesso in contrasto ai dichiarati interessi e valori europei. La risultante difficoltà nel concordare così come perseguire politiche ad ampio consenso, capaci dunque di definire ed avanzare le ambizioni dell'Unione, è al contempo affiancata da un'analoga difficoltà nel difendere una posizione comune dinanzi gli ostacoli posti dalle generali dinamiche inerenti alla dimensione di politica estera, dove fattori quali un assetto negoziale simmetrico, la tipica avversione al rischio degli stati membri, la presenza di un contesto esterno particolarmente ostile e la rigidità connessa al principio di unanimità, si vedono ripetutamente inibire il potenziale di efficacia dell'UE. In aggiunta a tali determinanti, parimenti significativo è il potenziale latente insito la specificità nazionale europea, i cui benefici hanno la possibilità di eccedere la funzionalità così come i costi associati alla promozione di una politica uniforme, permettendo all'Unione di sfruttare i particolari legami e le affinità esistenti tra i propri stati membri ed attori terzi al fine di incrementare la recettività delle proprie politiche, e di

conseguenza il successo delle proprie prestazioni. Ciononostante, il principio di unanimità continua a conservare la sua centralità nel quadro della politica estera unionale, venendo meno nel fornire agli stati membri un adeguato meccanismo attraverso cui accrescere il proprio margine di influenza ai fini della salvaguardia delle priorità nazionali. Infatti, sono esattamente queste le premesse che hanno progressivamente spinto gli stati membri a ricercare modalità di cooperazione alternative, capaci di garantire un più efficiente bilanciamento tra flessibilità decisionale e volontà nazionale; un desiderio che li porta frequentemente ad aggirare le disposizioni dei trattati e ad intraprendere invece procedure di cooperazione informale.

Attingendo dai vantaggi generalmente concessi dall'informalità, la cooperazione informale permette ad un insieme di stati membri di integrare le proprie competenze e risorse per rispondere a questioni internazionali di interesse condiviso, a prescindere dalla presenza di un'unanime volontà intergovernativa. Tali pratiche possono manifestare caratteristiche diverse a seconda dei relativi fattori abilitanti, l'area tematica di azione, l'intensità del loro legame con le strutture istituzionali esistenti, la loro esclusività e la loro durabilità. Tuttavia, esse detengono un analogo potenziale di efficienza, consentendo agli stati membri di superare i limiti dati dai procedimenti formali ed accrescere la responsività, il dinamismo e la coerenza delle politiche dell'Unione. Di fatto, facendo leva in particolare sull'ampia flessibilità operativa garantita dall'indipendenza del processo, gli stati membri in possesso dei rilevanti requisiti - ovvero una forte volontà di intervento, competenze e conoscenze specifiche in relazione alla tematica in oggetto, ed adeguate risorse sia materiali (finanziarie ed umane) che immateriali (legami proficui con le parti interessate, reputazione positiva e via dicendo) – hanno la capacità di acquisire un ruolo prominente nella definizione delle politiche europee, difendendo in tal modo le loro prerogative nazionali ma favorendo allo stesso tempo la capacità reattiva dell'Unione. Permettendo inoltre l'iterativa interazione e collaborazione tra i rilevanti stati membri, la cooperazione informale è funzionale ad una politica estera coesa, il cui potenziale di impatto è rafforzato dalla più mirata e strategica mobilitazione delle risorse nazionali, mentre la mancanza di meccanismi rigidi garantisce maggiore adattabilità, consentendo ai partecipanti di ricalibrare rapidamente le proprie iniziative sulla base degli sviluppi esterni. Il valore aggiunto di tali pratiche è infine intensificato dal loro legame con le istituzioni dell'UE, che le prime tendono a mantenere – seppur in diversi gradi - per l'intera durata del processo, assicurando quindi il persistere di una linea di comunicazione diretta tra il gruppo informale e l'Unione. Una simile connessione risulta significativa in termini di influenza sia interna che esterna, in quanto può permettere al gruppo informale non solo di attingere da un più vasto apparato di risorse e dunque incrementare il proprio peso politico, ma anche di aumentare le possibilità che la loro politica venga riconosciuta dall'UE e dunque riceva maggiore supporto intraeuropeo.

Tuttavia, fermo restando tale potenziale, i benefici attribuibili alla cooperazione informale non sono in sé sufficienti a dimostrarne l'efficacia pratica, ovvero la concreta capacità del processo di condurre ai risultati attesi e dunque confermare il proprio valore nei confronti delle procedure di politica estera unionali. In altre parole, sebbene un vantaggio procedurale possa certamente risultare utile a favorire l'efficacia della cooperazione informale, quest'ultima può essere verificata e calibrata solamente attraverso un'analisi empirica orientata al rendimento, che sia dunque finalizzata a valutare secondo quali condizioni pratiche un gruppo informale possiede maggiori probabilità di raggiungere gli obiettivi prefissati. Successivamente, un'estensione di tale indagine a diversi contesti registranti una simile attività, permetterebbe progressivamente di delineare un insieme di criteri generali, e quindi ampiamente applicabili per la misurazione di tale efficacia, il quale la renderebbe di conseguenza più prevedibile e strategicamente sfruttabile. Inoltre, tale analisi è altresì importante a fronte del potenziale limite di legittimità della cooperazione informale, il quale potrebbe sorgere dall'impossibilità per quest'ultima di garantire la rappresentanza degli interessi di tutti gli stati membri. Infatti, pur avendo la capacità di generare politiche condizionanti l'Unione nel suo complesso, un gruppo informale comprende unicamente un numero ristretto di partecipanti, creando così un divario tra coloro che agiscono, e così facendo perseguono i propri interessi, e coloro che invece, mantenendo semplicemente un'aperta linea comunicativa con gli stessi per mezzo delle istituzioni europee, detengono un controllo marginale sulle relative politiche ed operazioni.

Allo scopo di contribuire a colmare questo gap valutativo, è stata avanzata un'analisi empirica basata sull'esplorazione di due casi studio relativi all'attività di diversi gruppi informali che mostrano distinti livelli di efficacia. Partendo da una serie di parametri valutativi costruiti sulla base delle più diffuse argomentazioni accademiche relative allo studio dell'efficacia dell'Unione, l'analisi è stata condotta secondo un approccio deduttivo bidimensionale, volto a verificare la validità di suddetti parametri per il contesto della cooperazione informale così come rilevare ulteriori variabili intervenienti. Tale processo ha permesso di appurare il concreto valore della cooperazione informale, confermando dunque la sua possibilità di costituire una pratica positiva a fronte dei limiti insiti i procedimenti di politica estera dell'UE. Un risultato che è stato ulteriormente rafforzato dai dati relativi alla percepita legittimità della pratica, i quali dimostrano che la cooperazione informale ha la concreta capacità di essere riconosciuta come lecita da parte dell'Unione, in particolare grazie al mantenimento di un legame costante con le sue istituzioni. Ugualmente significativo, l'attuazione di un'indagine comparata è stata funzionale all'individuazione di particolari criteri i quali, rivelando un peso similmente determinante per l'efficacia della cooperazione informale in entrambi i casi studio, possono essere considerati come costanti di indagine e dunque sfruttati come indicatori standard per stimare il concreto potenziale dei gruppi informali in ogni contesto di azione.

Introduction

When discussing the actorness of the European Union (EU), meaning its capacity to behave actively and effectively in relation to other actors in the international system, EU foreign policy scholars, Union officials as well as the wider European public are prone to judge it on the grounds of its consistency, thus defining its degree of efficacy according to member states' ability to act as a single unity. Indeed, in the face of an international environment characterized by recurring power politics often involving great powers such as the US, Russia, and China, and marked by transnational and cross-cutting security threats including terrorism, climate change, cybercrime and data protection, or nuclear-proliferation, the Union is considered able to exert a real influence only through the appropriate exploitation of its full political and economic weight, for it provides its institutions with a might that member states have not the potential to deliver individually. By contrast, the presence of intra- and interinstitutional divergencies and the consequent low degree, or even absence of political and operational synergies is seen as deleterious for the Union's very own resilience, since it leads to uncoordinated, conflicting, or merely symbolic responses both on the part of member states and institutional representatives, which prevent the Union from acting as an actor in its own right, with the means to effectively pursue its strategic interests and defend its fundamental values. Moreover, a coherent EU foreign policy is seen as necessary to guarantee the credibility and legitimacy of the Union. In fact, the formulation and implementation of coordinated policies implies a high level of intra-EU consistency, both in a horizontal (i.e., between member states' responses) as well as vertical (i.e., between supranational and national stances) sense, which, by favouring a greater alignment of member states' policies with EU's stated commitments and values, can positively impact on the perceived trustworthiness of the Union. If sustained, the display of a greater commitment towards common principles and objectives is in turn likely to increase the chances for EU's action to match the expectations of both the European society and external actors, enhancing by consequence its potential for legitimacy, and thus the strength of its recognition as an international power holder.

Strong with this conviction, European institutions placed internal unity at the heart of their foreign policy rhetoric, repeatedly advocating the need to reach coherence in every aspect of EU's external dimension: between member states' stances and those of institutions, between EU's positions and practices, between sectoral policies as well as between Union policy instruments and strategies. Concurrently, the importance of this overarching coordination progressively transposed into substantial provisions aimed at concretely facilitate it by means of structural reforms, which

ultimately brought to the foreign policy institutional framework sanctioned by the Lisbon Treaty (13 December 2007; 1st December 2009).

However, while such progressive adjustments certainly improved the coherence and continuity of EU foreign policy, this latter was unable to achieve the same level of integration as the Union internal dimension. Conversely, EU foreign policy remained largely organized along intergovernmental lines, which see the primacy of member states sovereign will, albeit subjected to the unanimity principle. Indeed, unlike internal policy domains such as the single market, the monetary union or the Schengen area, the more delicate and country-specific nature of foreign policy interests and relationships led member states to retain a higher degree of autonomy in EU foreign policymaking. This implicit heterogeneity of national interests and security priorities, despite it being already discernible in the not so unusual setbacks given by member states' modest capacity of common operational action, became increasingly more visible following the outbreak of subsequent crises stemming from the international context. Indeed, such crises highlighted the shortcomings of EU institutional arrangements, and the persisting intraregional destabilizations which ensued from their inability to produce swift and adequate policy responses decreased the national confidence in the Union as a guarantor of prosperity, fomenting instead feelings of disenchantment towards the European project and the perception that national security priorities could be promoted only by the same European governments. As a consequence, internal contestations could be seen to gain more prominence especially within the EU foreign policy domain, which furtherly hindered EU's capacity to face international challenges through a unitarian approach.

Precisely for this reason, the now seeming low capacity of the Union to effectively condition external events according to its ambitions is usually blamed on the lack of internal unity, which is considered to be exacerbated by the overall cumbersome EU foreign policy decision-making process. However, even though member states' aggregate power can certainly represent an asset for EU's operational capacity, the extent of this potential should not be confused with the existence of a systematic causal link between member states' unity and EU's external effectiveness. On the contrary, the usefulness of a unified response, understood as the crafting of consistent policies coupled with a single European pressure, should be the result of a pragmatic judgment taking into consideration both the limits intrinsic to the same foreign policy decision-making process - and especially to the unanimity principle -, as well as the very own nature of the Union, being it a polity comprising heterogeneous member states largely retaining the sovereignty, notably in foreign affairs; a domain in which the latter tends particularly to reflect member states' strong willingness to safeguard national interests. Indeed, it is exactly the frequent contrast between these two elements that encouraged the incremental exploitation of an alternative foreign policy practice, which allows a cluster of like-minded member

states and other interested actors – often including EU institutions - to cooperatively pursue similar interests and security priorities in an informal way, meaning outside the Union rules of procedure and the limits they entail. The recognition of this complex and multifaceted reality makes it thus possible to question what appears to stand as the unrivalled belief of both EU officialdom and scholarship on EU foreign policy, uncovering instead the circumstantial character of EU's international efficacy as well as the presence of an alternative avenue of EU foreign policymaking, expressive of member states' desire to achieve a better compromise between European integration and national autonomy in a more cost-effective way. Analysing this latter can therefore reveal particularly significant since it could not only validate this potentially resolutive character of the practice against the structural drawbacks of formal foreign policy proceedings, but it could also contribute to a more pragmatic definition of some of the facets of EU's external effectiveness. In so doing, a more concrete assessment of such practices of informal cooperation can allow to verify the extent to which informal cooperation can concretely result as effective, and thereby represent a positive development for the improvement of the Union's overall foreign policy performance, at the same time providing further evidence to the limits of the conventional wisdom on EU actorness.

Acknowledging the potential value of this process, the thesis will seek to contribute to the exploration of the effectiveness of informal foreign policy cooperation. To this end, the research and analysis work will concentrate firstly on delving further into the rhetoric underlying the conventional conception of EU actorness, illustrating its deep-rooted connection with the Union foreign policy but also highlighting its main limitations, and their consequent impact on the same power of influence of the EU. This discussion will also be useful to reveal the foundations of informal foreign policy cooperation, describing the motives as well as emphasizing the potential value of this latter. A more extensive analysis of informal cooperation will be the focus of the second chapter, which will allow to define in more specific terms both the logic and the possible benefits of the mechanism, also relying on the more general appraisal of the literature on EU informal governance. Such analysis will offer precious insights over the functioning as well as the value of informal cooperation; however, it will reveal insufficient to verify its efficacy, which can be evaluated only through an empirical assessment oriented to concrete results. Contributing to bridge this evaluative gap, the last chapter will be therefore devoted to the examination of two case studies, which, by means of a deductive approach, will have the aim to provide a set of plausible, widely applicable criterions allowing for a more accurate evaluation of informal cooperation effectiveness, while simultaneously representing a constant able to enhance the foreseeability of its outputs and thus the development of its strategic dimension.

Chapter 1

EU foreign policy and the unity-efficacy nexus

In political and academic debate alike, it has become a commonplace to reproach EU actorness for its inability to counter the increasing illiberal trends arising on the global stage, thus failing to meet the expectations of both third countries and European publics. This limited impact is usually blamed on the very own functioning of EU external dimension, which is characterized by a polycentric and intricate decision-making procedure that hinders the efficacy of interinstitutional coordination, as well as the corresponding unanimity requisite, a clause which tends to be exploited rather to block common foreign policies deemed irreconcilable with national interests. This was for instance the case with Poland and Hungary's veto against EU Gender Action Plan III, a foreign policy plan to promote gender equality and women's empowerment, as part of an escalating fight that these member states seem to be waging over gender and LGBTIQ rights.[1] Similarly, Cyprus recently blocked EU sanctions against the Belarusian authorities accused of falsifying the 9 August presidential poll, to remonstrate for the lack of a parallel action on Turkey and its contested drilling activities in the East Med waters.[2] Member states diverging national interests are indeed the motive behind the differing national stances as well as the interinstitutional power struggles which oftentimes emerge *vis-à-vis* international issues, as for instance revealed a recent development of the dispute between the US and Iran, which led to the killing of Iranian major general Qasem Soleimani in January 2020. In fact, this event induced a rift within the Union, which brought the Council's President Charles Michel to comment on the American move before the High Representative could make its official statement, whereas members states took conflicting stances towards the US, thereby affecting the overall responsiveness of the EU.[3] The weight of such divergencies tends to be aggravated by the expectations connected to the Union's potential, being it a polity which detains an aggregate economic might that rivals the one of great powers such as the US and China. Indeed, its low external

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[1] Burchard, H. von der (2020), "EU's foreign policy gender plan faces resistance from Poland and Hungary". Politico, November 25. Accessed on 21/10/2021 at https://www.politico.eu/article/eus-gender-equality-push-for-external-relations-faces-trouble-from-the-inside/

[2] Rankin, J. (2020), "EU fails to agree on Belarus sanctions after Cyprus blocks plan". The Guardian, September 21. Accessed on 21/10/2021 at https://www.theguardian.com/world/2020/sep/21/eu-fails-agree-belarus-sanctions-cyprus-blocks-plan

[3] Bendiek, A. et al. (2020), "CFSP: The capability-expectation gap revisited". In *SWP Comments,* N.58. Berlin: German Institute for International and Security Affairs; p.2

effectiveness is often addressed through Christopher Hill's infamous "capability-expectations gap",[4] bearing witness not only to the persisting differences between the perceptions inside and outside Europe on the Union's appropriate role, but also to the visible disparity between the same European rhetoric and political will.

In fact, EU-level rhetoric has always moved in contrast to its practical incongruencies, advancing narratives focused on European unity and the corresponding critical impact of its collective resources and persuasive power. Over the years, this persisting emphasis came to shape what today is often referred to as the EU "one voice mantra", depicting the idea that the Union could be more effective on the world stage if only its member states were to "speak with a single voice". As expressed by the former High Representative of the Union Javier Solana:

> In order to be an international actor, the EU must act in unison and speak with one voice. If each member state acts individually, Europe will find itself relegated to the role of mere spectator in the arena of major world events, with neither the capacity nor the power to influence their outcome.[5]

Such intentionality is however referable to manifold instances, *inter alia*, the Council's conclusions of 9 October 2000, which affirm that "reinforcing the coherence of the Union's external action and realising its policy objectives are priorities if the Union is to pull its full weight in international affairs".[6] Similarly, in 2009 the former High Representative Catherine Ashton pledged to "make [EU] voice stronger and more unified", so that the Union could "become a more capable, more coherent and more strategic global actor" able to "punch [its] weight politically".[7] In occasion of the 2010 State of the Union Address, the former President of the Commission José Manuel Barroso blamed the stalling of the Copenhagen climate change negotiations on EU's inability to speak with one voice;[8] while, as part of the State of the Union of 2018, advocating the belief "united we stand taller" former Commission President Jean-Claude Junker repeatedly exhorted member states to overcome their

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[4] Hill, C. (1993), "The capability-expectations cap, or conceptualizing Europe's international role". In *Journal of Common Market Studies*, Vol.31 (3: pp.305-328). Wiley Online Library.

[5] Solana, J. (2016), "European foreign policy and its challenges in the current context." In *The Search for Europe - contrasting approaches* (pp.423-439). Madrid: BBVA; p.424.

[6] Council of the European Union (2000), "2294th meeting of the general affairs Council". Official website of the EU Council. Luxembourg, 9 October. Accessed on 29/12/2021 at https://data.consilium.europa.eu/doc/document/ST-12012-2000-INIT/en/pdf

[7] Ashton, C. (2009). "Catherine Ashton High Representative of the Union for Foreign Affairs and Security Policy, and Vice President of the European Commission written statement, based on remarks to the Foreign Affairs Committee of the European Parliament Foreign Affairs Committee of the European Parliament". Official website of the European Commission, Brussels, 2 December. Accessed on 29/10/2021 at https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_09_567

[8] Barroso, J.M. (2010), "State of the Union 2010". Official website of the European Commission, Strasbourg, 7 September. Accessed on 29/10/2021 at https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_10_411

differences, since only "as a Union, Europe is a force to be reckoned with. […] When Europe speaks with one voice, it can prevail".[9]

The conviction that achieving internal cohesiveness is in itself a prerequisite to enhance external effectiveness is strongly rooted in EU's institutional mindset, so much that its origins can be traced back to the very own creation of the European Community, where this mindset soon became the main driving force for the development of its international dimension.

The quest for unity in the development of EU foreign policy

In the words of the first President of the European Community Commission, Walter Hallstein,

> one reason for creating the European Community [was] to enable Europe to play its full part in world affairs. [It was] vital for the Community to be able to speak with one voice and to act as one in economic relations with the rest of the world.[10]

In fact, despite it being primarily driven by economic aspirations centered on the creation of a single European market,[11] the Treaty that gave rise to the European Economic Community[12] (EEC; 25 March 1957; 1st January 1958) did contain some important provisions promoting the consistency of EEC external relations, which can be regarded as the embryo of the current foreign policy discourse. Among important prospects such as the opportunity for any European country to become a member of the EEC (art. 237), or the possibility for member states to establish relations promoting third countries' economic and social development (art. 131), the EEC Treaty conceived a common external trade tariff (art. 9) as well as a commercial policy (artt. 110-116), in reference to which article 116 specified that "member states [should] in respect of all matters of particular interest in regard to the Common Market, within the framework of any international organisations of an economic character,

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[9] Junker, J.C. (2018), "State of the Union 2018". Official website of the European Commission, Strasbourg, 12 September. Accessed on 29/10/2021 at https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_18_5808
[10] Bindi, F. (2012), "European Union foreign policy: A historical overview". In *The Foreign Policy of the European Union: Assessing Europe's Role in the World* (2nd ed., pp.11–39). Washington: Brookings Institution Press; p.13.
[11] Concretely, its creation implies the introduction of common policies governing agriculture, transport, and competition, and enabling the free circulation of goods, capital, services, and labour. Such policies have been introduced gradually throughout the years, but to this day there are still various regulatory barriers that are preventing the completion of the single European market.
[12] Initially, the European Community was divided into three distinct international organisations: the European Coal and Steel Community, established on 18 April 1951, which allowed the integration of the six founding states' coal and steel markets; the EEC, which emerged as the main tool to achieve political integration; and the European Atomic Energy Community, established on 25 March 1957 as a mean to integrate member states' nuclear industries for a centralised system for monitoring and supplying nuclear energy. Each of them detained its own executive bodies until 1 July 1967, when the Treaty of Brussels merged them under a single Commission and a single Council.

only proceed by way of common action." Following a similar reasoning, the Treaty attributed a leading role in the field of commercial policy to a supranational entity, the Commission, an independent body which was entrusted with the power to make recommendations and submit proposals to the Council (art. 111) - which the latter could amend only by unanimous decision -, as well as with the ability to negotiate agreements between the EEC and third states or international organizations (art. 228).[13]

Towards a common foreign policy: the external context as a driver of integration

With the Davignon Report (27 October 1970) more substantial steps were taken towards a unified foreign policy, with the introduction of the principle of regular meetings among EEC foreign ministers - to be replaced by meetings of the heads of state or government in case of serious matters -, and regular consultations on matter of foreign policy among member states. This latter was particularly significant insofar as it institutionalized a practice that had hitherto developed informally, thereby leading to the birth of the first European framework for the coordination of member states' foreign policy: the European Political Cooperation (EPC). [14] As expressed by the subsequent Copenhagen Report (23 July 1973), the roles covered in it by the member states, the Commission, and the European Parliament, had the aim to deliver "an original European contribution to the technique of arriving at concerted action", positive of "the experience acquired so far, [which] resulted in a strengthening of the belief in the usefulness of concerted action".[15] This underlying enthusiasm accompanying EEC first years of action was furtherly intensified by the completion of EEC first enlargement, which saw the accession of the United Kingdom (UK), Denmark and Ireland on 1st January 1973. Indeed, the inclusion of new member states furtherly motivated the need to achieve greater political cohesion, an intentionality which, only a year later, would have led to the creation of the European Council, a body which was composed of heads of state or government and their foreign ministers, with the participation of the President of the European Commission.[16]

However, the 1970s soon presented the EEC with new and complex international challenges. Events including the 1973 Arab-Israeli war and the following oil crisis, the Soviet invasion of Afghanistan

[13] Bindi, F. (2012); pp.14-15; "Treaty establishing the European Economic Community (Rome, 25 March 1957)". In *Treaty establishing the European Economic Community and connected documents* (pp.5-183). Luxembourg: Publishing Services of the European Communities.

[14] "Davignon Report (Luxembourg, 27 October 1970)". In *Bulletin of the European Communities*, N.11 (pp.9-14). Luxembourg: Office for Official Publications of the European Communities.

[15] "Second report on European political cooperation on foreign policy (Copenhagen, 23 July 1973)". In *Bulletin of the European Communities*, N.9 (pp.14-21). Luxembourg: Office for official publications of the European Communities.

[16] Bindi, F. (2012); p.20.

(1979-89), or the Iranian revolution and hostage crisis (1979-81) pressured member states to increase their engagement in foreign policy. At the same time, transatlantic relations started to tense under US President Richard Nixon and his perception of the EEC as an economic competitor, a tension which manifested in repeated disagreements between the two on several foreign policy issues, thereby reinforcing member states' perception that the only path to influence was through a common European action.[17]

Despite this renewed determination, results often proved to be less congruent in practice. Even in the face of abovementioned events, for instance, EEC actorness was eventually weakened either by external actions, as in the case of the 1973 Arab-Israeli war, where the repeated US oppositions to European initiatives and the Israeli invasion of Lebanon hindered European activism in the Middle East; by member states tendency to prioritize transatlantic cooperation, which, following for instance the Iranian seizure of the American embassy in Teheran, ultimately led the Community to align to US sanctions against Iran despite having previously condemned the American move; or by the EEC lengthy and elaborated decision-making process, which obstructed EPC's capacity to actively react against the Soviet invasion of Afghanistan.[18] Such reality could hardly be ignored by member states, and coupled with the eagerness to succeed in welcoming the new membership requests of Greece, Portugal, and Spain's novel democracies, it pushed for a renovation of the EPC aimed at increasing its effectiveness.

An important development in this direction would have come a few years later, if not after protracted disagreements, under the Single European Act (17 and 28 February 1986; 1st July 1987). This Act was once again functional for the codification of the informal developments until then reached by foreign policy intergovernmental cooperation, subjecting it to the need "to ensure that [member states'] combined influence is exercised as effectively as possible through coordination, the convergence of their positions and the implementation of joint action" (art. 30.2).[19] In particular, the provision acknowledged the leading role of the European Council, the Commission's duty to assist whenever necessary, and the Parliament's right to be informed. The latter, however, was additionally tasked with the power of assent both in future enlargements and in agreements with either third states or international organizations involving "reciprocal rights and obligations, common actions and special procedures" (artt. 8-9). Furthermore, the Act extended the scope of cooperation to the political and economic aspects of security, which was recognised as a necessary element for the development of a European identity in external policy matters (art. 30.6). Title III of the Act further specified

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[17] *Ivi.*, p.21.
[18] *Ivi.*, p.22.
[19] "Single European Act (Luxembourg, 17 and 28 February 1986)". In *Bulletin of the European Communities*, Supplement 2/86. Luxembourg: Office for Official Publications of the European Communities.

member states' roles as a cohesive force in international institutions and conferences, while formalizing the duties of the EPC Presidency, as well as the tasks of the different decision-making levels (i.e., the European correspondents, the Political Committee and related working groups, the Council of Ministers).[20]

Despite this, as in the previous decade the late 1980s proved to be the scene of dramatic changes in the international arena, that radically altered Europe's geopolitical situation and brought about some institutional transformations. 1989 was particularly emblematic, being a witness of massive and violent protests all around Eastern Europe that caused the outright decline of authoritarian regimes in favour of elected pluralist coalitions; and with the collapse of the communist structures of power, Eastern European countries immediately turned to the West in search of assistance.[21] The implications for the EEC were primarily related to the German territories - whose division symbolically ended in November of the same year with the fall of the Berlin Wall -, which generated worries about the status of Germany and its consequences for EEC balance of power.[22] However, under the assurances of complete transparency on the part of a reunited Germany, member states agreed to the integration of its new territories under the *acquis* [23] (i.e., the entire body of legislation of the European Community and the Union). Simultaneously, the EEC started to provide financial and technical support to the countries of the previous Soviet bloc, with a view to developing regional cooperation and preparing their political and economic systems for their future accession to the Community.[24]

Behind the eagerness to finally assist to the reunification of the European continent, however, there lied the necessity to guarantee an institutional framework able to withstand the strains of such a process, even in foreign policy. Following a proposal issued by the French President François Mitterrand and the Chancellor Helmut Kohl on the 18th of April 1990, the European Council agreed to create a political union that could ensure democratic legitimacy, institutional efficiency, the EEC's unity, and coherence in the economic, monetary, and political sectors; with the inclusion of a system able to bring together, for better coordination, all EPC actors.[25] It was under these auspices that on the 7th of February 1992 the Maastricht Treaty was signed (7 February 1992; 1st November 1993),

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[20] *Ibidem*

[21] Deschamps, É. (2016), "The reshaping of Europe". CVCE. Accessed on 15/07/21 at https://www.cvce.eu/obj/the_reshaping_of_europe-en-e729dd85-8145-46b4-89da-6d27cc2d1a13.html

[22] Gerbet, P. (2016), "German reunification: an international and European issue". CVCE. Accessed on 15/07/21 at https://www.cvce.eu/en/obj/german_reunification_an_international_and_european_issue-en-080cbfc3-52bc-4c27-afd6-38e8d7795154.html

[23] *Ibidem*

[24] Deschamps, É. (2016).

[25] Bindi, F. (2012); p.26.

proclaiming the birth of the European Union, and with it, the establishment of a Common Foreign and Security Policy (CFSP).

As the second pillar of the Union's new three-pillared structure,[26] the CFSP was to defend EU common values, fundamental interests, and the Union's independence. It was to strengthen its security and the member states in all ways; to preserve peace and strengthen international security; to promote international cooperation; to develop and consolidate democracy and the rule of law, and the respect for human rights and fundamental freedoms (art. J.1.2). Such objectives were to be achieved through systematic cooperation and joint actions, in a "spirit of loyalty and mutual solidarity", "refraining from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations" (art. J.1.3). The European Council was to define the general guidelines concerning the CFSP, to be implemented by the Council, both acting on the basis of unanimity (art. J.8). Foreign policy was to be discussed in the Council of Ministers, with the Presidency acting as the CFSP representative (art. J.5), and member states' diplomatic and consular representations in third countries and international organisations had to proceed cooperatively (art. J.6). To furtherly enhance external cohesion, the European Commission became fully associated with the work carried out in EU foreign policy (art. J.9), retaining the control of its economic means (i.e., financial assistance, embargoes, and trade negotiations), while the Parliament was given the right to be consulted (art. J.7). Moreover, as a consequence of previous events, member states were for the first time permitted to frame a common defence policy (art. J.4),[27] with a view to increase the Union's independence in the field of security.

The establishment of a single institutional framework, however, did not itself lead to an improved coherence of EU external action. Instead, it unwittingly exacerbated the complexity of the decision-making process, while excluding the Court of Justice – which acts as a guarantor of the Community law - from exercising jurisdiction in this domain. These constraints were rendered evident by the difficulties often encountered in defining a common plan of action in foreign policy, of which the failure to intervene for the mitigation of the Yugoslav conflict in 1991 is often recalled as the biggest disappointment.[28] Despite this, in the years preceding the so-called big-bang enlargement (2000-2004) member states' diversity tended to be more openly celebrated. Starting with what in 2003 would

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[26] The first pillar was supranational, consisting of the European Community with extended powers. The other two pillars, the CFSP and the field of Justice and Home Affairs (related to drug trafficking and weapons smuggling, terrorism, trafficking of human beings, organised crime, bribery and fraud), remained intergovernmental, given the will of several European countries to maintain their sovereignty in these sectors.

[27] "Treaty on European Union (Maastricht, 7 February 1992)". In *Official Journal of the European Communities*, N.C191/1 (pp.1-110). Brussels: Publications Office of the EU.

[28] Gerbet, P. (2016), "The common foreign and security policy". CVCE. Accessed on 17/10/21 at https://www.cvce.eu/en/obj/the_common_foreign_and_security_policy-en-a02ed085-03b9-4202-93d3-794363f699e8.html

become the motto of the EU, "unity in diversity", heterogeneity was not painted as the root of member states' disagreements, but rather connected to the confidence that the continent's reunification could finally guaranteed permanent peace and a renewed European power. This was clearly reflected in speeches depicting Eastern enlargement as the only possible alternative for growth and stability,[29] as well as in discourses celebrating diversity as richness and as a solid foundation for unity.[30] On the other hand, however, these narratives could all be seen to share the same underlying purpose, that is to add to the evidence that a capable Union was only possible through the merging of its constituents: "If we want to face the challenges of the new centuries we have to think in terms of 'we' and 'us'. If we want to play a role in relation to the outside world we have to be 'we'".[31] In other words, the previous Soviet bloc would have eventually needed to fully integrate its political and economic systems within the Union, for the protection of peace and economic stability could only be kept by unconditionally respecting EU "rules of the game".[32] Indeed, the devising of the first European security strategy can be seen as an ulterior effort to favour such process. Under the credo "we are stronger when we act together", the strategy set itself the goal of overcoming EU instrumental barriers, while trying to reinforce the sense of shared responsibility by identifying common European threats and strategic objectives, to be pursued trough a united leadership.[33]

The consolidation of the integration dilemma: unity as survival

This unity-efficacy nexus stood as the drive of all subsequent developments of EU foreign policy, which culminated in the innovations brought by the Treaty of Lisbon (13 December 2007; 1st December 2009). Reaffirming the centrality of the Union's fundamental principles for EU external

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[29] See for instance German Foreign Minister Joschka Fischer's speech in Berlin, 12 May 2000; or Günter Verheugen's speech in Warsaw as Commissioner for Enlargement, 11 July 2002.

[30] See for instance the speech of the President of the European Commission José Barroso in Berlin, 26 November 2004; the speech of the Italian President Carlo Ciampi in Berlin, 26 June 2001; or the speech of the French President Jacques Chirac in Strasbourg, 4 July 2000.

[31] Amato, G. (2001), "Intervento del Presidente del Consiglio Giuliano Amato all'Università Humboldt di Berlino". Siti Archeologici Presidenza del Consiglio dei Ministri, Berlin, 7 June. Accessed on 09\10\21 at https://www.sitiarcheologici.palazzochigi.it/www.governo.it/giugno%202001/www.governo.it/servizi/interventi/indexea27.html?a=2001

[32] Chirac, J. (2000), "Déclaration de M. Jacques Chirac, Président de la République, en réponse aux interventions des présidents des groupes politiques du Parlement européen, sur le fonctionnement des institutions communautaires, la cooperation renforcée, le modèle social européen, l'élargissement de l'Union européenne, la mondialisation, la culture européenne, le fédéralisme et le principe de subsidiarité". Élysée, Strasbourg, 4 July. Accessed on 10\10\21 at https://www.elysee.fr/jacques-chirac/2000/07/04/declaration-de-m-jacques-chirac-president-de-la-republique-en-reponse-aux-interventions-des-presidents-des-groupes-politiques-du-parlement-europeen-sur-le-fonctionnement-des-institutions-communautaires-la-cooperation-renforcee-le-modele-social-euro

[33] European Council, (2003), "A secure Europe in a better world – European security strategy". Brussels, 12 December.

action, the Treaty urges member states to "define and pursue common policies and actions, and work for a high degree of cooperation in all fields of international relations" (art. 21 TEU). A process which should be "based on the development of mutual political solidarity, the identification of questions of general interest and the achievement of an ever-increasing degree of convergence of member states' actions" (art. 24.2 TEU) and refraining "from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations" (art. 24.3 TEU). The Treaty abolishes the previously three-pillared structure, strengthening EU status as an international actor by formally bestowing the Union with a legal personality (art. 47 TEU), conferring it the right to take legal actions as an independent entity. To this end, it also defines the areas in which the Commission detains exclusive and shared competencies,[34] even in foreign policy (art. 37 TEU),[35] thus rendering the Union a contracting party to which are referred specific international rights and obligations. Furthermore, with the aim to enhance CFSP harmonisation and improve the communication between the intergovernmental (Council) and the supranational (Commission), the Treaty introduces the position of the High Representative of the Union for Foreign Affairs and Security Policy (HRVP). The HRVP is responsible for the conduct of EU's foreign and security policy through the submission of proposals to be carried out as mandated by the Council, while assisting the latter and the Commission in assuring both coherence between member states and EU's objectives, as well as member states' support towards EU's external policy (art. 24.3 TEU). It detains the general chairing of the newly formed Council's subgroup, the Foreign Affairs Council (FAC), simultaneously acting as one of the Vice-Presidents of the Commission, with the responsibility to ensure the coordination of the Commission's external policies (art. 18 TEU).[36] As a complementary measure, the Treaty envisages the creation of the European External Action Service (EEAS; art. 27.3 TEU), which comprises diplomats from the member states and officials from the institutions and by the will of the Council detains the task to assist the HRVP, as well as the President of the European Council, the President and the member states in the execution of their functions, so as to enhance interinstitutional coordination while serving as a source of expertise and advice.[37] Finally, with a view to strengthening the continuity of EU foreign policy, the Treaty furtherly defines the external role of

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[34] The value of shared competences for the Union is given by its right of precedence over national law. In such areas, member states' power to take decisions is valid unless the Union decides to exercise its legislative right. In that case, EU legislation does not only replace the content of a national law, but it also removes the national right to legislate in the covered area.

[35] "Consolidated version of the EU Treaties – Treaty on European Union (TEU) and Treaty on the Functioning of the European Union (TFEU) - as amended by the Treaty of Lisbon (13 December 2007)". In *Official Journal of the European Union*, N.C326 (pp.1-390). Brussels: Publications Office of the EU. Henceforth cited as "Lisbon Treaty (13 December 2007)".

[36] *Ibidem*

[37] Koehler, K. (2010), "European foreign policy after Lisbon: strengthening the EU as an international actor". In *Caucasian Review of International Affairs*, Vol. 4 (1: pp.57-72); p.70.

the Council Presidency, increasing the term of office to two and half years, but it keeps the Court of Justice and the European Parliament's power of scrutiny limited.

Being the defence sector integral part of the CFSP, it is appropriate to notice that the Lisbon Treaty also outlines the general framework of the Common Security and Defence Policy (CSDP), which delineates the Union's course of action in the fields of defence and crisis management, regulating in particular the deployment of military or civilian missions with a view to preserve peace, prevent conflict and strengthen international security in accordance with the principles of the United Nations Charter. The CSDP replaced the former European Security and Defence Policy (ESDP), which was born with the Council conclusions of 3 and 4 June 1999 in Cologne [38] marking the official establishment of a European defence domain. Under the same auspices which guided the general development of the CFSP, the Treaty of Lisbon placed the CSDP primarily under the control of the European Council and of the Council, which decide following the unanimity principle (art. 42 TEU). To enhance its political coherence, the HRVP is involved through the submission of proposals in consultation with the Parliament (art. 36 TEU), the chairing of the FAC's security and defence discussions, and the direction of the European and Defence Agency, which is aimed at improving member states' defence capabilities development, research, acquisition, and armaments (artt. 42-46 TEU). Once again for coordination purposes, the latter also operates in liaison with the Commission (art. 42.3 TEU).

Overall, the innovations of the Lisbon Treaty undoubtedly provided for a stronger institutional basis, which has the potential to favour a higher degree of foreign policy coherence. At the same time, however, as Kateryna Koehler points out the inclusion of new CFSP agents also generated new potential for conflicts between the different levels of EU external representation, thus fomenting existing incongruencies. This is especially the case with the roles of the HRVP, which have the potential to clash with the ones of certain Commissioners, simultaneously challenging the President's *primus inter pares* position within the Commission. Similarly, the ambiguity of article 15.6 regarding the extent of the Council Presidency's involvement in the implementation of the CFSP, can bear potential conflicts with the authority of the HRVP. [39] Most importantly, by preserving CFSP multileveled framework, and with it the centrality of the European Council and the Council's unanimous decision-making processes (art. 24.1 TEU), the Treaty failed to bridge the divide between the national and supranational level of EU foreign policy, keeping coherence dependent not only on the possible agreement between single institutions, but also on the willingness of member states to cooperate and compromise. As a result, despite the attempts at greater integration and the increased

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[38] European Council, (1999). "Cologne European Council Conclusions (3-4 June 1999)". Official website of the European Parliament. Accessed on 11/10/21 at https://www.europarl.europa.eu/summits/kol1_en.htm
[39] *Ivi.*, pp.66-69.

devolvement of power to European institutions, the CFSP remained trapped in Charles de Gaulle notorious dichotomy: poised between a "European Europe", able to act as a cohesive force vis-à-vis great powers, and a "Europe of states", a community comprised of states retaining their full sovereignty.[40]

In parallel, through a total of seven rounds of enlargement[41] EU's panorama became increasingly variegated, consequently broadening even the variety of perspectives within foreign policy. A factor that in the wake of consecutive, and still partially ongoing, crises – from the outbreak of the European debt crisis in 2008 to the refugee crisis begun in 2010, the evolution of transnational terrorism following 9/11, the 2014 Russian aggression to EU's Eastern borders or the democratic backsliding of some European states – started conditioning the European rhetoric towards less optimistic tones. Indeed, issues such as the uneven negative impacts of the financial recession and the migrant flows, member states struggle to keep a unified stance against Russia, or the infringement by some of them of European fundamental values, were interpreted as proof of the potentially negative aspects of European heterogeneity. Whereas their protracted consequences started to fuel sentiments of disillusionment and distrust towards the European project, the proliferation of new security threats led to renewed calls for unity, which mirrored, however, a more pragmatic and reprehensible conception of diversity. An emblematic representation of this shift can arguably be found in EU 2016 Global Strategy:

> Forging unity as Europeans – across institutions, states and peoples – has never been so vital nor so urgent. Never has our unity been so challenged. Together we will be able to achieve more than Member States acting alone or in an uncoordinated manner. Our shared interests can only be served by standing and acting together.[42]

The new security strategy recognised cooperation as a challenge between member states' diverse national cultures, considering "diversity [as] a tremendous asset provided [member states] stand united and work in a coordinated way".[43] In the face of a world where EU actorness and values were increasingly being contested - both within and outside its borders -, unity was elevated as the very own prerequisite for the Union's existence, as well as the only mean to assure the security and resilience of the international environment. Even amidst the rising Euroscepticism, there lied the

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[40] Bindi, F. (2012); p.16; Gaulle, C. de (1970), "Conférence de presse de Charles de Gaulle (5 septembre 1960)". In *Discours et messages. Volume III: Avec le renouveau 1958-1962* (pp.244-246). Paris: Plon.

[41] 1st January 1973: accession of Denmark, Ireland, and the United Kingdom (withdrawal on 31 January 2020); 1st January 1981: accession of Greece; 1st January 1986: accession of Portugal and Spain; 1st January 1995: accession of Austria, Finland, and Sweden; 1st May 2004: accession of Estonia, Latvia, Lithuania, Malta, Poland, Slovenia, the Slovak Republic, the Czech Republic, Hungary, and Cyprus; 1st January 2007: accession of Bulgaria and Romania; 1st July 2013: accession of Croatia.

[42] "Shared Vision, Common Action: A Stronger Europe - A Global Strategy for the European Union's Foreign and Security Policy" (2016). Brussels: Publications Office of the EU; p.16.

[43] *Ivi.*, p.46.

recognition of the intrinsic connection between the fate of the Union and that of member states, hence the knowledge that the magnitude of transnational crises could only be faced through a solidarity – especially financial - able to transcend political divisions.[44]

Similar to EU officials, most observers of EU foreign policy have long supported the idea of a direct, positive correlation between EU's internal cohesiveness and the strength of its actorness. Under this assumption, member states' aggregate power is seen as an indispensable element for the EU to achieve its stated objectives. Only by joining forces, sharing assets, and engaging collectively will member states be able to acquire sufficient bargaining power and show the necessary commitment to gain external legitimation and, consequently, increase the likelihood of external compliance.

Nevertheless, notwithstanding the possible existence of a positive nexus between unity and foreign policy efficacy, the multifaceted reality of EU external dimension, along with the complex and everchanging dynamics of power in the global scene, inevitably point to a more structured conception of actorness, highlighting the limits of conventional rhetoric.

The limits of the unity-efficacy nexus and the reality of informal cooperation

1. The strictness of consensus

Despite the prevailing narrative, the impacts of the crises inescapably encouraged the expansion of nationalistic tendencies among member states. On one hand, this translated in a strong advocation of the need for additional EU reforms aimed at enhancing the Union's adaptive capacity, in order to overcome EU structural weaknesses and promote greater flexibility.[45] On the other, it triggered a growing bias towards the preservation of national security, rendering it either the main catalyst or the main inhibitor of national support for EU foreign policies. Nonetheless, coherence in the formulation and implementation of foreign policy tends to be more of an exception rather than the norm, contrasting the previously common reluctance of member states to remain isolated against the majority, which used to prompt dissenters to join the European consensus. Today is not unusual to see member states, especially such as Cyprus, Greece, Hungary, or Poland, barely hesitate to block

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[44] Some revealing statements are the declaration of the French minister of foreign affairs Laurent Fabius in Paris, 6 May 2014; or the remarks of the President of the European Council Donald Tusk at the handover ceremony in Brussels, 1 December 2014.

[45] See for instance the interview of Spanish Prime Minister Mariano Rajoy for El País, 9 December 2013; or the speech of British Prime Minister David Cameron at Bloomberg, 23 January 2013.

any decision countering with their national interests, which is often related to human rights, democracy, or the rule of law. In foreign policy this propensity is amplified by member states' special relationships with outside powers and their particular regional interests, often resulting in the obstruction of CFSP implementation. Therefore, reaching a common position does not exclude the chance of member states noncompliance, which intensify the challenge for the EU to present a united stance against third states' illiberal moves. A factor which is also frequently exploited by the same external powers to advance their own goals. This was for instance apparent following the adoption of common sanctions against Russia in 2014. The act is usually recognised as a rare display of European unity on a critical foreign policy development and praised as proof of its strength. However, in the background the consistency of the economic ties and energy dependence of several member states towards Russia gradually weakened their support for EU sanctions regime. What is more, Russia successfully exploited its leverage to partially bypass imposed embargoes, concluding deals with Greece and Austria for the construction of gas pipelines, with Cyprus to gain access to its ports, and with Hungary to increase the country's dependence on Russian nuclear fuel.[46] Such happenings also attest to member states' differing risk perceptions, which stem from geopolitical, cultural, and historical factors, and can furthermore promote inward-looking tendencies. For instance, whereas many Central and Eastern European countries such as Poland or the Baltics generally tend to perceive Russia as a security threat due to their negative historical relations and their status as neighbours, member states which are geographically more distant and have friendlier relationships with Russia, including France, Spain, Ireland, or Belgium, tend to fear less the security implications of a closer collaboration with Moscow.[47]

In other words, notwithstanding the process of European integration, member states retain different political and economic systems, social configurations, and strategic cultures, as well as distinct understandings of national identity, which inevitably transpose into divergent national priorities. In a domain largely hinged on member states requirement to reach consensus on issues touching upon the core of their sovereignty, it is easy for such increasingly outspoken divergencies to become a limit to the pursuit of common policies. This highlights a first clear paradox for the operability of the unity-efficacy nexus, that is the rule of unanimity. A clause which was originally devised to favour the pursuit of a coherent foreign policy but evolved instead into the main resource of veto players for the defence of national interests.

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[46] Shagina, M. (2017), "Friend or Foe? Mapping the positions of EU Member States on Russia sanctions". European Leadership Network, 28 June. Accessed on 04/11/2021 at
https://www.europeanleadershipnetwork.org/commentary/friend-or-foe-mapping-the-positions-of-eu-member-states-on-russia-sanctions/
[47] *Ibidem*

To be sure, the Lisbon Treaty envisages three main alternative procedures[48] potentially allowing member states to overcome the strictness of consensus and engage in a swifter CFSP decision-making. The first is the so-called "constructive abstention" mechanism, which enables member states to abstain from a unanimous decision without impairing the decision-making process (art. 31.1 TEU). By abstaining, however, the member state concerned has nevertheless to accept the validity of the commitment for the EU – thus whether or not it is in line with its national interests -, while being at the same time obliged to "refrain from any action likely to conflict with or impede Union action based on that decision".[49] Only the abstention of more than a third of member states representing at least one third of the population of the Union would guarantee the complete rejection of the proposal, given the concern that a too large of an abstention could drain the CFSP impact. However, albeit having been designed to help reconcile domestic and Union interests, the conditionalities of such provision seem not to encounter the practical favour of member states, given they imply a substantial restriction of their influence on the EU. Indeed, such mechanism has only been invoked once in 2008, when Cyprus abstained from adopting a Council decision for the launch of the civilian mission EULEX Kosovo, since it was referred to an entity Cyprus does not recognise as sovereign.[50]

Alternatively, article 31.2 of the Lisbon Treaty defines the enabling clauses which allow the Council to act by qualified majority voting (QMV) in foreign policy, which is commonly reached with the vote in favour of 55% of member states (15 out of 27) representing at least 65% of the EU's population. Pursuant to the article, the Council can act by QMV:

> (i) when adopting a decision defining a Union action or position on the basis of a European Council decision relating to the Union's strategic interests and objectives;
> (ii) when adopting any decision defining a Union action or position, on a proposal which the High Representative has presented following a specific request from the European Council, made on its own initiative or that of the High Representative;
> (iii) when adopting any decision implementing a decision defining a Union action or position;
> (iv) when appointing a Special Representative.[51]

Despite representing a further mechanism aimed at balancing differentiation in CFSP, only the last – and arguably most innocuous - exception has ever been performed.[52] Nevertheless, it should also be

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[48] Other mechanisms remain exclusive to the realm of the CSDP. The most known is the Permanent Structured Cooperation (PESCO), which allows member states "whose military capabilities fulfil higher criteria" (art. 42 TEU) to pursue collective procurement and capability development. At the Munich Security Conference in February 2018, Ursula von der Leyen called for PESCO to be expanded to the overall CFSP, but for now it remains limited to CSDP.
[49] Lisbon Treaty (13 December 2007).
[50] Blockmans, S. (2017), "Differentiation in CFSP: Potential and Limits". Rome: Istituto Affari Internazionali; p.4.
[51] Lisbon Treaty (13 December 2007).
[52] Chiriac, R. (2021), "A new EU Special Representative for Central Asia: Towards Enhanced Cooperation". European Institute for Asian Studies, October 21. Accessed on 06/11/2021 at https://eias.org/op-ed/a-new-eu-special-representative-for-central-asia-towards-enhanced-cooperation/

noticed that, in whichever case, the Treaty allows for any of these exceptions to be thwarted by the invocation of "vital and stated reasons of national policy", therefore recalling the power of veto. Similarly, article 31.3 presents the so-called "passerelle clause", conferring to the Council the power to permanently extend QMV to other CFSP areas[53] upon unanimous agreement. The Commission has been the strongest proponent of this possibility, with former President Jean-Claude Junker and current President Ursula Von der Leyen both encouraging the Council to move to QMV in CFSP areas such as sanctions and human rights.[54] However, most member states remain strongly opposed to the relinquishment of their veto power over highly sensitive areas of international relations, with smaller European states, such as Ireland and Luxembourg, being especially cautious, knowing they would be easily outvoted if QMV were to be introduced. Indeed, a decision taken by QMV would still commit all members of the Council to its implementation. Moreover, to be able to use the provision, some member states would first have to meet national constitutional requirements; for instance, the Danish government would need to obtain the prior approval of its national parliament.[55]

Finally, the Treaty extends the possibility to engage in enhanced cooperation to the CFSP, which represents the prospect for some member states to work cooperatively towards a goal other member state do not wish to pursue. However, its procedural terms are quite stringent: enhanced cooperation can take place only in order "to further the objectives of the Union, protect its interests and reinforce its integration process", it must comprise the participation of at least nine member states, but it must nevertheless remain open to all the others. The authorisation to enact it must be given only as "last resort",[56] with the HRVP being involved in the process and the Council deciding by unanimity. If enacted, all the Council can take part in its deliberations, but only the participating member states can vote. The resulting policies are binding only on the latter, but the Commission can provide opinions and the Parliament has the right to be informed (art. 20 TEU, and artt. 326-334 TFEU).[57] Indeed, given the intricacy of such procedure and the difficulty to evaluate its possible enactment, the provision has hitherto never been applied in the CFSP domain.[58]

Therefore, despite being all mechanisms designed to weaken the incontestability of the veto and instead encourage member states' convergence through a more constructive communication, they

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[53] Unless the decision has military or defence implications (art. 31.4).

[54] Junker, J.C. (2018); Von der Leyen, U. (2020), "State of the Union Address". Official website of the European Commission. Brussels, 16 September. Accessed on 08/11/2021 at
https://ec.europa.eu/commission/presscorner/detail/ov/SPEECH_20_1655

[55] Koenig, N. (2020), "Qualified Majority Voting in EU Foreign Policy: Mapping Preferences". Berlin: Hertie School Jacques Delors Centre; pp.3-4.

[56] Meaning "when [the Council] has established that the objectives of such cooperation cannot be attained within a reasonable period by the Union as a whole" (art. 20 TEU).

[57] Lisbon Treaty (13 December 2007).

[58] Grevi, G. *et al*. (2020), "Differentiated Cooperation in European Foreign Policy: The Challenge of Coherence". In *EU Integration and Differentiation for Effectiveness and Accountability*, Policy paper N.5. Rome: Istituto Affari Internazionali, Integration and differentiation for effectiveness and accountability project; p.7.

seem to not have produced the balancing between flexible decision-making and national autonomy desired by member states. A balancing which is generally nevertheless impacted even by the same multileveled but non-hierarchical CFSP framework.

2. The weight of foreign policy dynamics

The increasingly perceivable disconnect between the aspirations expressed through the Lisbon Treaty and the deemed low effectiveness of EU international action, even when backed by a common position, is also what prompted some foreign policy scholars to call into question the very own causal link between unity and efficacy. This raised a new line of inquiry, which more objectively evaluates the effects of intra-EU dynamics as well as the decisiveness of international events on CFSP outcomes. Indeed, although it is reasonable to argue that member states' aggregate power can represent an asset in the international stage, rendering such variable systematically equivalent to EU's efficacy would mean to paint an idealistic picture, failing to estimate the impact of both the constraining and enabling factors that constitute the external opportunity structure.

In other words, even when there exists a positive correlation between unity and efficacy, internal cohesiveness can hardly represent a sufficient, and thus the only one, condition for its existence. Conversely, is it easy for specific constraining factors, both internal and external to the Union, to mitigate the potential of member states' collective might. Through her study, Eugénia da Conceição-Heldt gives for instance account of the conditioning exerted by the bargaining configuration on EU's effectiveness in global trade governance, which, being part of the exclusive competences of the Union, gives the Commission the power of external representation (artt. 207 and 218 TEU), allowing the EU to "speak with one voice".[59] However, analysing two international trade settings thus presenting similar conditions of high European cohesiveness, but different bargaining power – namely EU-Mexico negotiations (1996-2000) and the Doha round in 2001 -, Conceição-Heldt proves how only in the first case, which depicted a situation of bargaining power asymmetry (i.e., negotiations with

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[59] Lisbon Treaty (13 December 2007). The exclusive competencies of the EU fall under the Community method (i.e., the ordinary legislative procedure), which is generally characterized by the sole right of the European Commission to initiate legislation, the co-decision power between the Council and the European Parliament, and the use of QMV in the Council. In the specific case of EU exclusive competencies in international trade, the Commission issues recommendations to the Council of Ministers which, after consulting the European Parliament, has then to agree under QMV on a negotiating mandate that specifies the broad negotiating guidelines for the Commission. At the ratification stage, member states can agree unanimously or under QMV, depending on the trade issues involved.

smaller or less powerful states), internal cohesiveness resulted in external effectiveness.[60] The factor that emerged as decisive for the success of the Union was its greater economic power compared to Mexico, coupled with the latter's strong desire to gain access to EU's internal market, which allowed the Union to employ distributive bargaining strategies, that include high demands, few concessions and intimidations. By contrast, in the Doha round the symmetrical bargaining power between the EU, the US, Brazil and India, coupled with their high interdependence, led the Union to cede to external demands and seek alternative solutions, thus impeding the attainment of its stated objectives.[61]

The impact of international power dynamics is furtherly confirmed by Lisanne Groen and Arne Niemann' study, which notably emphasizes the consequences of conservative positions. By investigating the relationship between EU's actorness and effectiveness at the United Nations (UN) climate change negotiations in Copenhagen of 2009, they show how the involvement of other powerful actors, namely the United States and the BASIC (Brazil, South Africa, India, and China) countries, defending less ambitious stances compared to the Union, eventually led to the marginalization of EU's representatives in the negotiation procedure. But this analysis also serves to reveal the braking impact of European dynamics in such a process, highlighting that even the same attainment of internal coherence can inhibit external effectiveness. Specifically, they show how the reach of unanimity encourages the crystallization of EU's stance, since the efforts necessary to forge it deter member states from any further reopening of deliberations. In international fora, this forces the Union to operate within the constraints of the mandate, impeding the adjustment of its initial position and thus the possibility to negotiate in a more flexible and tactical manner.[62] However, the dangers brought by rigid strategies can become even higher when inflexibility turns into an obstacle for external support and compliance, as it occurred for instance in the context of EU development assistance to Sub-Saharan Africa. Indeed, albeit being a significant development actor in this region during the 2000s, the Union's progressive effort to increase the productivity of its development aid policies by enhancing their overall coherence, did not ultimately carry the expected results. On the contrary, in the cases in which "the EU was able to act more cohesively, it had the effect of reducing the space for negotiations for developing countries".[63] This negatively affected the response of

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[60] Conceição-Heldt, E. (2014), "When speaking with a single voice isn't enough: bargaining power (a)symmetry and EU external effectiveness in global trade governance". In *Journal of European Public Policy*, Vol.24 (7: pp.980-995). London: Taylor & Francis Group.

[61] *Ivi.*, pp.985-991.

[62] Groen, L. and Niemann, A. (2012), "EU actorness and effectiveness under political pressure at the Copenhagen climate change negotiations". In *Mainz Papers on International and European Politics*, N.1. Mainz: Johannes Gutenberg University of Mainz; especially pp.14-19.

[63] Carbone, M. (2013), "Between EU actorness and aid effectiveness: the logics of EU aid to sub-Saharan Africa". In *International Relations*, Vol.27 (3: pp.341-355). Thousand Oaks: Sage publishing; p.349.

recipient governments, which recognised that the approach mostly favoured the Union while not only dismissing their interests, but also contradicting the principle of ownership.[64]

Another valuable insight on the negative implications of "unity at all costs" is underscored by Karen Smith. Taking the unfavourable conditions of the international context – stemming from the increase of illiberal tendencies and the polarizations often induced by power politics - as point of departure, Smith inquires into the reasons that cause member states to retain little influence both on the agenda-setting and on the outcomes of the UN Human Rights Council, even when reporting agreed upon positions. In her analysis, Smith identifies the roots of this pattern in the same principle of consensus, proving that the pursuit of unanimity as a goal in itself inevitably leads to the prolongation of member states deliberations, hence consuming time and resources that might otherwise have been devoted to liaising with third countries or applying pressure on a target state.[65] By limiting EU's outreach capabilities, as opposed to other great powers' lobbying capacities, the rule of unanimity can therefore put the EU at an early disadvantage, conditioning by reflex its faculty to influence the direction of international politics. Moreover, in discussing the issue she also validates a matter that is now widely recognised by researchers: the combination of a growing nationalism and the need for unanimity frequently condemns CFSP positions to become barely more than the "lowest common denominator" of member states' divergent priorities. This often causes for the most delicate issues to be excluded from Council resolutions, which necessarily weakens EU's relative propositions compared to the extent of persistently declared values. In the context of human rights, this renders common positions hardly suitable to address sensitive human rights situations around the world, consequently reducing even the capacity of the Human Rights Council to successfully push for country resolutions or call special sessions.[66]

The proneness of common positions to uphold rather defensive approaches can however be seen also as the result of member states' inherent risk aversion - especially when confronted with allies or great powers -, which stems from the concern that adopting too severe of policies against such parties could produce unforeseen repercussions for national security and lead to the deterioration of their own bilateral relations. This risk aversion translates into CFSP policies privileging inducements rather than threats, which in a global atmosphere already marked by multiple criticisms of the Union's inaction, it threatens to furtherly undermine the credibility of EU's formal commitments. By way of example, such propensity can be discerned in the frame of the 2002 controversy over Washington's bilateral non-surrender agreements (BNAs). Such arrangements were designed to shield the US from

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[64] *Ivi., en passim.*

[65] Smith, K. (2010), "The European Union at the Human Rights Council: speaking with one voice but having little influence". In *Journal of European Public Policy*, Vol.17 (2: pp.224–241). London: Taylor & Francis Group; pp.234-235.

[66] *Ivi.*, pp.228-237.

the jurisdiction of the International Criminal Court (ICC), which is the world's first permanent court conceived to ensure individual accountability for genocide, war crimes and crimes against humanity, created by the Rome Statute in 1998. The US signed the Statute under President Bill Clinton, but in 2002 the Bush administration opposed it arguing it was as an obstacle to Washington's special responsibility as a guarantor of global peace and security. Accordingly, the US launched a campaign to conclude BNAs with governments around the world, aiming to ensure that no American citizen could ever be transferred to the ICC for prosecution, while stating that only their signing would have assured the continuation of US military and economic aid. American officials argued that their position was consistent with article 98 of the Rome Statute, which addresses potential inconsistencies between its obligations and those emanating by other international agreements. However, this was matter of controversy for the Union, being stretched between its commitment to an international order based upon multilateral institutions, the rule of law and the respect for human rights, and its support for the transatlantic relationship, a partnership founded on common interests, similar political values, and a long history of cooperation.[67] After nearly ten weeks of contentious intra-EU debates, the Council finally managed to issue a document judging American moves as incompatible with the obligations incumbent on states parties to the Rome Statute, while setting clear conditions for the acceptability of BNAs. Notwithstanding, as Daniel Thomas points out, "the determinacy of the policy was undeniably reduced by the fact that the EU did not declare that states parties to the Statute were obligated not to make any agreement limiting or excluding the surrender of persons to the ICC";[68] and despite exhibiting cohesiveness even in trying to discourage third parties' complicity with the US, the Union was unable to match the pressure exercised by the US through BNAs conditionalities. In particular, the cause of EU's low effectiveness is identified in member states' unwillingness to contrast the US move more openly, relying instead solely on moral and legal arguments – and thus on soft power - in a multicentric world order where many actors do not share EU's policy preferences and are ready to deploy the most disparate resources in pursuit of their goals.[69]

Despite it certainly being still underexplored, this line of research undoubtedly provides evidence of the existence of various intervening variables, able to condition the relationship between internal cohesiveness and external effectiveness. Depending on their weight in any given context, elements such as the bargaining configuration, member states' general risk aversion, and a particularly unpropitious international environment, coupled with the implications of the same attainment of unanimity, can either act as enabler or inhibitor of the potential of EU actorness. This therefore

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[67] Daniel, T. (2012), "Still Punching below Its Weight? Coherence and Effectiveness in European Union Foreign Policy". In *Journal of Common Market Studies*, Vol.50 (3: pp.457–474). Wiley Online Library; p.463.
[68] *Ivi.*, p.465.
[69] *Ivi.*, pp.464-472.

renders the validity of the "one voice" rationale contingent upon the value of such determinants, denying the presence of an automatic and bidimensional cause-effect logic.

3. The value of diversity and the potential of informal cooperation

Among the research advocating the conditionality of the unity-efficacy nexus there can also be found more radical perspectives, which explicitly reject the consistent need for cohesive positions, considering it a barrier stifling the potential of member states diversity. In this view, the downsizing of member states' voices under a single uniform message, which usually reflects the modest extent of member states concordance, fails to capture the "benefits foregone" that more subjective and target-oriented multilateral approaches could in certain contexts confer to EU actorness. Following in particular the view of Gjovalin Macaj and Kalypso Nicolaïdis, in a world of interdependencies the Union has the possibility to exploit the particular linkages and similarities each member state shares with specific third countries to convey differing variants of its message through different member states – acting on their own stead or in the name of the Union -, hence "orchestrating its polyphony of voices" to enhance the chances of external harmonisation. The promotion of the rule of law is a case in point, for which the EU could adopt more flexible and customized approaches exploiting its own range of national legal traditions. Even in multilateral settings such as the UN or the Organization for Security and Cooperation in Europe (OSCE), the Union could allow member states the space to interact with groups of countries with which they could better connect, thus enhancing EU's persuasive potential. Capitalizing for instance on Cyprus' link with the Commonwealth, France's link with Francophonie, the one of Spain with Latin America, the one of Poland with the Eastern neighbourhood or the one of Italy, France, Spain, and Greece with North African countries, could enable the Union to emphasize particular aspects of an argument and calibrate it in relation to the receiver.[70] In fact, this could reduce the costs of unanimity, and turn internal discordances into assets by gaining better access to different actors in a complex external environment.

Such perspective therefore acknowledges member states' unique contribution, which has the potential to extend way beyond both the normative and practical confines of unity. Indeed, if it is true that EU constitutes a union of states largely retaining their sovereignty and national uniqueness, it would be unrealistic to expect it to project its power as an independent government, meaning in an always

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[70] Macaj, G. and Nicolaïdis, K. (2014), "Beyond 'one voice'? Global Europe's engagement with its own diversity". In *Journal of European Public Policy*, Vol.21 (7: pp.1067-1083). London: Taylor & Francis Group; especially pp.1077-1081.

consistent and single-minded way, let alone assume for such action to result systematically effective. Even a superpower such as the US, with its cohesiveness and its extensive economic, ideological, and military power, is not always successful in achieving its foreign policy objectives.

Nevertheless, the potential scope of national contribution is only partially addressed by this line of research. Even with reference to perspectives which outright reject the pervasive character of the unity-efficacy nexus in favour of a greater valorisation of member states' heterogeneity, national engagement is mostly considered within the boundaries of formal proceedings, while its general evaluation tends to be built more on hypothetical argumentations based on logic rather than on factual evidence. To be sure, this is not in any way intended to question the value of such contributions, but simply to take account of the need for further practical research, that will also give prominence to a dynamic usually overlooked for it unfolds under the surface of Union action: member states informal foreign policy cooperation.

As mentioned, the seeming persistent inability of the Union to effectively pursue its global agenda while protecting its fundamental values increasingly pushed for foreign policy reforms aimed at enhancing EU responsiveness and overall effectiveness. To this end, beyond the innovations designed to achieve greater coherence and thus consistency of CFSP decision-making - reflecting the rationale of the unity-efficacy nexus -, the Treaty of Lisbon envisages the possible activation of particular mechanisms intended to overcome the potential deadlocks of unanimity. However, the weight of national prerogatives, which undoubtedly increased as a result of EU legitimacy crisis,[71] kept unchallenged the predominance of CFSP intergovernmental dynamics at the same time discouraging the employment of Treaty-based exceptions, which restricting procedures and rigorous requirements hitherto failed to match member states' desire for a greater balance between decisional flexibility and national autonomy.

It is precisely against this backdrop that member states progressively sought to engage in alternative forms of closer cooperation, which provide for more flexible formats that are at the same time able to grant a better safeguarding of national interests, but which are established outside the framework of the Treaties. For this reason, they can be defined as informal mechanisms of external cooperation, conducted by groups of member states which, often in conjunction with other actors, share the willingness to engage in specific international matters that do not encounter the unanimous interest of the Council. This notwithstanding, the creation of such formats is usually accepted even by Union actors which are not part of them, being preferred to any possible formalization of intra-EU

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[71] The crisis is considered as the result of the cumulative shortcomings of European institutional structures and policy responses perceived during the progressive crises begun in the early 2000s. As previously mentioned, their consequences fuelled sentiments of disillusionment and scepticism towards the European project, which led to the heightening of member states' inward-looking tendencies and thus a greater prioritization of national security.

divergences on the line of national interests. Although these factors offer just a partial representation of the general picture, the consideration of the practical value given by the possibility to transcend the implications of the principle of consensus, as well as member states' disposition both to undertake and support such practices, in contrast to their general dismissal of treaty-based exceptions, it sets positive conditions to argue that the mechanisms of informal cooperation should be given equal space of analysis, with a view to evaluating their potential to represent an effective practice for the enhancement of CFSP performance. On the basis of these considerations, linked to the identified limits of the conventional understanding of EU foreign policy, the following chapters will seek to contribute to the exploration of the potential for effectiveness of informal foreign policy cooperation, therefore exploring its possibility to represent an additional measure of as well as solution to the limits of the unity-efficacy nexus.

Chapter 2

Understanding EU informal governance and the value of informal cooperation

Informality is not a novel concept in EU foreign policy. Informal processes in this domain have been the core object of different studies, which complemented the more flourishing publications addressing the informal phenomena inherent to the Union internal dimension, thereby diversifying the cluster of findings which depict the so-called literature on EU informal governance. In these approaches, informality typically describes uncodified but socially accepted elements of interaction, which thus deviate from officially devised channels but nonetheless coexist and communicate with existing official arrangements.[72] Being inherent part of the concept, such elements figure as the primary drive of its multiple declinations, which configuration is thus determined according to the frameworks within which decisions are taken, the procedures that guide policymaking – including agenda-setting, policy formulation, decision-making and policy implementation -, and the identification of its outcomes, being it rules, norms or agreements. The identification of such configurations allows in turn to discern the existence of informal networks of interaction, which are conventionally defined as

> semi-stable informal clusters of interdependent actors, who have or take a specific interest or stake in solving a certain policy problem, who dispose of resources required for shaping and implementing the policy, and who are willing to mobilize and pool these resources.[73]

In this context, EU governance is thus recognised as a composite process of more or less hierarchical interactions involving governmental, supranational, and societal actors, which engage cooperatively in institutionalized or informal settings, exploiting public or private channels of communication, with the aim to pursue a wide range of both individual and collective goals.[74] Contrary to the standard multi-centric conception of EU policy formulation and implementation, the literature on EU informal governance brings to the fore the necessity of informal networks for EU's policymaking process, which is given by the very own intricate mutual dependencies stemming from the territorial and functional differentiation characterizing all levels of the Union structure; which, by promoting the dispersion of competencies and resources throughout a multiplicity of actors, *de facto* disaggregates

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[72] Christiansen, T. and Neuhold, C. (2013), "Informal politics in the EU". In *Journal of Common Market Studies*, Vol.51 (6: pp.1196-1206). Wiley Online Library; p.1197.
[73] Keukeleire, S. and Justaert, A. (2012) "Informal governance and networks in EU foreign policy". In *International Handbook on Informal Governance* (pp.433-456). Cheltenham: Edward Elgar Publishing; p.437.
[74] *Ivi*., pp.434-437.

effective problem-solving capacity.[75] Informal networks are therefore recognised as integral part of the Union's functioning, and they are ascribed with the ability to enhance the quality of decision-making while contributing to the strengthening of the overall resilience of the system.

The overarching logic and prospected advantages of informal networks within EU governance system

By underlining the existing correlations between formal and informal processes within the Union policymaking, the literature on EU informal governance aims not only to uncover the different manifestations of informal networks within EU governance system, but also to reveal their particular functioning and the advantages which derives from it, hence highlighting the value of "hidden" interactions. This way, its contributions also allow for a certain degree of generalization, making it possible to discern the overarching logical origins of such informal configurations, as well as to detect their comprehensive benefits.

Consistently to its aims, the bulk of the literature focuses on the application of the so-called interest mediation approach, which was born in public policy research to analyse the instrumental relationships occurring between public (state) and private (civil society or business) actors. In particular, it generally investigates the policy networks resulting from the need of public actors to acquire specialized information for the generation of policies as well as technical and material support for their implementation, and the desire of the relevant private actors to be able to influence policymaking on the basis of their interests. [76] Some authors extend this approach to intergovernmental relations, understood as the national or transnational networks originating between central and local public authorities which share an interest in devising a certain policy, but dispose of limited resources and expertise, which necessarily leads them to cooperate through the pooling and exchange of such resources.[77] In the context of the Union, interest mediation is applied in the analysis of internal policy areas which fall under the Community method, [78] including the Common

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[75] Börzel, T. and Heard-Laureóte, K. (2009), "Networks in EU multi-level governance: concepts and contributions". In *Journal of Public Policy*, Vol.29 (2: pp.135-151). Cambridge: Cambridge University Press; pp.137-140.

[76] Keukeleire, S. and Justaert, A. (2008), "Policy Networks and the Analysis of EU Foreign Policy". Paper presented at the Garnet Conference on the European Union in international affairs (Brussels, 24-26 April 2008); p.3.

[77] Börzel, T. and Heard-Laureóte, K. (2009); p.137.

[78] Also known as Ordinary Legislative Procedure, it is the main decisional procedure of the Union. It foresees the Commission's exclusive right of legislative initiative, followed by a process of up to three stages of deliberations based on the co-legislation of the Council of the EU - which proceeds almost exclusively by QMV - and the Parliament – which proceeds by simple majority -. The Council can amend a Commission's proposal only by unanimity, and when a policy is adopted, the Commission and the Court of Justice have the power to ensure that member states comply with

Agricultural Policy, the internal market, competition, health and environment, where private socio-economic and business interests seek to exploit the high technicality of EU's differentiated policymaking process to lobby and influence its outcomes. Its sectorized nature makes information and expert knowledge a valuable tool especially for the relatively under-resourced Commission, which therefore encourages informal consultations for the strategic increase of its problem-solving capacity as a policy initiator.[79] Moreover, the inclusion of private actors, which will be directly affected by the relative policies, is promoted with a view to improving the reception as well as legitimacy of the same norms, thus increasing the chances of their successful implementation.[80] However, such practice attracts the criticism of those who see the Commission's obligation of impartiality compromised by the interim participation of non-independent national personnel, especially when corresponding to staff from national administrations.[81]

A broader conception of informal networks, linked to a greater incidence over the development of the Union, is provided by the works flagging the importance of intra-EU epistemic communities, that is transnational networks of "professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue area". Epistemic communities hence represent knowledge-based networks of experts, which share principled beliefs stemming from both their interpretations of the dynamics intrinsic to their area of expertise and their desires or expectations over future developments in that same area, and which harness the technical authority to guide decision-makers in the construction of their policies, from issue identification to the creation and appraisal of solutions.[82] Departing from the most frequent analyses focusing on the informal input of epistemic communities within EU internal policy areas, some scholars started recognising their relevance even in the background of EU foreign policy, particularly with regards to the realm of European security and defence. Indeed, it is now credited that the process of European integration has actively relied on knowledge-based networks since its inception, as separate unofficial deliberative settings or as part of wider informal but high-level arenas in which Treaty change has been pre-discussed. Among the most examined there figures the Delors Committee, a network of central bankers whose monetary expertise was pivotal for the structuring of

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decisions. This procedure applies to 85 policy areas covering most of the Union's areas of competence, including its external competencies (such as trade policy and humanitarian aid) and the external dimension of its internal policies (energy policy, environmental policy, migration and refugee policy). For a detailed list of corresponding areas please refer to Annex I of the Parliament's Committee on Constitutional Affairs Working Document on the community method and intergovernmentalism (11 May 2021).

[79] Keukeleire, S. and Justaert, A. (2008); p.4.

[80] Keukeleire, S. and Justaert, A. (2012); pp.436-437.

[81] Kleine, M. (2013), "Informal governance in the European Union: how governments make international organizations work". Ithaca: Cornell University Press; pp.44-45.

[82] Cross, M. (2014), "Security Integration in Europe – How knowledge-based networks are transforming the European Union". (4th ed.) Ann Arbor: University of Michigan Press; pp.19-20.

the European Monetary Union, which was in fact established by the Maastricht Treaty (7 February 1992; 1st November 1993) primarily on the basis of their report.[83] While, amidst the more elite networks, is often remembered the Bildeberg Group, for having provided an informal arena allowing high-level American and European politicians, businesspeople, financiers, trade unionists, diplomats and other communities of experts to engage in regular discussions, consequently facilitating the deliberative process between those actors who would have subsequently played a central role in the drafting of the 1957 Rome Treaties (i.e., the Treaty establishing the EEC and the Treaty establishing the European Atomic Energy Community (EAEC or Euratom)). [84] More recently, however, contributions such as Mai'a Cross wide-ranging analysis successfully extended this scrutiny to the context of European security integration, bringing to light that hidden contributions can also be attributable to formally established knowledge-based networks of diplomats, high-level military officers, scientists and civilian crisis experts. Her study shows, *inter alia*, how it was specifically the informally crafted input of an epistemic community of military experts within the EU Military Committee which led to the crafting of the Long-term Vision for European Defence (3 October 2006), a strategy which triggered outcomes of interoperability, consolidation, and increased common investments by member states. Or again, she proves how the informal persuasive processes of the Committee for Civilian Aspects of Crisis Management - a network of civilian crisis experts - was the element which ultimately enabled certain CSDP missions to reach fruition.[85]

The other side of the spectrum of EU informal governance literature focuses instead on the informal dynamics arising inherently the formal relations between different actors and institutions in EU decision-making process, as a direct result of the high complexity of procedures and discussion topics permeating EU policymaking. Henry Farrell and Adrienne Héritier, for instance, expose how the felt constraint of formal rules was the reason which led EU institutions to progressively adopt informal decisional practices connected to the introduction of "early agreements" sanctioned by the Treaty of Amsterdam (2 October 1997; 1st May 1999). Particularly prominent in the co-decision procedure (i.e., the Community method post-Lisbon), early agreements allow for decision-making to be simplified through the reach of early compromises between EU institutions, usually before the start of formal negotiations or after the conclusion of their first stage. However, the operationalization of such procedures was in practice bound to the establishment of so-called "trilogues meetings", meaning informal settings comprising a restricted number of institutional representatives who interact on the basis of uncodified rules and thus more freely, but whose legislative output is subsequently

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[83] *Ivi*., p.20.
[84] Gijswijt, T. (2012), "Informal governance and the Rome Treaties". In *International Handbook on Informal Governance* (pp.412-430). Cheltenham: Edward Elgar Publishing; p.415.
[85] Cross, M. (2014); pp.178-185 and pp.202-213.

legitimized through its formalization in the parliamentary plenary and Council meetings. By reporting the high percentages of early agreements reached from 1999 to 2003, the study of Farrell and Héritier testifies to the evident institutional tendency to resort to informal interinstitutional legislative procedures for the resolution of internal matters, which led the trilogues to evolve into "almost weekly meetings".[86] On the other side, however, the analysis also reveals how the restricted access to trilogues, coupled with the formal value of their outputs, carries inequitable consequences for the power-relations between institutional actors. For instance, whereas participating actors, such as the rapporteurs or the Council presidency, gain a renewed legislative power granted by the possibility to influence informal discussions and thus pre-condition the decision-making process, actors who remain excluded from the trilogues, such as ordinary parliamentary committee members and ministers, see themselves losing their influence in so far as informal outputs are able to pressure them into compliance and thus predetermine the course of the overall policymaking process.[87]

The formalizing potential of uncodified institutional deliberations is furtherly substantiated by the research detecting informality as the source of institutional proceedings, which reveals how specific current practices of formal interaction are actually the result of enduring informal rules of behaviour. Screening the internal institutional functioning of the Union, Mareike Kleine traces for instance the development of the Council's substructure, identifying its origins in a long-lasting informal practice stemming from member states' desire to produce widely applicable norms. Since the creation of the EEC, the centrality of the majority voting rule afferent to internal policy areas mostly facilitated the endorsement of legal acts, as opposed to the possibility of amending a Commission's proposal, which is instead subject to the principle of consensus. However, this process alone posed a threat in so far as proposed legal acts implied excessive adjustment costs for particular member states, which exposed them to strong domestic distributive conflicts impeding the appropriate implementation of European law. Precisely with the intention to mitigate the potentially negative effects of formal rules, and thus prevent member states' non-compliance, the Council of the EU progressively adopted the practice of referring the Commission's proposal immediately to national experts for further examination. This permitted a more accurate pre-emptive assessment of the national impact of EU legislation, which could provide the necessary basis for the amendment of legal acts, hence the accommodation of troubled governments. The increasing normalization of the practice ensured that throughout the 1960s, "the Council had already evolved into a large intergovernmental substructure with the ministers at the top, an ambassadorial Committee of Permanent Representatives (COREPER)

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[86] Farrell, H. and Héritier, A. (2004), "Interorganizational negotiations and intraorganizational power in shared decision making - Early Agreements under Codecision and their impact on the European Parliament and Council". In *Comparative Political Studies*, Vol.37 (10: pp.1184-1212). Thousand Oaks: Sage publishing; pp.1197-1198.
[87] *Ivi.*, pp.1200-1204.

in-between, and permanent or ad hoc working groups of government experts at the bottom", in which every level sought to prepare preliminary decisions within its own area of expertise so that consensus could be established on a variety of matters before the proposal would reach the ministers. This internal decentralization, which will be gradually formalized starting with the Treaty of Brussels (8 April 1965; 1st July 1967), thus allowed the Council the flexibility to pre-emptively resolve more conventional issues, while increasing its ability to influence the legislative process through the endorsement of unanimous amendments.[88]

Indeed, the process of European integration is studded with similar instances, where the gradual standardization of informally developed practices, whether at institutional or wider levels, was ultimately conducive to their refinement and institutionalization. This holds true even for the development EU foreign policy, which, as the first chapter of this thesis also party attest, is largely the result of privately crafted rules of behaviour, which eventual acceptance is rooted in their rationale, which is seen to contradict the letter, but not the spirit of the Treaties. Strengthened by their recurrent employment, the importance of such practices was then gradually acknowledged, inducing their subsequent codification.

In relation to EU foreign policy, the instances of repeated informal intrainstitutional and interinstitutional interactions are mostly recognised as processes of "strategic socialization", or as "communities of practice". Both conceptions identify informal interinstitutional socialization as a leitmotif of EU foreign policy development, but they contextualize it differently. In the former, private interactions are described as strategic actions, for they are always ascribable to both individual and collective interests, which thus leads them to be the outcome of rational cost-benefit calculations. This concept is for instance applied to explain certain informal codes of conduct which have been detected within almost all CFSP Council working groups configurations prior to the Lisbon Treaty, including the existence of a coordination reflex, the presence of a consensus building practice or the implicit identification of *domaines réservés*; proving how these processes arise primarily from specific collective interests felt by the relevant national representatives. Specifically, the coordination reflex describes the working groups' tendency to conduct informal consultations prior to their formal meetings, and this is mostly attributable to the desire to coordinate national positions more easily, hence facilitating the subsequent achievement of official agreements. Collective gains are also at the base of consensus building, which identifies national diplomats' shared intention to resolve matters within their competency in a way that can be acceptable for higher decisional levels, especially striving to ease the workload of the ministers while aiming to widen their grounds for consensus. Similarly, within these groups there lies a common implicit understanding of the "sensitive issues",

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[88] Kleine, M. (2013); pp.89-99.

that is the topics that touch the sovereignty of member states and are thus to be referred exclusively to the ministers. Albeit pertaining to a different policy domain, these observations could be seen also as a partial countercheck of Kleine's conclusions, concurrently attesting to the stronger Europeanism (i.e., the ideal or advocacy of Europe's political and economic integration) pervading the years prior to the Union's legitimacy crisis. However, the concept of strategic socialization also uncovers the presence of personal long-term cost-benefit valuations, which are in this case attributable to national representatives' common desire to acquire or maintain their legitimacy and credibility within their group. The preservation of these informal codes of conduct is therefore strategic even for national diplomats, who exploit them to strengthen their influence and status consequently increasing the chances of getting their national interest reflected in the policy outcome.[89]

The concept of communities of practice differs in that it depicts informal interinstitutional socialization as a routine scheme of communication enabling its participants to build shared interpretations of reality. In so doing, the participants simultaneously affect the definition of the very own schemes of the process through the introduction of consistent routines, tools, words, and concepts, eventually leading to its informal expansion. In the system of EU foreign policy, this concept has been transposed to the COREU (*Correspondence Européenne*) network, an encrypted communication mechanism permitting a wide array of CFSP actors to exchange confidential information on foreign policy more securely. By regularly sharing their knowledge on external events, CFSP actors repeatedly engage in a process of semantic negotiation, which in turn induces the creation of homogeneous schemes of interaction, positively impacting EU foreign policy formulation. However, whereas the COREU was originally devised to ease and expedite simple interinstitutional information-sharing, practice led foreign policy actors to "appropriate" the communicative mechanism and gradually apply it not only to the whole policymaking process, but also to their reciprocal bilateral relations.[90] By providing a broad virtual network allowing for swifter multi-level and multi-stage informal confrontations, it can be argued that the COREU mechanism ultimately evolved into a system able to favour interinstitutional cooperation for European foreign policymaking. Nonetheless, being it a network open to officials of different decisional levels, among national representatives and members of the Commission and the EEAS, implicit "red lines" keep discussions circumscribed to conventional CFSP matters, while the most delicate issues continue to delimit a strictly intergovernmental decision-making arena.[91]

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[89] Juncos A. and Pomorska K. (2006), "Playing the Brussels game: Strategic socialisation in the CFSP Council Working Groups". In *European Integration Online Papers*, Vol.10 (11: pp.1-17). Vienna: European Community study association; pp.3-10. Accessed on 02/12/2021 at http://eiop.or.at/eiop/vol_10_2006.html

[90] Bicchi, F. (2011), "The EU as a community of practice: foreign policy communications in the COREU network". In *Journal of European Public Policy*, Vol.18 (8: pp.1115-1132). London: Taylor & Francis Group.

[91] *Ivi*., p.1128.

To be sure, the literature on informal governance at large recognises the possibility for informal networks to also carry negative implications, which are essentially linked to some of the very own features that make informal governance attractive in the first place, namely flexibility and the absence of compliance obligations. Notably, academic observations highlight the repercussions that could arise from the potential incompatibility of national prerogatives and informal network's outputs, which would inevitably hamper the latter's successful implementation. In fact, the domestic disincentives (i.e., distributive consequences of a network's policy) and the accountability structures inherent a state are stronger than the nonbinding nature of informal networks' rules, and they are therefore bound to prevail in the event of enforcement problems, while they may reduce the overall independence of the network in the pursuit of its own goals. The consequent difficulty in assuring policies holding equitable benefits for all constituents may also be aggravated by the power unbalances intrinsic to the same informal network, in which most resourceful participants necessarily retain greater chances to influence internal decision-making according to their specific intentions by leveraging on assets such as economic power, military might, information, or even the strength and the width of the ties they share with other participants. Moreover, the resulting influence capacity would guarantee the corresponding actor to occupy a central position within the informal network, potentially endowing it even with the ability to use "exit power to set conditions on participation". As a result, informal networks' procedural flexibility may become a tool that reinforces existing inequalities instead of favouring a balanced cooperation, at the same time permitting the formulation of standards that, albeit being beneficial to all, are likely to disproportionately favour powerful actors.[92] On the other hand, even the absence of a clear centre of authority has the potential to constitute a limit to the successful exploitation of informal network configurations, especially in the case of networks comprising a large number of participants retaining particular interests. Indeed, the consensus-based decision-making procedures typical of informal processes would inevitably impair the ability of involved actors to reach agreement, while the need to produce mutually acceptable outcomes would likely weaken the initially proposed standards, decreasing with it their impact capacity.[93] By implication, the presence of broad, horizontal informal networks has the potential to nullify the advantages given by flexibility, mirroring instead the constraints of formal unanimity frameworks.

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[92] For instance, Eilstrup-Sangiovanni, M. (2016), "Power and purpose in transgovernmental networks - Insights from the Global Nonproliferation Regime". In *The New Power Politics: Networks and Transnational Security Governance* (pp.131-168). Oxford: Oxford Scholarship Online; p.10, pp.16-19; Verdier, P.H. (2009), "Transnational regulatory networks and their limits". In *The Yale Journal of International Law*, Vol.34 (4: pp.114-171). Rochester: SSNR; pp.129-130; Slaughter, A.M. (2017), "The chessboard and the web: Strategies of connection in a networked world". New Haven: Yale University press; p.36, pp.167-168.

[93] Eilstrup-Sangiovanni, M. (2016); pp.15-16.

The overall contributions of EU informal governance offer clear testimony of the numerous benefits informal processes can bring both to the Union's internal and external policymaking frameworks. In sum, informal networks are commonly credited for their ability to increase the flexibility and swiftness of decision-making, providing for alternative deliberative settings able to transcend the strictness of formal norms through the application of more easily adaptable actor-created rules of behaviour. This flexibility also eases the participation of experts and other resourceful individuals in all stages of policymaking, resulting in the exchange of information, technical expertise, financial means, political clout and support which enhance decision-makers' capacity to individuate and more easily resolve policy problems as well as face highly technical issues, at the same time facilitating the external reception and implementation of policies. Additionally, especially in the frame of interinstitutional relations informal networks can enhance EU's problem-solving capacity by promoting the preliminary achievement of compromises on a variety of policy matters - albeit it limited to ordinary subject areas -; while favouring practical learning, meaning the elaboration of shared understandings of reality alongside the definition of common schemes of communication. However, this same flexibility as well as the officious nature of informal networks have the similar potential to turn into impediments, reducing the overall capacity of the process to encourage the production and enforcement of policies, for instance when confronted with incompatibility problems in relation to national legislation or in the presence of participants retaining incongruous interests.

The contribution of the literature therefore lies in its descriptive nature, since it is only by revealing the presence and logic of what would have otherwise remained simple hidden interplays that it is possible to ascertain the concrete value of informal processes for the Union's decision-making capacity. Notwithstanding, the potential benefits and shortcomings of a process cannot be equated to its concrete efficacy. Indeed, whereas the former as such identifies those factors which define the scope of utility and added value of a mechanism as compared to others, and are thus related to its general functioning, effectiveness is instead evaluated on the basis of its outcomes, reflecting in particular the degree to which a process is able to conduce to the expected results. Therefore, whilst some operational factors may certainly condition the effectiveness of a mechanism, this latter can only be measured by reference to the specific objectives of its participants, where the more the outcomes of the process are aligned with the objectives of its participants, the more the process can be defined as effective. It is precisely by virtue of this outcome-oriented specificity that effectiveness can be considered as a more appropriate dimension for assessing the concrete contribution of a mechanism, and thus its concrete impact on EU policymaking. However, the efficacy of informal networks is hardly discussed within EU informal governance literature, and even when references are made to the influence of informal networks, the latter nevertheless tends to remain in abstract terms,

in relation to the presence and strength of the typical procedural benefits of a specific informal configuration, while lacking the result-oriented empirical analysis which is instead necessary to substantiate the potential of these networks.[94]

Indeed, in practical terms this analysis would allow to verify what are the concrete conditions that, in a given context, intervene in favour or against the efficacy of a specific informal network. In turn, by extending this analytical framework to the activity of different networks pertaining to the same informal configuration, it would become possible to detect the contingency of efficacy relating to that particular informal configuration, meaning that general set of criteria which can be seen to facilitate the effectiveness of this latter, irrespective of its operational context. This way, this general set of criteria would also provide a constant enabling a more accurate determination of the efficacy of a certain informal configuration, thereby enhancing the predictability of its positive outcomes. On the contrary, in the absence of such criteria the efficacy of informal networks would not be concretely measurable and would thus remain simply potential, or it would be ascribable solely to a given instance of analysis, rather than the corresponding informal configuration. Exploring the contingency of informal network's effectiveness therefore allows to broaden the analytical scope, and with it the contribution, of EU informal governance literature, while possibly strengthening the validity of its current findings, and, consistently with the aims of the literature, consequently bolstering the recognition of the value of informal networks.

Enhancing the predictability of network-level efficacy is especially significant for EU foreign policy, since it could lead to the validation of the operability of alternative avenues which permit to overcome the constraints of the CFSP decision-making process without requiring a similarly complex, and seemingly unwelcomed, revision of treaty provisions. In particular, considering the steadfast and undisputed position of member states as the central power holders in the Union foreign policy - which confirmed itself as such even in the frame of EU informal governance -, great attention should be primarily given to the analysis of the concrete potential of informal configurations which involve them first-hand, and thus directly impinge on the course and the outcomes of the CFSP. Indeed, as uncovered by another recent line of research inherent EU informal governance literature, informality is often a feature even of member states' direct relations in the realm of EU foreign policy, meaning those interactions taking place at the level of ministries and between the members of the European Council. As mechanisms of informal governance, these alternative cooperative procedures offer member states the opportunity to transcend the limits of the formal intergovernmental framework and improve EU's external action capacity. However, it is only by increasing the predictability of their

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[94] See for instance the considerations of Mai'a Cross over the informal initiatives advanced by the Political and Security Committee, an epistemic community of ambassadors similar to COREPER, but of formally lower rank and with limited competencies in the field of European security and defence; in Cross, M. (2014); pp.122-140.

efficacy that it is possible to ascertain their concrete value, and subsequently develop their strategic dimension.

Informal cooperation in EU foreign policy: from benefits to efficacy

As highlighted in the first chapter, the "ideological duality" underpinning the development of the CFSP, which saw member states' desire stretched between the achievement of greater internal coherence – perceived as the *sine qua non* for the Union's efficacy - and the guarantee to maintain the maximum preservation of their national prerogatives, ultimately resulted in a power paradox in which the authority granted to supranational actors and institutions is left to compete with the willingness and interests of intergovernmental forums (i.e., the European Council and the Council of the EU). A tension which transposed even to the same deliberative procedure inherent to these latter, where the search for coherence reflected in the unanimity principle in practice frequently clashes with member states structural heterogeneity, and their consequent divergencies in terms of interests and strategic cultures. As a result, is not unusual for EU foreign policy to reach a deadlock, usually culminating in official declarations which are not backed by a concrete joint commitment. What is more, the same achievement of consensus is recognised to have tangible downsides, *inter alia*, its time-consuming nature, its tendency to exclude intractable issues or uncommon interests from compromise, or its resulting crystallization, which necessarily decrease EU's capacity to effectively respond to international events, negatively impacting with it the credibility of its ambitions. It is precisely against this backdrop that member states progressively sought alternative avenues able to provide them with the necessary leeway for the promotion of their national interests in foreign policy, one of them being the structuring of horizontal, informal dynamics of cooperation. Indeed, informal cooperation is not a completely novel phenomenon, its manifestations can be traced back to the very own birth of the EPC, but its prominence has grown as a consequence of the policy dynamics unleashed by the Lisbon Treaty as well as the more outspoken rule contestation which followed EU legitimacy crisis,[95] stimulating the birth of a small, but growing body of academic research.

In this connection, the mechanisms of informal cooperation are commonly recognised as "informal coalitions of self-selected, able and willing member states", which possess "[neither] a formal

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[95] Viceré, M. (2021), "Informal groupings in EU foreign policy: A sustainable arrangement?". In *European Policy Analysis*, N.2. Stockholm: Swedish Institute for European Policy Studies; p.3; Aggestam, L. and Bicchi, F. (2019), "New directions in EU foreign policy governance: Cross-loading, leadership and informal groupings". In *Journal of Common Market Studies*, Vol.57 (3: pp.515-532). Wiley Online Library; p.517.

contract, an enforcing mechanism [nor] a decision-making procedure, but act as a practice of inclusion and exclusion, knowledge creation, policy diffusion and resource exchange", with the aim to tackle a foreign policy issue that meets their interests and security priorities, but the EU as a whole is unable or unwilling to undertake.[96] Unlike the formal CFSP policymaking frameworks, including the treaty-based exceptions to the unanimity rule, such mechanisms therefore enable relevant member states to engage collectively on the basis of uncodified and independent rules, by mobilizing and pooling their expertise and resources to address delicate international matters irrespective of their lower status, or absence in the Union's foreign policy agenda. To a certain extent, this practice is comparable to the more known ad hoc informal groups of states, also named "groups of friends", composed by UN members;[97] however, they clearly diverge both in their logic, composition, and scope of their activities, being referred to international realities with different underlying structures and dynamics.

Building on this overarching conceptualization, the qualifying features of informal cooperation can be furtherly specified by reference to several dimensions, which in turn allow for an easier classification of the varying manifestations of the phenomenon. In this respect, scholars seem to concur on the existence of five main descriptive dimensions, which make it possible to identify informal cooperation mechanisms according to their enabling factors, their thematic area, their institutional embeddedness, their exclusiveness and their durability.

1. Enabling factors

More specifically, the first and most important component, the enabling factors, refers precisely to those elements which enable certain actors to engage in informal cooperation, thereby determining their relevance for the resolution of a specific issue. These are to be found in the combined presence of strong national interests - and thus a strong willingness to intervene -, on the issue at stake, which can be sectorial, but also historical (e.g., relations with former colonies) or geopolitical (e.g., relations with neighbours or strategically located countries); the necessary expertise and adequate knowledge on the region or issue addressed; and the possibility to commit additional resources, both material (e.g., financial or human) and immaterial (e.g., privileged ties with third countries or positive

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[96] Aggestam, L. and Bicchi, F. (2019); p.520.
[97] Smith, C. (2012), "Informal governance at the United Nations". In *International Handbook on Informal Governance* (pp.236-254). Cheltenham: Edward Elgar Publishing; p.240.

reputation), for a sustained period of time.[98] The more considerable and significant the assets they share, the more the participants have the chance to steer the joint management of the group's activities towards the promotion of their particular interests. At the same time, informal cooperation nevertheless makes it possible to accommodate actors' specific needs through the development of a further specialization and division of labour within the group, where different (sets of) participants assume the task of targeting distinct aspects of the issue addressed according to the scope of their same interests, expertise, and capacities.[99] This ample leeway for the valorisation of national priorities is exactly the reason prompting member states recurrent exploitation of the practice, which advantages can also be seen to favour the smaller and less resourceful European countries. Indeed, the restricted number of participants characterizing informal groupings, as well as the particularistic conditions defining an actor's relevance for the tackling of a certain issue, can also be to the benefit of the typical exigency of less powerful states to circumscribe their interests and modest resources on a limited number of policy areas. Contrary to the higher power asymmetries and multiple agenda items inherent multilateral international fora - including the EU -, which constrain the ability of less powerful actors to meaningfully impinge upon the negotiating process, the narrower focus of informal cooperation and its emphasis on the quality of resources, offers less powerful states the opportunity to become more visible, active, and influential on matters of salience falling within the scope of their chosen areas of activity. A potential which appears to be credited by these same countries, considering for instance the participation of the Netherlands in the informal group on Afghanistan, established after the military operation in Afghanistan in 2001; the participation of Belgium in the informal group on the Democratic Republic of Congo in the mid-2000s; or that of Sweden in the informal group on Somalia, operating from 2004 to 2006.[100]

Arguably, such cross-cutting operability is what also encourages the general acceptance of the practice, which, as it can be potentially exploited by any member state on the basis of the enabling factors, avoids fomenting feelings of marginalization and exclusion among other Union states. To be sure, the most resourceful member states such as France, Germany, Spain or Italy, which also detain an historically strong international presence, have undoubtedly greater chances to advance their vast objectives by capitalizing on their accumulated expertise and extensive capabilities, and indeed they can be seen engaging in informal cooperation more frequently. However, this selective engagement also testifies to the concrete definiteness of national priorities, and the consequent need of mutual engagement. Irrespective of its size and the resources possessed, every member state retains definite

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[98] Delreux, T. and Keukeleire, S. (2016), "Informal division of labour in EU foreign policy-making". In *Journal of European Public Policy*, Vol.24 (10: pp.1471-1490). London: Taylor & Francis Group; p.1479.

[99] Keukeleire, S. (2006), "EU core groups: Specialisation and division of labour in EU foreign policy". In *CEPS Working Documents,* N.252. Brussels: Centre for European Policy Studies; p.8.

[100] Delreux, T. and Keukeleire, S. (2016); p.1476.

interests, far from encompassing the multiplicity of events, relationships and policies characterizing a constantly evolving international context; and even when these interests are diverse, each member state is realistically able to concentrate its efforts only on a definite range of matters relating to them. In other words, it would be unrealistic to expect most powerful member states to possess both the willingness and capacity to intervene in the wide array of the existing and evolving foreign policy issues, while even small or medium-sized EU countries can provide an added value in terms of mobilizing required issue-specific problem-solving resources. On the other hand, for this mutual engagement to concretize through informal cooperation, it is necessary that its mechanisms are accessible under the same conditions to all member states. In turn, this non-discriminatory nature is thus likely to favour the common acceptance of the practice, which, in the absence of a formal recognition, will be underpinned by an implicit spirit of reciprocity,[101] by which each member state tacitly consents that others play a stronger role on specific issues of interest, on the condition that they will be given the same opportunity when the need arises.

2. Thematic area

The second component is an inherent part of the motive that drives informal cooperation, and it is in particular linked to the national spheres of interest. The action of informal groupings can indeed develop within distinct thematic areas, which are in turn traceable to specific geographic regions and/or explicit foreign policy issues. This denotes the presence of geographically oriented informal groups, which retain interests relative to a specific country or region, a particular zone within a country, or a set of different states, and therefore tend to repeatedly focus their efforts on a certain geographical area. Such inclination can then be associated with more particularistic intentions, which, at least potentially, are liable to arise in all areas of foreign policy, having their presence already been attested within the field of crisis management, migration, climate negotiations or development policy.[102]

In this respect, informal cooperation may subsist in geographical and/or issue areas lacking in a clear EU foreign policy line or initiative, hence primarily serving as a sort of alternative agenda-setting process for the interested member states. Alternatively, relevant member states may decide to engage in parallel to the CFSP, either complementing existing EU positions or actions in line with their

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[101] *Ivi.*, p.1480.
[102] *Ivi.*, pp.1475-1477; Keukeleire, S. (2006); p.8; Viceré, M. (2021); p.4, p.12.

interests with a view to mutually reinforce them, or departing from the former in different measures, still with the intention to see national priorities promoted. It should nevertheless be noted that informal cooperation is usually enacted on matters which are of lower status in EU's international agenda and are considered of major importance only by a limited number of member states. Notwithstanding, it cannot be excluded its occurrence even in relation to well-established EU stances, usually linked to priority topics such as environmental action or the European neighbourhood, where informal cooperation is exploited in order to intensify efforts on a specific inherent issue, on the basis of national interests. Despite the possible employment of the practice in opposition to general European orientations, informal cooperation is concretely adopted mainly to strengthen the consideration and management of specific issues on EU's agenda, or to stimulate a Union response in the event of their exclusion from deliberation. Indeed, informal cooperation is universally perceived by literature as a catalyst for a more dynamic, coherent, and proactive EU foreign policy, able to coordinate the efforts and assets of relevant member states for the re-elaboration, or formulation *ex nihilo*, and execution of external policies on relative issues of interest. Each informal grouping can fulfil one or more of these functions, which are carried out jointly, or through a division of labour according to individual assets, where for instance actors retaining the most detailed knowledge on a particular matter have a central role in the drafting of informal policies while well-experienced negotiators, or actors with an extensive diplomatic network, are entrusted with external representation (i.e., interactions and coordination with third parties and other external actors involved in the area or issue at stake).[103]

3. Institutional embeddedness

Another important factor to consider for the identification of informal cooperation mechanisms lies in their interactions with formal elements, both within the Union and pertaining to other international settings. Indeed, informal groupings can either occur within EU institutional structure, or be crafted outside the Union framework but nevertheless remain loosely connected to it, while also potentially interacting with other official decision-making fora. In the case of the former, informal cooperation develops within the margins of intergovernmental forums, whereby subsets of member states wish to integrate their resources for the attainment of specific foreign policy objectives, and thus influence,

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[103] Keukeleire, S. (2006); pp.8-10; Delreux, T. and Keukeleire, S. (2016); p.1481; Viceré, M. (2021); pp.6-7.

support, or even obstruct the elaboration and implementation of certain EU policies.[104] In this frame, informal groupings can therefore be assimilated to member states internal coalition-building practice, which sees like-minded countries convene together – before, during or after formal meetings – to set a common strategy on a specific foreign policy matter with the primary objective to shape EU policymaking process, and thus induce change from the inside. By way of example it can be considered the agenda-setting power of the "Nordic countries" in the sphere of EU development policies and practices; an informal group comprising Denmark, Finland and Sweden which, advocating and acting in the name of moral values such as solidarity and humanitarian assistance, has been oftentimes able to steer Union aid towards a greater valorisation of gender equality, transparency, or poverty eradication, while being decisive for the combination of human rights and democracy concerns to budget aid allocation.[105] Similarly, the sustained engagement of Cyprus and Greece, which share a certain wariness towards Turkey's foreign policy strategies, succeeded in influencing the content of Turkey's membership prerequisites, the European Council conclusions, and the Commission's Progress Reports on Turkey, by providing a mean for the concentration of the resources necessary to exert an increased interinstitutional influence. In particular, the informal group was successful in advocating the need for Turkey to implement the Additional Protocol to the Turkey Association Agreement (23 November 1970) - which includes the recognition of Cyprus -, prior to any possible accession negotiation, progressively conquering the support of Germany, the Netherlands, Austria, and France, and thereby leading to the suspension of Turkey accession negotiations until the fulfilment of such conditions.[106] In this frame, informal cooperation can undoubtedly offer precious insights into the interplays between informality and interinstitutional relations in foreign policy within the Union, which effects are first of all internal, resulting in a causative inside-out trajectory.

However, the informal groupings operating outside the Union framework while retaining a certain degree of connection with it are more analytically relevant for a context such as foreign policy, which is ultimately founded on an actor's concrete external action and international influence. Indeed, this extrinsic informal cooperation is primarily directed at achieving external change, for which it always envisages participants' direct contact with third parties and other actors involved. The character of these actors is also what partly determines the extent of the connection with official formats, which varies insofar as, besides interacting with targeted countries, third states and/or other informal international arenas (e.g., international contact groups (ICGs), international forums such as the G-20)

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[104] Viceré, M. (2021); p.4; Delreux, T. and Keukeleire, S. (2016); p.1481.

[105] Elgström, O. (2017), "Norm advocacy networks: Nordic and Like-Minded Countries in EU gender and development policy". In *Cooperation and Conflict*, Vol.52 (2: pp.224-240). Thousand Oaks: Sage publishing; pp.228-229.

[106] Pastore, G. (2013), "Small new member states in the EU foreign policy: towards 'small state smart strategy'?". In *Baltic Journal of Political Science*, Vol.2 (4: pp.67-84). Vilnius: Vilnius University Press; p.79.

active on the issue, informal groupings cooperate with official international organizations, including UN bodies and agencies, regional organizations or international financial institutions.[107] Similar relations are for instance exemplified by the informal group on Libya - composed of France, Germany, Italy, Spain and the UK as an EU-member -, which was born in the face of the constant divisions within the European Council on the strategies to adopt towards the Libyan crisis, and choose to cooperate with the "ICG on Libya" since its inception, thus contributing to an already active informal framework for the promotion of the internal reconciliation of Libya. Indeed, since the fall of dictator Muammar Gaddafi in 2011 the North African region has been ridden with conflicts, which prompted the creation of a more flexible platform able to foster the coordination of international efforts. The ICG was born in 2014 on the initiative of the African Union, and, besides abovementioned EU member states, gradually incorporated delegates from the Arab League, the UN, and other Northern African countries, with their efforts being especially devoted to the management of migration and the fight of terrorism.[108] This reality makes it also possible to discern how informal cooperation, despite relying on the interests and capacities of a small number of member states, does not in itself undermine these latter's outreach capabilities, even in relation to powerful actors, promoting on the contrary the creation of common grounds for the flexible integration of wider resources.

However, an equally significant aspect to consider in this frame of informal cooperation is member states refusal to act in complete detachment from the Union, with which instead they regularly retain a certain degree of connection on the basis of a double logic of influence, which is intrinsically linked to the very own objectives of informal cooperation at large. On the one hand, informal groupings often decide to institute and maintain an open line of communication with both the Commission, the European Council and the Council – albeit it being usually limited to *ex-post* notifications in the case of these latter -, reporting on their activities and progresses with the aim to achieve a wider recognition, and consequently increase their chances to impact on EU foreign policy agenda. On the other, the need for additional support frequently prompts informal groups to directly involve EU institutions and most notably the Commission – usually represented by the HRVP, supported by the EEAS - in their concrete activities, so as to benefit from both their administrative and creative assistance while being at the same time able to profit from EU's vast financial assets, relevant instruments and diplomatic networks.[109] In the context of the informal group on Somalia, for instance, participating member states (Italy, former EU-member UK, and Sweden) directly involved the Council Secretariat General, and to a greater extent the Commission, in their operations precisely as it could offer

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[107] Viceré, M. (2021); p.5; Delreux, T. and Keukeleire, S. (2016); p.1482.

[108] Viceré, M. (2021); p.9; "African Union inaugurates international contact group for Libya", (2014). Anadolu Agency, Addis Ababa, 3 December. Accessed on 19/12/2021 at https://www.aa.com.tr/en/politics/african-union-inaugurates-international-contact-group-for-libya/95910

[109] Viceré, M. (2021); pp.6-7; Delreux, T. and Keukeleire, S. (2016); p.1481.

additional expertise, financial assistance and a presence on the ground - as opposed to the other member states -, backed by a willingness to commit for the de-escalation of the Somali civil war (1990 – ongoing). Simultaneously, with the intention to raise the Somali conflict on EU's agenda, the informal group maintained close contacts with the Council throughout its period of activity, by delivering for instance to the Council's presidency draft texts on Somalia as an input for internal discussions. These measures were significant insofar as informal cooperation "provided a platform for intensive consultation, coordination and joint action" both between its participants and other actors on the ground, including international stakeholders such as the World Bank and Somalian interlocutors, which stimulated the establishment of a more active EU foreign policy towards the conflict. At the same time, "following progress in the international mediation efforts in Nairobi, the informal group was also able to gain the official recognition of the Council in March 2006".[110] Therefore, despite informal cooperation being enacted primarily with the aim to circumvent the constraints of official frameworks, informal groupings do not deny the value derived from the integration process but seek to retain access to it with a view to enhancing both their internal and external clout. This also means that, whereas informal cooperation is a practice primarily directed to the attainment of external changes, the preservation of EU-level ties can enable the tracing of an outside-in trajectory of influence.

On the other end, the very own existence of EU-level ties also attests to the positive disposition the principal CFSP institutions generally seem to display towards the practice, so much that it sometimes evolves even into direct encouragement. In particular, scholars note how informal cooperation practices may be sometimes backed by a more or less explicit, but nonetheless informal, approval of the Council. Indeed, recognising that a specific geographical area or foreign policy issue necessitate a more active or more intense engagement on the part of the EU, the Council may encourage, or even delegate – in the margins of a Council's committee or working group – relevant actors to jointly intervene. The informal group on Somalia serves again as an illustration, having been established in the margins of the Working group on Africa.[111] Similarly, discussions over the initiation of an informal cooperative arrangement may also involve Commission's representatives, if they prove to share participants' willingness to develop a more active or more intense policy towards a specific area or issue of interest.[112] The main reason behind this general acceptance is traceable to an analogous desire of influence, which is in particular identified in the institutional intention to either maintain or increase its own role and power in foreign policy. Indeed, while intergovernmental forums' representatives prefer to be involved in a practice, albeit informal, rather to become passive

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[110] Delreux, T. and Keukeleire, S. (2016); p.1477.
[111] *Ivi*., p.1476.
[112] *Ivi*., pp.1480-1481; Keukeleire, S. (2006); p.8.

recipients of foreign policy, completely excluded from certain foreign policy processes and thus deprived even of their capacity to adjudicate on them, the Commission usually welcomes informal cooperation in light of the increased foreign policy incidence that it can draw from it,[113] not only in terms of authority, but also of creative input, as the studies on the HRVP role within informal groups for instance suggest.[114] Moreover, EU institutions favour their involvement as it can also promote the consistency of informal groups' activities and policies with EU values while increasing the transparency of informal proceedings,[115] with positive consequences for their scrutiny by the European Parliament and civil society.

4. Exclusiveness

Informal cooperation mechanisms can also be distinguished on the grounds of their inclusivity, which can be assessed both in relation to member states, and third actors. When considered in relation to the former, the inclusivity of informal groupings is usually contingent upon the very own existence of the necessary enabling factors (relevant interests, expertise, and resources) for each participating member state; however, it can also be determined on the basis of a geographical component, or be reflective of a more or less consolidated partnership practice. Such factors are not to be intended as mutually exclusive, however, in each informal group it is possible to notice the preponderance of one of them in particular, which makes it possible to differentiate between ad hoc contact groups,[116] which bring together a range of EU member states primarily according to their relevance for a determinate area or foreign policy matter; regional or inter-regional informal groupings, such as the "Visegrád group"– comprising the Czech Republic, Hungary, Poland and Slovakia - or the informal partnership framework of the Baltic and Benelux countries;[117] and recurrent informal partnerships, such as the "E3", which since the early 2000s provided France, Germany and former EU-member UK a platform for the tackling of various foreign policy and security issues.[118] Informal cooperation mechanisms

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[113] Delreux, T. and Keukeleire, S. (2016); p.1475, p.1480.

[114] See for instance Tabrizi, A. and Kienzle, B. (2020), "The High Representative and directoires in European foreign policy: the case of the nuclear negotiations with Iran". In *European Security*, Vol.29 (3: pp.320-336). London: Taylor & Francis Group.

[115] Keukeleire, S. (2006); p.11.

[116] Grevi, G. *et al.* (2020); p.8.

[117] Vaida, P. (2011), "Baltic and Benelux formins discuss EU foreign policy in Estonia". The Baltic Course, Vilnius, 12 September. Accessed on 21/12/2021 at http://www.baltic-course.com/eng/baltic_states/?doc=45696

[118] Brattberg, E. (2020), "The E3, the EU, and the post-Brexit diplomatic landscape". Carnegie Endowment for International Peace, June 18. Accessed on 21/12/2021 at https://carnegieendowment.org/2020/06/18/e3-eu-and-post-brexit-diplomatic-landscape-pub-82095

primarily founded on geographical proximity – and the similar interests resulting from it - as well as those prioritizing the strength of bilateral or multilateral relationships are by nature more exclusive, since they regularly refer to the same set of member states. This preclusive nature can however be harmful, since, regardless of their degree of institutional embeddedness, such arrangements "risk being conceived as secluded decision-making among a number of privileged insiders",[119] that in a context of formal equality can easily foment perceptions of favouritism, or it can even lead to more evident splits between those member states able to act as frontrunners on a specific area or international issue, and those which influence can instead only remain limited to *ex post* discussions on other actors' activity. Indeed, similar controversies often arise in relation to informal groupings comprising only most powerful member states, which are contested and seen with suspicion since they are regarded as "exclusive clubs" retaining a certain degree of secrecy, thereby giving way to an almost hierarchical reality[120] that contravenes with the logic of sovereignty equality on which EU foreign policy stands. Precisely for this reason, in addition to the subsistence of a necessary spirit of tacit reciprocity underlying the conduct of informal cooperation, the guarantee of an open participation, that is the possibility for other member states to join an informal group later on or simply collaborate with it if they so wish - provided that they hold the necessary willingness and capacities -, can be equally functional to favour not only the overall acceptance of the practice, but even a greater internal and external support towards the same action of the group.

The inclusivity of informal groupings can also be assessed in relation to the presence of third actors, which can be both internal and external to the Union. Indeed, as has already been highlighted, the institutional embeddedness of informal groupings can even designate the direct involvement of the Council and/or the Commission's representatives in the group's operations, which thereby become full-fledged participants, with the corresponding effects in terms of inner and outer impact. However, it is also possible for informal groups to host external actors, namely representatives of international institutions and, to a greater extent, third states. An illustrative instance is given by the so-called "Middle East Quartet", a contact group established in 2002 which comprises the representatives of the EU, the US, Russia, and the UN, and is now active mainly to support Palestinian economic development and institution-building in preparation for its eventual statehood.[121] Indeed, by allowing the direct inclusion of external actors, informal cooperation offers the flexibility for an even closer, and possibly more coordinate collaboration potentially encompassing all relevant stakeholders involved in a determinate area or matter at stake, consequently increasing the chances to produce internationally accepted and recognised outcomes. Notwithstanding the objectives and the outreach

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[119] Delreux, T. and Keukeleire, S. (2016); p.1482.
[120] Tabrizi, A. and Kienzle, B. (2020); p.321.
[121] Grevi, G. *et al.* (2020); p.14.

capabilities of each group, this line of inclusivity can be also assessed to informal configurations typically registering higher levels of intra-community exclusiveness, namely regional or inter-regional groups and recurrent informal partnerships. This can be inferred for instance from the activities advanced by Greece and Cyprus, and occasionally joined by Italy, in the context of the East-Med Gas Forum. Indeed, with the aim to resolve the frequent inter-regional energy disputes over natural gas resources, which can be seen as part of a broader geopolitical competition unfolding in the Middle East, the group repeatedly engaged in multilateral summits alongside Israel and Egypt, with the episodic inclusion of the US.[122] Similarly, in the early 2000s the desire to curb the development of Iran alleged nuclear activities prompted the E3 to take responsibility for the initiation of a joint diplomatic engagement towards Teheran. After having successfully obtained important concessions from Iran, including the suspension of all uranium enrichment-related activities, as well as their subsequent extension and further specification under the Paris Agreement of 15 November 2004, the E3 was progressively able to gain the collaboration of China, Russia, and the US via their direct involvement in the group, giving shape to the E3+3 format.[123]

Finally, it is also important to notice that in whichever case, not being bound by any official contract, the composition of informal groupings detains a fluid status even "in negative", meaning it is always possible for its participants to permanently exit the informal arrangement if the required commitment is no longer sustainable or desirable for them. By way of example, the informal group on Somalia initially comprised even Germany and France, however, they both refrained from further participation when asked to move towards a larger diplomatic and financial commitment.[124]

5. Durability

The last descriptive dimension though which is possible to identify the different manifestations of informal cooperation mechanisms is to be found in their durability, which can range from being ad hoc, up to become an actual *modus operandi*. Accordingly, an ad hoc nature describes those informal arrangements which serve as a practical solution for the joint confrontation of a specific matter, or a more complex process relating to a geographical area of interest and are therefore set to last until the matter is resolved, or until the informal commitment remains sustainable for more than one participant.

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[122] *Ivi.*, p.15.
[123] Brattberg, E. (2020); Meier, O. (2013), "European efforts to solve the conflict over Iran's nuclear programme: How has the European Union performed?". In *Non-proliferation Papers*, N.27. EU Non-proliferation and Disarmament Consortium; pp.3-8.
[124] Delreux, T. and Keukeleire, S. (2016); p.1447.

By contrast, member states may choose to employ the same informal configuration in multiple instances within or outside the same policy or geographical area, thus establishing a pattern of interaction that could ultimately evolve into a standard operating procedure, albeit informal. This is for instance often the case of regional and inter-regional informal groupings, which are formed by member states sharing similar priorities relating to the specificity of regional development as well as their immediate neighbourhood. Among others, the Visegrád group was born in 1991 following the fall of the Soviet Union as an informal cooperative platform explicitly aimed to favour the advancement of participants' common priorities in the military, cultural, economic and energy sectors with a view to promote their integration in the Union. However, the necessary collaborative continuity that the attainment of such objectives implied led to the progressive normalization of the practice, which indeed did not cease with the accession of this Central European region (1st May 2004) in the EU but continued to exist as a decisional and operational structure for the protection of its participants' particular interests, the strengthening of regional stability, and the promotion of optimum cooperation with neighbouring countries.[125] However, it is not impossible that even former ad hoc arrangements gradually evolve into an implicitly accepted *modus operandi*, typical of a determinate geographical or policy area, and/or a determinate cluster of actors. In the context of EU's external climate policy, for instance, the formal process of shared competencies which sees the Commission and the Rotating Presidency of the Environment Council as the formal representatives of EU positions in the climate domain, is in practice complemented by an informal negotiation arrangement comprising member states and Commission officials. Specifically, whereas the formal process is only employed to deliver EU official statements and to make interventions in the plenary meetings, for the actual negotiations, where the texts are drafted and discussed, the informal mechanism is often enacted. In 2014, for instance, such group was constituted by Germany, former EU-member UK and the Commission, which harnessed their negotiation ability to each conduct informal negotiations on particular issues, such as mitigation, finance or compliance. This informal arrangement was initiated in 2004 in the face of the inability of the Council's Presidency to adequately address all issues of the climate negotiations on its own, and it has been regularly employed ever since, adapting to the post-Lisbon panorama. Another interesting and more recent informal tendency in this domain is represented by the increasing deployment of the so-called "EU team", a rather complex configuration gathering key Union actors for the international climate negotiations, which are divided according to their abilities into

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[125] "About the Visegrad Group". Official website of the Visegrad Group. Accessed on 24/12/2021 at
https://www.visegradgroup.eu/about

three lead negotiators; five track coordinators [usually two from the Commission, two from the Presidency and one from Germany], which dispatch the agenda items for the different negotiating fora of the UN Framework Convention on Climate Change (UNFCCC) climate regime to the relevant actors in the EU; the permanent co-chairs of the four expert groups, which technically prepare the Council Working Party on International Environmental Issues (WPIEI); eighteen cluster coordinators [four from the Commission; two from Spain, Germany, Belgium, Sweden and the UK when it was a Union member; and one from Portugal, Austria, France and Finland] which coordinate a handful of issue leads, taking the lead on a particular set of issues and who are mostly holding the pen when EU positions are developed.[126]

In some other case, the protracted employment of an informal arrangement may even lead to its eventual formalization, as it recently occurred in relation to the East-Med Gas Forum, which Statute entered into force in March 2021.[127] To be sure, the institutionalization of an informal cooperation process does not imply a transformation of the original logic and intentionality of the practice, but it responds to a desire to strengthen the corresponding cooperative mechanism by virtue of the advantages deriving from international recognition, including a more tangible multilateral agenda-setting power or a greater ability to attract new members and resources. In other words, the acquisition of an official status does not wish to negate or refuse CFSP decision-making process and its core values, but simply to further enhance the capacity of participating member states to pursue their national priorities, as complementary to the Union. Indeed, even as official mechanisms, these cooperative practices tend to remain linked to the Union, seeking to obtain both its political and material support while advocating, at least formally, their commitment to European values and objectives. In fact, it was against this background that the former platform for dialogue in the sphere of the Eastern Mediterranean energy sector was ultimately able to acquire even EU's official recognition and support,[128] evolving into a novel international organization for the development of an inter-regional gas market connecting Europe, Asia and Africa, counting eight permanent members (Cyprus, Greece, France, Italy, Israel, Jordan, Egypt, and Palestine), three observers (the US, the EU, and the World Bank) and thirty-two advisory participants among public and private actors, governments, international financial institutions and gas business enterprises.[129]

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[126] Delreux, T. and Keukeleire, S. (2016); p.1445.

[127] Gentili, C. (2021), "East Med Gas Forum: entra in vigore lo Statuto e aderisce anche la Francia". Sicurezza Internazionale, 10 March. Accessed on 24/12/2021 at https://sicurezzainternazionale.luiss.it/2021/03/10/east-med-gas-forum-entra-vigore-lo-statuto-aderisce-anche-la-francia/

[128] "EU as observer in the East Mediterranean Gas Forum" (2021). Official website of the European Commission, Brussels, 8 July. Accessed on 24/12/2021 at https://ec.europa.eu/info/news/eu-as-observer-in-the-east-mediterranean-gas-forum-2021-jul-08_en; "The European Union announced its support to the Eastern Mediterranean gas forum" (2019). EU Neighbours, 6 September. Accessed on 24/12/2021 at https://www.euneighbours.eu/en/south/stay-informed/news/european-union-announced-its-support-eastern-mediterranean-gas-forum

[129] "EMGF overview". Official website of the East-Med Gas Forum. Accessed on 24/12/2021 at https://emgf.org/about-us/overview/

Through these central descriptive dimensions is therefore possible not only to ascertain the existence of varying practices of informal cooperation, as well as their noteworthy degree of exploitation, but also to detect the underlying logic and potential benefits of this informal framework, which stand in part as a reflection, and thus confirmation, of the overarching rationale and prospected advantages attributable to EU informal governance processes. Indeed, informal cooperation is rooted in a similar desire to overcome the limits of formal decision-making procedures, being in particular enacted as a solution to the recurring dissonance between the need of consensus and member states' desire to safeguard and advance their national priorities, by permitting the development of a more dynamic foreign policy in dossiers and/or geographical areas considered important by a certain number of member states. In this respect, moreover, its mechanisms are in line with EU informal governance literature in representing frameworks able to favour the flexible pooling and exchange of relevant resources and individual capacities towards the attainment of more or less shared objectives, thereby positively impacting on the swiftness and responsiveness of EU policymaking *vis-à-vis* a global landscape marked by numerous, complex and constantly evolving challenges. At the same time, by promoting the iterative interaction and collaboration between a limited number of relevant actors, informal cooperation can be conducive to a more cohesive foreign policy, which detains greater chances of success given by the more targeted and strategic deployment of relevant resources and capacities. In this process, informal cooperation can also be seen to preserve the typical auxiliary status of informality, which enables its participants to interact and actively operate in the shadow of official proceedings without prejudicing their involvement and commitment towards these latter, but nevertheless allowing them to exert different degrees of influence on formal outputs. Indeed, for their action to gain the official recognition and support of EU institutions, informal groups – analogously to any other intra-European informal governance process - must keep open the communication channels with Union officials and must uphold their alignment to EU fundamental values. Furthermore, informal groupings prove to detain the high level of practical adaptability which is commonly accredited to intra-EU informal governance processes, and it manifest itself in their potential for continuity, meaning their ability to resist and timely adjust to changes occurring both within and outside the Union. In fact, the flexibility of informal cooperation provides for a configuration able to react to the shifts in terms of interests that may arise within EU institutions, which can lead to changes in the composition of informal groupings or to adjustments in their movements aimed at the acquisition of greater internal support, instead than provoking decisional and operational impasses to the detriment of the overall CFSP. Or again, being it a practice which origins can be traced back to the very own birth of the EPC, informal cooperation can be accredited with

great adaptability even in the face of treaty reforms and their consequent innovations in the realm of foreign policy. Concurrently, while pre-emptive strategies hold certainly their weight even in the external context, this latter is to a larger extent inherently reactive, as it is affected by unexpected developments and on positions taken by third parties. Unlike institutional proceedings and stances, both the structure as well as the efforts of informal groupings have the possibility to be quickly recalibrated in response to international events, which has positive implications in terms of resilience as well as ability in the management of complex situations.

On the other hand, the traits of informal cooperation reveal other important advantages which are more specifically related to the CFSP domain. Firstly, by providing a framework allowing relevant actors to be involved in a more proactive governance over international matters that impinge upon their interests, informal cooperation allows individual member states to acquire a more prominent role in EU foreign policy, increasing their concrete capacity to shape it on the basis of their perspectives, proposals and initiatives. In turn, this could not only be conducive to a greater exploitation of the practice, hence leading member states to take greater responsibility in other foreign policy dossiers, but it could also enhance the optimistic perceptions of national governments towards the Union's external dimension, which, recognising it as a system able to further their national priorities, could be possibly encouraged to increase both their political and material commitment towards EU foreign policy in general, with a positive impact on its legitimacy. Secondly, the accessibility connected to the enabling factors offers a valuable component in terms of inclusivity, favouring the accommodation of member states' heterogeneity both in terms of interests and resources. Indeed, by giving prominence to the quality of national assets in relation to a specific geographical area or international issue, informal cooperation facilitates the participation of smaller and middle-sized member states, which, typically detaining fewer and more particularistic resources and priorities, are usually less likely to influence formal decision-making processes on the basis of their strategic preferences. Thirdly, by maintaining a certain degree of connection with EU institutions, informal groupings have the possibility to draw on a wider array of resources and expertise with a view to increasing their external clout, while simultaneously improving the chances for their action to be acknowledged by the Union, and thus foster a wider intrainstitutional support. On the other end, the preservation of this direct line of communication and/or inclusion is also to the benefit of the same European institutions, which can thereby maintain or even increase their role and power in foreign policy, while promoting the transparency of informal groups' operations and policies, as well as their alignment with Union values.

Informal cooperation therefore offers multiple operational advantages, which have the potential to increase the ability of member states, and by consequence of the Union, to respond to international

events more actively and efficiently, by facilitating the devising - or the reinforcement - and the application of targeted foreign policies on the part of relevant member states. Notwithstanding, as previously mentioned, the benefits attributed to a mechanism are not in themselves sufficient to demonstrate its concrete efficacy, since, being of a general and abstract nature, they are unable to provide variables allowing to measure a mechanism's concrete ability to yield the expected results. It follows that, while a procedural advantage can certainly result as functional for the efficacy of a process, the criterions defining the latter can only be calibrated and verified by means of an outcome-oriented empirical analysis, which is thus aimed at verifying what are the existing practical conditions that promote the achievement of a process' predetermined objectives. Accordingly, in the frame of informal cooperation this would therefore imply the identification of those criterions which concretely assist the operational success of informal groupings; and by subsequently extending this assessment to different contexts registering their activity, it would become increasingly possible to devise an overarching, widely applicable set of criteria permitting a more standardized measurement of informal cooperation effectiveness, enhancing with it the predictability of its positive outcomes.

Therefore, the analysis of the contingency of informal cooperation effectiveness is essential firstly to ascertain the concrete capacity of informal cooperation to promote a more efficient and proactive foreign policy for the EU, at the same time substantiating the potential nature of the benefits attributable to informal cooperation. Indeed, scholarly contributions are mostly aimed at revealing the presence and functioning of informal cooperation mechanisms rather than addressing their concrete effectiveness; and even when references to the latter are made, efficacy nevertheless tends to be considered in relation to informal cooperation potential benefits,[130] hence in abstract terms, or it lacks an empirical dimension seeking to investigate the concrete conditions that are conducive to its positive outcomes.[131] In addition, the devising of a general set of criteria enabling a more standard assessment, and thus an easier predictability, of the contingency of informal cooperation effectiveness allows to recognise the practical value of the process, and it is functional for the development of its strategic dimension, which implies the progressive refinement of its procedures with a view to increment its probability to reach higher efficacy levels. In fact, consistently with the aim of this thesis, it is only by understanding informal groupings' concrete effectiveness as well as by enhancing the predictability of its contingency that it is possible to determine the strategic value of informal cooperation *vis-à-vis* the drawbacks of the CFSP framework – with particular reference to the unanimity rule -, while positioning the practice as further evidence of the limits of the unity-efficacy

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[130] Viceré, M. (2021); pp.11-12; Delreux, T. and Keukeleire, S. (2016); pp.1483-1484; Keukeleire, S. (2006); pp.13-16.
[131] For instance, Grevi, G. *et al*. (2020); pp.10-18; Delreux, T. and Keukeleire, S. (2016); pp.1475-1477; Meier, O. (2013); Pastore, G. (2013); pp.78-79.

rationale, which sees member states' political and operational unity as an indispensable condition for the Union's external effectiveness.

In this respect, however, scholars of informal cooperation, as well as the literature on EU informal governance in general, acknowledge the existence of a particular shortcoming that can be directly associated with informal governance practices, and thus threatens to hinder their overall viability: the issue of accountability, and consequent legitimacy of decision-makers. Indeed, whilst informal networks are able to affect the course and the outcomes of EU's official decision-making processes, their rather secluded nature - both in terms of composition and procedure - along with their voluntary-based establishment and operativity tend to diminish their democratic accountability, meaning the possibility for national and European parliamentary representatives as well as the European citizenry to exert a democratic control over their functioning. In turn, by limiting the ability of European society to judge the activity of informal networks' participants, and thus also verify that its interests are well-represented, informal governance procedures risk encountering a problem of legitimacy given by the lack of a democratic recognition, and by consequence support, which sees informal networks as rightful centers of political authority.[132]

Transposed to the frame of informal cooperation, this legitimacy issue is linked to the participatory divide originating between those member states which are directly involved in an informal group, and thus act as the main decision-makers, and those which, participating in only *ex-post* communications, retain instead a marginal control over their policies and operations. Indeed, while they have the capacity to produce outcomes affecting the EU as a whole, informal groupings comprise only a limited number of member states with particular interests and priorities, a composition which per se is unable to assure the interest representation of all EU countries. Insofar as this limited representation is coupled with a low procedural transparency at the EU-level, informal cooperation mechanisms can raise questions regarding both the accountability of decision-makers to the broader, affected political body and the legitimacy of the decision-making process. The increased compactness and independence characterizing informal groupings give therefore rise to a paradox, since, if on one side they can be identified as the main source of benefit of informal cooperation, on the other they are also liable to represent its potential limit. This way, informal cooperation becomes a possible aggravating circumstance for the already modest general accountability of EU foreign policy, where both the European Parliament as well as national parliamentary representatives can be already seen to play a limited role.[133]

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[132] For instance, Christiansen, T. and Neuhold, C. (2013); pp.1202-1203; Börzel, T. and Heard-Laureóte, K. (2009); pp.143-146; Keukeleire, S. and Justaert, A. (2012); pp.451-453.
[133] Viceré, M. (2021); pp.12-13; Delreux, T. and Keukeleire, S. (2016); p.1474, pp.1484-1485.

This notwithstanding, in this connection it is also important to highlight the complementary nature of certain informal networks, including informal cooperation, to legitimate policymaking procedures. Indeed, it is recognised that informal cooperation mechanisms operate in adjacency to the CFSP framework, while informal groupings are always prone to retain a certain degree of connection with both EU intergovernmental forums and the European Commission. In fact, by keeping open channels of communication with EU institutional representatives or even by directly involving them in their activities, informal groups promote the inclusion of a wider set of interests in their policies and operations – including the positions and the values of the Union -, at the same time increasing the transparency of these latter and thus the possibility for them to be scrutinized by the European Parliament, member states' governments and possibly their civil societies. Consequently, the preservation of this open line of influence enhances the legitimacy potential of informal groupings, fostering with it an EU-wide recognition and support for their policies. An empirical assessment of informal cooperation can therefore be useful even to verify the desirability of informal groupings, a concept which goes beyond the simple acceptance of the practice but measures the degree to which its relative policies are perceived as rightful, and are thus supported, on the part of the Union.

In light of these considerations, the analysis of informal cooperation will be furtherly deepened on the grounds of an empirical assessment with a two-fold purpose: firstly, the empirical analysis will seek to explore the contingency of informal cooperation effectiveness with a view to providing a plausible set of criterions able to enhance the predictability of the latter, and thereby also foster the development of its strategic dimension. In so doing, this process will also allow to discern the practical value of informal cooperation mechanisms, hence substantiating the degree to which they are capable to improve the performance of EU foreign policy, both in terms of responsiveness and efficacy. Secondly, empirical data will also be useful to address the legitimacy issue, and thus verify the strength of this potential limit for the effectiveness of informal groupings.

Chapter 3

From theory to practice: enhancing the contingency and predictability of informal cooperation effectiveness

Contrasting the credo underpinning the CFSP framework, informal cooperation mechanisms make it possible to argue that the Union's efficacy as an international actor has the potential to go beyond the aggregate power of all its members, being instead the possible result of the strategic deployment of lesser, but more relevant assets for a specific geographical area or foreign policy matter. Along with the benefits given by their extensive flexibility, their accessibility, and their institutional embeddedness, informal groupings can be considered as a possible solution to the constraints stemming from the almost structural tensions inherent to the context of EU foreign policy, where the complexity of the decision-making process and the need to reach consensus regularly clash with member states' heterogeneity of interests and resources, failing to meet their desire to capitalize on the added value of the Union while maintaining a direct control over EU foreign policy governance. However, as underlined in the previous chapter, scholarly contributions lack of a systematic empirical analysis necessary not only to substantiate, and thus concretely verify, informal groupings' potential for effectiveness, but also to contextualize the manifestation of such efficacy, hence detecting the practical conditions which can be recurrently seen to favour the achievement of informal groups' objectives. In fact, such criterions would make it possible to render the overall efficacy of informal cooperation more predictable, and therefore strategically exploitable.

With the aim to contribute in filling this evaluative gap, the assessment of informal cooperation effectiveness will be reinforced through a comparative empirical analysis, inherent in particular to the context of mediation for conflict management. Indeed, despite being typically considered relevant for aggregate power practices, the latter is a setting which registers the higher employment of informal cooperation mechanisms, and is thus the one which could benefit more from the strategic harnessing of informal cooperation. Within this scenario, the evaluation will draw on the dynamics intrinsic two case studies related to different informal contact groups displaying distinct levels of efficacy. Specifically, the first instance of analysis will involve the so-called "Kosovo question", and it will be in particular referred to the activities of the "Quint Group for Kosovo" – comprising France, Germany, Italy, the UK as a former EU member, and the US - occurring in the period 2006-2007. The second case study will instead concern the "Middle east Quartet" in the conformation it upheld from 2002 to

2006, which involved the Commissioner for External Relation, the High Representative, the EU Presidency, the US, the UN, and Russia, and operated in the background of the "Arab-Israeli peace process". It should be noted that, while the activities of cited informal groupings as well as the process to which they refer are not exclusively confined to the reported time frames, these latter have been selected on the basis of their analytical relevance for the study of informal cooperation effectiveness. Indeed, the identified case studies will be useful firstly to demonstrate the concrete potential for efficacy of informal groupings, and thus their capacity to achieve practical results while overcoming the limitations posed by the absence of an intra-European consensus over the matters addressed. At the same time, the analysis of such processes will also allow to substantiate the scope of the benefits ascribable to informal cooperation, in particular attesting to the latter's ability to foster the reactivity, coherence, and overall impact of the Union, as commonly advanced by the literature. In addition, the corresponding empirical data will be functional for the identification of those evaluative criteria which, by revealing to be decisive for the effectiveness of informal cooperation in both case studies, will allow to enhance the measurability of the latter, thereby confirming the strategic value of such practice for the Union foreign policy. Consistent with these objectives, the empirical evaluation will be primarily directed to the validation of particular investigation hypotheses, which will be in turn constructed on the basis of variables commonly recognised both by EU foreign policy and conflict management literature as determinants for the gauging of European policy effectiveness. The viability of such hypotheses within the scenario of informal cooperation will be therefore tested by means of a deductive approach, which will be also exploited to detect additional evaluative criterions applicable to the traits of informal foreign policy cooperation. Finally, the exploration of identified case studies will also allow to address the legitimacy deficit associated to informal groupings, which is essentially considered as the result of the lack of procedural transparency and the low inclusivity of the latter, which consequently risks to hinder the overall desirability of the practice.

Delineating the analytical framework

Representing it the scenario which can be seen to enclose the highest degree of informal cooperation activity, mediation for conflict management can be regarded as the most appropriate setting for the exploration of informal cooperation effectiveness. In fact, the persistence exploitation of the practice can be considered as indicative of its felt necessity for this context in particular, which therefore positions it not only as the context which could benefit most from the strategic development of

informal cooperation, but also the one in which the latter has a greater potential to impact on EU's overall capacity of influence.

In general, a process of mediation can be defined as

> a particular type of negotiation that takes place in an often violent conflictual context […] where disputants seek the assistance of, or accept an offer of help from, an individual, group, state or organization to settle their conflict or resolve their differences without resorting to physical force or invoking the authority of the law.[134]

Consequently, a mediator can be identified with any actor or group of actors which commit to assist the negotiations between conflicting parties with a view to helping them bring about a settlement to their conflict. Similarly to the conventional debate on EU overall actorness, both the literature on the Union foreign policy as well as the more specific research on EU international mediation attest to the highly debated character of EU effectiveness as an international negotiator. Whereas the latter is not the analytical aim of this thesis, the corresponding argumentations allow to identify the central criteria being at the base of such evaluations, which therefore offer useful theoretical propositions that can be potentially extended to the study of informal cooperation effectiveness.

In this connection, it is first of all important to notice that, specifically within the frame of mediation research, the same conception of mediation effectiveness tends to be considered in a dual dimension, determined by the scope of the very own objectives on which efficacy is typically calibrated. In particular, without thus denying its result-oriented nature, academic research understands efficacy either in terms of "conflict-settlement" or of "goal-attainment". In the first case, efficacy is referred to the overall results of EU mediation, and it evaluates the extent to which European efforts have a positive impact on the management of the conflict. It is therefore an indicator that focalizes on the more general objective of conflict resolution, which is concretely measured on the grounds of the mediator's ability to favour the settlement of all issues of incompatibility between the conflicting parties. Specifically, efficacy as conflict-settlement is considered to be higher the more the mediator is able to promote both the achievement as well as the implementation of an agreement covering all matters of a dispute. "Goal-attainment" is instead associated with the Union's capacity to successfully reach its specific objectives as a mediator, and thus identifies a more subjective evaluative dimension that is also reflective of private interests and intentions. These latter can be equally related to the process and the outcomes of negotiation, concerning for instance the negotiation agenda, the desired duration of the negotiation process, the conflict issues to be addressed or the specific contents of a

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potential agreement between the disputants. It follows that, in this second case effectiveness is evaluated according to the mediator's ability to achieve its intended goals.[135]

Taken as a whole, this bidimensional conceptualization allows for a comprehensive assessment of effectiveness which, taking into consideration even an actor-centered perspective, thus acknowledges the added value that may derive from the mediatory participation of a particular actor and from the advancement of its corresponding interests and priorities. This conceptualization is therefore particularly significant for the context of informal cooperation for it enables to evaluate both the concrete efficacy of informal groupings, hence their ability to fulfil their pre-established objectives, as well as their overarching effectiveness as regards conflict resolution, thus their capacity to effectively promote the settlement of the relative dispute. The conjunction of respective outcomes can therefore facilitate a more accurate definition of the value in terms of efficacy that informal cooperation can deliver to EU foreign policy. Accordingly, a similar two-fold conception will be employed in the analysis of chosen case studies, where, consistently with the thesis analytical aims, efficacy as goal-attainment will be adopted as the main dependent variable, and its results will be subsequently considered in relation to the broader conflict-settlement dimension. Following the typical parameters for the evaluation of efficacy, its degree of manifestation will be ultimately defined according to a scale of values that ranges from low to medium to high.

At the same time, both EU mediation research and the foreign policy studies on the Union offer useful parameters that can be potentially revelatory even for the analysis of informal cooperation effectiveness. They can be synthetized into four central conditioning factors, which will be then translated into four hypotheses for the purpose of empirical analysis, and they identify with: leverage, negotiation strategy, coherence, and external willingness.

1. Leverage

Leverage is generally understood as the combination of resources and instruments that an actor can exploit in order to condition the negotiating dynamics and potentially spur an agreement between the parties. In particular, the strategic utilization of resources in a perspective of negative or positive conditionality, which thus implies the deployment of coercive measures or of positive incentives, is usually seen to increase an actor's bargaining power. Indeed, whereas coercive measures can

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[135] Bergmann, J. (2020), "The European Union as International Mediator - Brokering Stability and Peace in the Neighbourhood". Switzerland: Palgrave Macmillan; pp.26-31; Bergmann, J. and Niemann, A. (2015); pp.960-961.

stimulate third parties' compliance by increasing the costs of disagreement, taking for instance the shape of political or economic sanctions or the threat or use of military force, positive incentives grant third parties specific benefits, which are nevertheless made contingent upon their acquiescence and their willingness to reach an agreement, and they can include technology transfers, development aid, free trade agreements, the lifting of visa regulations, direct investments and so on. However, an actors' leverage can also be incremented by other material or immaterial resources, including its experience and expertise as a negotiator, the width, depth and quality of its diplomatic ties with interested parties, or the subsistence of sufficient financial resources for the protracted conduct of negotiations.[136] It follows that, the more an actor possesses material and immaterial resources and the more it is able to exploit them as coercive measures or as positive incentives, the more its action will condition a positive negotiation outcome (hypothesis 1).

2. Negotiating strategy

The negotiating strategy identifies the tactics an actor employs with a view to fostering the achievement of a compromise between the parties and is thus indicative of the negotiator's behaviour. In this regard, the literature on EU mediation in particular highlights the existence of three main typologies of mediation which differ essentially in their level of interventionism: facilitation, formulation, and manipulation. Facilitation is the least invasive strategy, and it is centered on the transmission of relevant information. More specifically, the negotiator as facilitator primarily "focuses on supplying relevant (missing) information about the general circumstances and each side's interests to the parties" in order to clarify the issues underlying the conflict and increase the likelihood for them to find areas of mutual agreement, and "provides for a negotiation environment that promotes trust and enables the parties to openly and constructively discuss their interests and needs". [137] Formulation describes instead a more proactive strategy that involves the formal structuring of the negotiation agenda, the formulation of proposals and substantial suggestions to resolve the conflict as well as the provision of concrete assistance in the management of relations between the parties and other relevant stakeholders. Moreover, formulation can also include the

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[136] For instance, Delreux, T. (2014), "EU actorness, cohesiveness and effectiveness in environmental affairs". In *Journal of European Public Policy*, Vol.21 (7: pp.1017–1032). London: Taylor & Francis Group; pp.1029-1030; Conceição-Heldt, E. (2014); especially pp.982-985; Bergmann, J. (2020); pp.32-34; Bergmann, J. and Niemann, A. (2015); pp.961-962.
[137] Bergmann, J. (2018), "Same table, different menus? A comparison of UN and EU mediation practice in the Kosovo-Serbia conflict". In *International Negotiation*, Vol.23 (5: pp.238-257). Leiden: Brill; p.241.

definition of "procedural strategies, [which imply] exerting control on the structural environment of the negotiations".[138] For instance, a mediator may choose the site of the meetings, it may control the pace of negotiations, or it may suggest operational changes. Finally, manipulation appears as the most interventionist negotiating strategy for it directly affects the cost-benefit calculations of the parties. Indeed, while being similar to formulation in that it involves a mediator's active intervention in the negotiations – which may concretize in the structuring of the negotiation agenda or in the offering of implementation assistance -, manipulation envisages the exertion of considerable pressure on the parties through the exploitation of coercive measures or positive incentives (i.e., leverage), so as to alter the bargaining structure and push the parties to change their reservation points, thereby increasing the range of mutually acceptable dispositions. This pressure may be also increased, *inter alia*, via the use of ultimatums and deadlines, mass media appeals, or the threat to cease the mediation process. Throughout a process of mediation, an actor may choose to move from one negotiating strategy to another, or even to integrate particular aspects related to different negotiating strategies; however, literature concurs in considering manipulation as the most successful form of negotiating behaviour for pushing parties towards agreement.[139] Consequently, it can be presumed that the more an actor intervenes in the negotiation exercising pressure on the parties, the more its negotiating effort will result effective (hypothesis 2).

3. Coherence

As the first chapter of this thesis also testifies, intra-EU coherence occupies a central role not only in the literature on EU actorness in international negotiations but is often even the subject of EU-level rhetoric, where it is frequently applied as a standard for the evaluation of EU foreign policy. Indeed, such concept is largely recognised as the key prerequisite for the efficacy of EU external action, so much that the imperative to achieve and maintain high levels of both vertical (between member states and supranational institutions) and horizontal (between EU institutions) coherence has been since long enshrined in the EU Treaties. Broadly stated, coherence can be associated with the highest possible degree of coordination between both the positions and the activities of different actors engaged in the same policymaking context; a consistency which, by aggregating the support and resources of multiple stakeholders, is usually seen to enhance the weight and with it the credibility of

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[138] Bergmann, J. (2020); p.35.
[139] *Ivi*., p.36; Bergmann, J. and Niemann, A. (2015); p.962; Bergmann, J. (2018); pp.241-242.

the policy advanced, thereby increasing its chances of success. A similar conception is also endorsed by EU mediation research, where achieving coherence between member states' positions and policies towards a conflict and EU mediation initiatives is overarchingly assumed to send strong signals of resolve and determination both towards the resolution of the conflict and towards the content of a negotiated solution, which in turn increase the Union's bargaining power by reinforcing its credibility, hence third parties' trust towards its intentions, threats or promises, and its ability to concretize them.[140] Although the main limits of a unified approach for EU foreign policy have already been discussed in the first chapter, it is important to verify the way in which this conditioning factor applies to the specific traits of informal cooperation, hence assessing its concrete relevance for the efficacy of informal groupings. To this end, drawing on conventional argumentations, it can be therefore hypothesized that a high level of coherence between mediators' interests and activities will be conducive to an effective negotiation (hypothesis 3).

4. External willingness

Another factor which is generally regarded as determinant for the effectiveness of the Union is third parties' negotiating behaviour, and in particular their willingness to compromise and welcome EU's policies and action. In fact, even in the more delicate context of mediation, scholars recognise the absence of an automatic external predisposition to accept European negotiating intentions. By contrast, the motivation of third parties to align with Union stances or to concretely engage for the resolutions of a conflict tends to depend on rational cost-benefit calculations, grounded on their expectations of the benefits they would gain through a particular agreement. In other words, third parties will likely agree to associate with EU's stances or to prioritize a negotiated settlement only if the expected advantages of negotiations outweigh those they would achieve by other means, including the continuation of a violent conflict. Their willingness to support European negotiating efforts is therefore intrinsically linked to their personal interests and objectives, but it can be equally influenced by their perceptions regarding the counterparts and the process of negotiation in general. However, the detection of third parties' corresponding motivations, preferences and "red lines" also allows to identify the zone of potential agreement, meaning the range of issues that could be more easily the

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[140] For instance, Chaban, N. *et al.* (2019), "Perceptions of EU mediation and mediation effectiveness: Comparing perspectives from Ukraine and the EU". In *Cooperation and Conflict*, Vol.54 (4: pp.506-523). Thousand Oaks: Sage publishing; p.508; Bergmann, J. (2020); pp.37-39; Bergmann, J. and Niemann, A. (2015); pp.962-963.

subject of a compromise,[141] which, according to the abovementioned theoretical propositions, a negotiator can also potentially alter and expand through the strategic exploitation of its leverage and the employment of a manipulative negotiation strategy, consequently increasing the chances of successful negotiation outcomes. On the basis of these argumentations, it can be thus assumed that the greater the cooperative willingness of third parties, the higher the likelihood of an effective negotiation (hypothesis 4).

The empirical validation of these four evaluative hypotheses, which potential relevance is therefore given by their indirect recognition as central determinants of EU efficacy in the field of international negotiation and conflict mediation, will follow a deductive approach, which implies the collection of functional data in relation to the dynamics of informal cooperation, by means of which such relations of cause-effect have the possibility to be contextualized, and thereby tested. This process will facilitate the identification of plausible criterions for measuring the contingency of informal cooperation efficacy, but it will also allow to discern additional intervening variables that may be seen to condition the achievement of positive outcomes. Subsequently, the employment of a comparative analysis will contribute to enhance the generalisability of identified criterions, favouring with it the development of informal cooperation strategic potential. In this connection, with the aim to gain a practical indication of the perceived legitimacy of informal cooperation - thus the degree to which the latter is subjectively evaluated as desirable and rightful for EU foreign policy -, the assessment will also seek to measure what can be regarded as the immediate concrete representation of an actor's authority, that is the level of support that its policies and operations receive within the community that it represents. Within the frame of informal cooperation, the degree of perceived legitimacy is thus discernible from the support the informal group and its relative policies and practises will receive from the non-participating member states.

Empirical assessment

Case study 1: the Quint Group for the "Kosovo question"

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[141] For instance, Romanyshyn, I. (2015), "Explaining EU effectiveness in multilateral institutions: The case of the Arms Trade Treaty negotiations". In *Journal of Common Market Studies*, Vol.53 (4: pp.875-892). Wiley Online Library; pp.878-879, pp.886-887; Bergmann, J. (2020); pp.41-42; Bergmann, J. (2018); p.242.

The territory of Kosovo has since long been an issue of conflict between Serbs and Albanians. Albanians have always represented the large majority of the population of Kosovo, but Serb nationalists have claimed the territory to be the "cradle of their nation". Indeed, before the breakup of Yugoslavia (1963–1992)[142] Kosovo detained the status of autonomous territory, which in 1974 was upgraded to the status of autonomous province, although such autonomy did not amount to the same degree of independence of the other six Yugoslav republics. However, when Serbia abolished Kosovo's status by subjecting it to a direct rule from Belgrade, the already tense relations between Kosovo and Serbia escalated into a full-blown armed conflict between the Kosovo Liberation Army and the Yugoslav Army.[143] After a failed attempt to reach a ceasefire agreement at the January 1999 Rambouillet peace conference due to Serbia's unwavering stance over Kosovo, the North Atlantic Treaty Organization (NATO) deemed military intervention as necessary, deploying a seventy-eight days bombing campaign which forced the President of the Federal Republic of Yugoslavia Slobodan Milošević to end the hostilities and to accept an interim arrangement for the management of Kosovo, which placed the territory under the military protection of a NATO-led Kosovo force (Kumanovo Agreement; 9 June 1999). The signing of this agreement was the prerequisite for the UN Security Council Resolution 1244, which, adopted on 10 June 1999, aimed to provide substantial self-government for Kosovo, entrusting its provisional institutions to restore the protection of fundamental human rights and to ensure the freedom of movement, while creating a stable legal framework for the protection of a multi-ethnic society in compliance with UN fundamental principles. The UN Mission in Kosovo (UNMIK) was to oversee such process until a solution for Kosovo's final status was determined; notwithstanding, the Resolution in itself did not foresee any definitive political solution for Kosovo, nor did it determine its status.[144]

Indeed, the general disposition of the international community was to pursue a "standards before status" policy towards Kosovo, which implied a focus on the development of democratic institutions, the rule of law, a market economy, and the protection of minority rights before any possible decision could be taken regarding Kosovo's status. However, the resulting stalemate was a source of increasing frustration for Kosovo Albanians, who wished instead to see their independence recognised; so much that this animosity soon translated into repeated acts of violence towards the Serb population and

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[142] The once called "Socialist Federal Republic of Yugoslavia" ceased to exist in 1992, following the independence of Slovenia, Croatia, Macedonia and Bosnia and Herzegovina. The remaining Yugoslav republics, Serbia and Montenegro, united on 27 April 1998 under a new federation called the Federal Republic of Yugoslavia. In February 2003, Yugoslavia was transformed from a federal republic to a political union officially known as the State Union of Serbia and Montenegro, with the capital at Belgrade. After the referendum of 21 May 2006, the union was dissolved, and Montenegro and Serbia gained a renewed independent status, this time in their own individuality.
[143] Bergmann, J. (2020); p.109.
[144] Fridl, D. (2008), "Kosovo Negotiations: Re-visiting the role of mediation". In *International Negotiation*, Vol.14 (1: pp.71-93). Leiden: Brill; p.73.

other minorities in Kosovo, as well as against UN buildings and property. The March 2004 riots therefore forced the international community to re-evaluate its strategy for Kosovo, being mindful of the need to devise a more stable and permanent arrangement for the region. In particular, it was the declaration of Soren Jessen-Petersen, Special Representative of the UN Secretary General and head of the UNMIK, that finally convinced the UN Security Council that the process of settling Kosovo's status had to be launched imminently. In fact, addressing the slow and discouraging progress of the region, Jessen-Petersen stressed that Kosovo's "legal limbo", given by its belonging to the State Union of Serbia and Montenegro and its concurrent subjection to the administration of the UN, "[had] ceased to be sustainable and as such [was] blocking efforts toward reconciliation in Kosovo".[145] As a result, on 10 November 2005 UN Secretary General Kofi Annan promptly appointed former Finnish President and experienced diplomat, Martti Ahtisaari as a Special Envoy for the Future Status Process for Kosovo, being specifically tasked to conduce a mediation process between Belgrade and Pristina which should result in a proposal for the settlement of Kosovo's status to be submitted to the UN Security Council through the Secretary-General. However, acknowledging that its credibility had been damaged by UNMIK's inability to adequately ensure the security of Kosovo population,[146] the UN welcomed the collaboration of the EU, accepting in particular the commitment of those member states which, under the informal configuration of the Quint Group, had been active in crisis diplomacy in the Balkan region since 1994, playing a central role in the resolution of the Bosnia war (1992-1995).[147]

In fact, the interethnic violence that marked the Kosovo war (1998-1999) as well as the subsequent civil unrest unleashed by Kosovo Albanians, were a cause of great concern for the EU, not least since they posed a considerable threat to the otherwise improved stability of the Balkans. The humanitarian issues linked to Kosovo and the consequences they could have for the Union, primarily in terms of increased migration flows, represented thus the reason which reinvigorated the determination of the European component of the Quint – that is France, Germany, Italy, and former EU member UK – to actively engage in conflict management, recognising that the Kosovo question could be only resolved through an agreement able to guarantee its separation from Serbia.[148] Indeed, although the idea that Serbia's actions had caused it to lose every possible privilege over the government of Kosovo appeared to be generally shared by all member states, most of them were reluctant to take an explicit

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[145] *Ivi.*, p.74.

[146] Economides, S. and Ker-Lindsay, J. (2010), "Forging EU foreign policy unity from diversity: The 'unique case' of the Kosovo Status Talks". In *European Foreign Affairs Review*, Vol.15 (4: pp.495-510). Kluwer Law Online; p.497; Perritt, H. (2009), "The road to independence for Kosovo - A chronicle of the Ahtisaari Plan". Cambridge: Cambridge University Press; pp.109-110.

[147] Grevi, G. *et al.* (2020); p.10.

[148] Perritt, H. (2009); pp.107-108; Fridl, D. (2008); p.77.

position regarding Kosovo's status,[149] while a few others – namely Spain, Greece, Slovakia and Romania - were wary of the unforeseen effects the independence of Kosovo could generate.[150] Engaging in informal cooperation thus enabled France, Germany, Italy, and the UK to pursue their security priorities irrespective of the existence of a unified European stance towards the matter.

Similarly to the first half of the 1990s, the composition of the informal contact group was swiftly enriched by the participation of the US, which settled to engage alongside the EU primary with the intention to reinforce its alliance with the latter, which seemed to have weakened following the US-led invasion of Iraq in 2003 but it occupied a central position in its the economic and security interests. Therefore, hoping that the Kosovo question could represent "an opportunity for the US and Europe to find a common ground", and thereby also allowing the US to strengthen its political influence over the EU, the US government aligned with the Quint in advocating for a swift resolution of the Kosovo status that could promote the latter's independence.[151]

Even before his official appointment was finalized, the Special Envoy Martti Ahtisaari decided to meet the informal contact group in order to probe its specific positions on the matter and possibly proceed with the organization of the talks. The outcomes of such discussions became apparent shortly thereafter via the formulation of the so-called Quint's "Guiding Principles for a settlement of the Status of Kosovo", a set of ten principles conceived as a guiding framework for the conduct of the mediation process between Serbia and Kosovo. These criterions essentially stated that "any settlement should strengthen regional security and stability, ensure Kosovo's multiethnicity, provide for protection of the cultural and religious heritage in Kosovo, and enable the region to cooperate effectively with international organizations and international financial institutions", while they declared "partition for Kosovo or its annexation to any other state as unacceptable".[152] Moreover, the informal group emphasized that the settlement had to "conform with European standards and contribute to realise the European perspective of Kosovo",[153] which revealed the desire to promote a solution that could be also conducive to a wider European support. The final objective of the Quint was thus to find a political and legal structure that would permit the people of the region to peacefully coexist, but the challenge was to understand how to concretely favour the self-regulation of Kosovo. Notwithstanding, the Quint's principles encountered the approval of the UN, which incorporated them symbolically in the letter confirming Ahtisaari's mandate.[154]

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[149] Economides, S. and Ker-Lindsay, J. (2010); p.498.
[150] Perritt, H. (2009); p.108.
[151] *Ivi*., pp.106-107; Fridl, D. (2008); p.77.
[152] Perritt, H. (2009); pp.114-115, p.119.
[153] Knoll, B. (2008), "The Kosovo Status Process and the prospect of Sovereignty". In *OSCE Yearbook 2008* (pp.121-157). Hamburg: Institute for Peace Research and Security Policy; p.123.
[154] *Ivi*., p.122; Perritt, H. (2009); p.114.

The "Kosovo status talks" (2006-2007)

After having been appointed, Ahtisaari decided to recruit a small team of diplomatic experts that could assist him personally in both the preparation and the conduct of negotiations, but that could also assure a regular line of communication with both the Quint and NATO. Its staff included personalities which had served under the UN, the OSCE, the UNMIK or other national diplomatic posts and it came to be known as UNOSEK (United Nations Office of the Special Envoy for Kosovo), with its office being based in Vienna.[155] It was precisely in Vienna, in February 2006, that the mediation process between the high-profile delegations of Serbia and Kosovo begun.

Since the beginning, Serbia could be seen to fiercely defend its opposition to Kosovo sovereignty on the basis of three general argumentations. Firstly, it asserted that under international law it was not possible for a portion of state to declare its independence over the objection of the same state controlling their territory, but that any changes to national boundaries had rather to be the result of a negotiated agreement between the two territorial entities. Moreover, it advanced that, even before as well as after the breakup of Yugoslavia, Kosovo had never detained the status of autonomous state since it was not recognised as a republic under the Yugoslav Constitution. Secondly, Serbia argued that since UN Security Council Resolution 1244 did not envisage the possibility for Kosovo to become independent, its arrangement implied the eventual restoration of Serbian sovereignty. Thirdly, the Serbian government repeatedly invoked the principle of state recognition under international law, affirming that statehood was not a title that could be granted by an international organization, but it was a reality defined by specific criterions – namely the existence of a contiguous territory, a permanent population, and adequate governmental institutions which formally declare their desire to be independent -, and its recognition had to be confirmed by other sovereign entities, thereby enabling the newly formed state to exercise its external sovereignty.[156]

Throughout the negotiations, the mediators sought to provide compelling contestations to such claims. Indeed, in expressing its own Guiding Principles, the Quint had clearly stated that the conflict over Kosovo's status had to be resolved through a "negotiated, rather than imposed, solution"; while Serbia's unquestionable right to govern over Kosovo was denied on the basis of the same Resolution 1244, which *de facto* did not explicitly foreclose any option circa the final status of Kosovo, while its implementation had been made contingent upon the removal of existing Serbian institutions from the

[155] Perritt, H. (2009); p.116.
[156] *Ivi*., pp.120-124; Fridl, D. (2008); p.79.

region so as to end their relentless acts of violence.[157] Notwithstanding, the typically open and unprejudiced nature of mediation was impaired from the onset, since even before the start of negotiations it appeared evident to both parties that the process had been conceived as a pathway to facilitate Kosovo independence. As early as November 2005, for instance, Ahtisaari clearly stated to Serb leaders in Belgrade: "You have lost Kosovo. The challenge now is how to clean up Milošević's mess. The best way to do it is with your leadership". Similarly, in January 2006 the Quint issued a statement specifying that "Kosovo [could not] go back to the 1999 status",[158] which was followed by several private messages to Belgrade reporting, *inter alia*, that "the unconstitutional abolition of Kosovo's autonomy in 1989 and the ensuing tragic events resulting in the international administration of Kosovo [had] led to a situation in which a return of Kosovo to Belgrade's rule [was] not a viable option"; and that both parties had to "prepare for the inevitable and necessary compromises" of the status process, which had to "result in a secure, multi-ethnic Kosovo that meets the highest standards of human rights, democracy and rule of law".[159] Nonetheless, a similar vision was reaffirmed several times in different declinations throughout the negotiations, even in the form of individual statements on the part of the Quint members. In this respect, it was remarkable notably the determination of France, the UK, and the US, which often met with Serbian leaders in order to defend the idea that any decision on Kosovo should respect the views of the Albanian majority in the region, hence favouring their independence.[160]

Indeed, the idea that Kosovo independence represented the only possible solution for guaranteeing the stability of the overall Balkan region had been advanced with such conviction that Kosovo Albanians expected that their goal would have been achieved by no later than the end of 2006.[161] However, if on one hand this transparency promoted the collaborative disposition of Kosovo, which showed enthusiasm for the start of negotiations, on the other it negatively impacted on Serbia's trust both towards the process and towards the same mediators, hence undermining from the start these latter's potential for success. In particular, the perceived polarization of the mediators prompted Serbia to progressively adopt a strategy "framed by four D's: delay, destabilize, divide, and discredit". Indeed, since the start "Serbia seized on every possible reason for delaying the final status process as long as possible"; it tried to destabilize security in Kosovo hoping that the international community would deem it unfit for independence; it sought to divide the members of the Quint especially by exploiting its relationship with Russia, while "Serbian diplomats did their best to discredit Ahtisaari

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[157] *Ivi*., pp.120-124.
[158] *Ivi*., p.120, p.131.
[159] Ahtisaari, M. (2008), "Conflict resolution: The case of Kosovo". In *Irish Studies in International Affairs*, Vol.19 (14: pp.183-187). Dublin: Royal Irish Academy; p.184; Knoll, B. (2008); p.126.
[160] Ker-Lindsay, J. (2009), "Kosovo: The path to contested statehood in the Balkans". London: I.B. Tauris; p.29, p.32, p.34, p.43.
[161] Perritt, H. (2009); p.128.

as an honest broker".[162] Having partaken in the previous diplomatic operations of the informal contact group in the Balkans, Russia was indeed regarded by the Quint as a possible direct ally even in the context of the Kosovo question. Aiming to gain its immediate support, Quint members sought to frequently include Russia in their discussions, hoping this would have encouraged the Kremlin to associate with the activities of the group. However, whilst Russia's inclusion granted its assistance mostly in organizational – rather than operational - terms, its pro-Serbia stance often led it to back Serbia's contestations, while at the same time trying to inhibit Quint positions for instance by mitigating the statements expressing support for Kosovo statehood.[163]

The strong indisposition of Serbia became conspicuous since the very first high-level meetings held in Vienna, which, coupled with Kosovo inflexibility over the question of independence, revealed the impossibility to reach any terms of compromise. The parties' disagreement was also aggravated by the deep distrust they harboured for each other. Indeed, while Serbia regarded the Albanian delegation as no more than "war criminals", the latter was very wary of Serbia's intentions concerning the status of Kosovo and thus of its willingness to effectively facilitate its independence. Moreover, the Serbs were also carrying with them the memory of the Rambouillet negotiations during which they were presented with an ultimatum, and they refusal to accept the corresponding agreement had led to the destruction of Belgrade. In fact, throughout the talks, a number of magazines and daily newspapers published articles making parallels between the negotiations in Vienna and those held in Rambouillet, highlighting the negative perceptions and potential consequences linked to the mediation process. Notwithstanding, as provided for in its mandate, Ahtisaari had the main task to formulate a proposal for the settlement of Kosovo's status, which had to be subsequently submitted to the UN Security Council for approval and implementation. Confronted with the complete incompatibility of the parties over the status issue, Ahtisaari decided to give precedence to the resolution of technical matters, hoping that approaching negotiations from a practical point could favour a first degree of rapprochement, hence "creating a stronger foundation for negotiation over larger issues".[164]

Against this backdrop, it was the Quint that took the initiative to identify the set of substantive issues that needed to be addressed during negotiations, at the same time offering technical expertise to assist the parties in their resolution. For the entire duration of the talks, the Quint meetings followed a similar pattern: each consultation was to focus on a specific set of issues to be introduced in a discussion paper, and it was held approximately once a month involving foreign ministry western Balkans division heads and Quint members' political directors, or ministers, while it often included representatives of NATO, the European Commission and the EU Presidency as well as UNOSEK and

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[162] *Ivi.*, p.127.
[163] *Ivi.*, pp.131-132.
[164] *Ivi.*, p.143; Fridl, D. (2008); p.82.

UNMIK.[165] This inclusive format was employed even for the devising of relevant technical matters, which ultimately conduced to the identification of four negotiation tracks, namely decentralization; cultural heritage and holy sites; standards, minority rights and returns; and economy and property issues. Among these, central importance was especially given to the topic of decentralization, which implied the transfer of governmental power from the central governmental institutions in Priština to Kosovo municipalities, since it was regarded as the easiest way to gain the approval of Serbia and thereby "unlock" the status question. Indeed, by allowing to increase the power of municipalities, which included the areas where Kosovo Serbs constituted a majority, a certain degree of decentralization could more easily ensure the protection of minority communities, and in particular of Kosovo Serbs, from a Priština government that would inevitably be dominated by Kosovo Albanians. Along with this, the measures for religious and cultural sites had the purpose of protecting these sites physically while enabling regional churches and monasteries to continue their activities. Community rights were intended to both preserve the identity of minorities as well as enable their communities to participate effectively in Kosovo's political decision-making process, while the economic-issues subject mainly dealt with the division between Serbia and Kosovo of public assets and debt.[166]

In order to deviate the parties' attention from the highly divisive issue of Kosovo's status, and therefore separate the latter from technical negotiations, the mediators insisted that the identified technicalities required a solution regardless of the direction in which Kosovo's international legal status was oriented.[167] However, it was unequivocal that any possible solution related to such domains could be realistically implemented only within a sovereign state, and it therefore implied the prior achievement of independence for Kosovo. This realization furtherly exacerbated the attitude of the Serbian government, which became increasingly passive and distrustful. Indeed, despite the mediators' attempts to convince the Serbian delegation to engage constructively in discussions, the latter made it clear that it did not believe in the legitimacy of the process: "We do not agree on the outcome the contact group wants, we do not agree to this process, and we are not going to play your game". Serbia was often aggressive in delivering its statements, referring to the Kosovo participants as "terrorists" and "separatists", it was "at times rather badly informed and prepared" regarding the specific issues to be discussed, while it "used every possible opportunity to delay and complicate the negotiating procedures".[168] Aiming to encourage Belgrade to be more open to negotiations, the Quint also offered the country different incentives, such as membership to NATO, the launch of bilateral

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[165] Knoll, B. (2008); p.123.
[166] *Ivi.*, p.127; Perritt, H. (2009); p.125, p.143.
[167] Knoll, B. (2008); p.127.
[168] Perritt, H. (2009); p.144.

initiatives, its inclusion in the Partnership for Peace (i.e., a NATO program aimed at creating trust between NATO, the European states which are not part of the Atlantic Alliance and the former Soviet Union), as well as a concrete perspective for EU integration. Nonetheless, for Serbia this essentially equated "to a choice between Europe and Kosovo", a decision that it deemed "unacceptable" and "indecent". The Serbian President Boris Tadić was not opposed to the idea of independence as such, but rather to the fact that this latter would have affected the territorial integrity of Serbia. Indeed, the Serbian delegation had advanced some counterproposals to Kosovo Albanians which granted a certain degree of autonomy to Kosovo; however, these latter conceived Kosovo as no more than an independent region under the sovereignty of Serbia, on the basis of the Hong Kong model or that of Republika Srpska in Bosnia and Herzegovina. Compared with the promise of statehood, such proposals failed to stir the interest of Kosovo Albanians, which had thus no incentive to consider alternative options. This justified additional criticism on the part of Serbia, which blamed the stalling of negotiations on Albanians' unwillingness to compromise, reproaching the fact that "they negotiated from the position of power, treating Kosovo and their quest for independence as *fait accompli*". Such sentiment transposed even within the frame of technical negotiations, which saw Belgrade offer only very limited concessions, mostly concerning decentralization, as it feared that any substantive agreement would be perceived wrongly as its willingness to accept the independence of Kosovo.[169] On the other hand, the position of Serbia was also affected by the presence of particular personalities within the Albanian delegation, namely Agim Çeku, who was appointed Prime Minister of Kosovo in March 2006 but he was wanted in Serbia on suspicion of having committed war crimes during his service as a senior officer in the Croatian army in the mid-1990s; and Hashim Thaçi, the former head of the Kosovo Liberation Army, who in the eyes of the Serbs had "no place at the negotiating table", having been "convicted in 1997 of terrorism, and [being] now wanted by Serbian authorities owing to its war crimes".[170]

Conversely, Kosovo Albanians participated much more actively in the negotiations; they were willing to make considerable compromises, while being more constructive in submitting detailed proposals. For instance, it was the Albanian delegation which formulated a resolution encouraging the increased participation of minority communities in the organs of self-government, which was later approved by the Kosovo Assembly, while it conceded the formation of two separate communities within a single municipality in the divided northern town of Mitrovica. However, they also showed to be utterly intransigent over the status issue. Indeed, throughout the negotiations, the Albanian delegation repeatedly asserted that it was not only unwilling to compromise over Kosovo statehood, but also to

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[169] *Ivi.*, pp.146-156; Knoll, B. (2008); pp.128-129; Fridl, D. (2008); pp.87-88.
[170] Ker-Lindsay, J. (2009); pp.34-35.

accept any solution envisaging any form of internal partition to the region. A conviction that was also strengthened by the then recent newfound independence of Montenegro, which led Kosovo Albanians to feel furtherly legitimised in their national aspirations. Indeed, in 2003, what remained of Yugoslavia had been reconstituted as a union between Serbia and Montenegro, but both states had been granted a right to hold a referendum on full independence after a three-year period. In the eyes of Kosovo Albanians, if the Montenegrins, who traditionally had ethnic, religious, and cultural links with Serbia, had the faculty to become independent, then it was unrealistic to expect Kosovo Albanians to renounce their desire for sovereignty, especially on the basis of Serbia nationalistic claims. Notwithstanding, although the negotiations were clearly steered towards the promotion of such ambitions, even the approach towards Kosovo revealed some miscalculations on the part of the mediators, which gave ultimately rise to expectations that could not be substantiated. In fact, since the beginning Ahtisaari and the Quint advanced the notion of "earned status", by stressing that Kosovo independence was contingent upon the achievement of particular standards aimed "to ensure the conditions and foundations are created for a sustainable and multi-ethnic, democratic society". Overall, such inducement proved successful in guaranteeing the maintenance of a proactive attitude by the Kosovo delegation; however, the resolution of Kosovo's status and the procedure designed to yield it were clearly two different processes, the former of which was ultimately dependent on a Resolution of the UN Security Council, and there was no automatic assurance that a positive assessment of Kosovo governance indicators would lead to a favourable determination by the UN. Despite this, the faith of the mediators that a multilateral solution would eventually be found which would endorse their proposal of an independent Kosovo prompted them to over-promise to Kosovo Albanians on a number of occasions.[171] They could not predict the strategic shift of Russia, which soon turned into the main obstacle for the resolution of the status issue.

Having reached an impasse even in the "technical negotiations", Ahtisaari and the Quint resolved to "soften" their position regarding the final status of Kosovo by advancing the idea of an "interim state" under "supervised independence", an arrangement which would have led Kosovo to become a sovereign state through the "supervision and support" of an international administration. Specifically, the intention was that to entrust the process primarily to the EU, so that its institutions could actively promote Kosovo alignment with the standards of the Union, and thereby favour its eventual integration into the latter. The main actors would have been an EU Special Representative, to which veto powers would have been conferred in order to "correct governmental actions" contrasting with specified standards, and a European Security and Defence Policy Mission which would have instead assisted Kosovo in developing its rule-of-law institutions; and they would have retained their

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[171] Perritt, H. (2009); p.157; Knoll, B. (2008); pp.128-130; Ker-Lindsay, J. (2009); p.30, p.32, pp.35-36, p.40.

authority until Kosovo would have conquered is capacity for self-government and the ability to provide for its own security. With a view to presenting such proposal to the parties, Ahtisaari crafted a detailed plan, which was subsequently reviewed by the Quint, reporting the "General principles" of Kosovo supervised statehood as well as the framework of the new arrangement under twelve "Annexes", which essentially described the solution to be adopted in relation to identified technical matters. The plan was forwarded to the parties on 2 February 2007, immediately after Serbian elections, a move intended to "give as much space for democratic movement in Serbian politics as possible, without risking biasing Serbian elections in favour of radical nationalists". The mediators presented the proposal as a concession, highlighting solely the benefits that such arrangement would have guaranteed, especially in terms of economic development as well as of protection and political participation of non-Albanians, at the same time promising to "consider any constructive amendments and [be] willing to integrate compromise solutions that parties might reach". Notwithstanding, both sides recognised the plan to be simply "an independence package without the word 'independence'", and whereas Kosovo saw it as an alternative mean that would have nevertheless enabled it to conquer sovereignty, the Serbs condemned it, for it nevertheless implied the division of Kosovo from Serbia. As a result, the relative consultations confirmed the unwavering positions of the parties, with Kosovo Albanians accepting the document as a "painful compromise" and Belgrade rejecting the proposal in its entirety.[172]

As anticipated, the proposal had the effect of fuelling the Serbian nationalist sentiment, so much that to some observers it appeared to be dangerously reminiscent of the Milošević era. However, coupled with the growing frustration of Kosovo Albanians fomented by the slow progresses concerning the attainment of independence, the interethnic animosity between Albanians and Serbs turned again into a catalyst of violence, leading to serious attacks on members of the Serbian community in Kosovo to which these latter responded through the organization of violent demonstrations as well as by announcing the intention to form a "Civil Defence Service", an unarmed force composed by former soldiers "to defend against extremist violence". Such unrests symbolically culminated in the protests of 28 November, when five thousand supporters of the Kosovo Self-Determination movement descended on UN headquarters in Priština to demand "immediate and unfettered independence" and to remonstrate against the persistent presence of international officials in Kosovo. On the other side, whereas the Serbian parliamentary elections had led to the victory of the Democratic Party, represented by its leader Vojislav Koštunica, the return to violence prompted the latter to sign a joint declaration with the nationalist Serbian Radical Party, calling for joint action in the event of Kosovo independence. For the mediators, such developments only served as an additional proof of the high

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[172] Perritt, H. (2009); p.160, pp.164-169.

level of instability of the region, hence equally corroborating the idea that a peaceful solution could only be granted by the separation of Kosovo from Serbia.[173]

It was against this backdrop that, with the initial exception of the German government, which was concerned that any rapid move towards a settlement could further destabilize Serbia, the mediators concurred over the need to swiftly promote the enforcement of the proposal, and thus "resolve the Kosovo question as soon as possible". However, the conflicting parties had clearly demonstrated their absolute reticence to reach a negotiated agreement over the status issue, with Serbia expressing its "indignation" for the eventuality of Kosovo independence by describing it as "the first time in contemporary history that a territory would be taken away from a democratic, peaceful country in order to satisfy the aspirations of a particular ethnic group that already has its nation-state", and the Albanian delegation repeatedly emphasizing that "independence [was] the start and the end of the Albanian position". Acknowledging the impossibility for this impasse to be overcome, Ahtisaari finally declared the potential for negotiations to be exhausted: "there is no doubt that the parties' respective positions on Kosovo's status do not contain any common ground to achieve an agreement. No amount of additional negotiation will change that". Notwithstanding, true to the agreed upon objectives as well as to its own mandate, in agreement with the Quint Ahtisaari decided to submit the proposal - titled "Comprehensive Settlement Plan for Kosovo" – directly to the UN Secretary General, along with its "Recommendations" for the region. The mediators expected the plan to be swiftly approved by the UN Security Council, being it overall in line with the "Guiding principles" which were incorporated by the same UN in Ahtisaari letter of appointment. Indeed, the international community proved to be generally supportive towards the application of the corresponding arrangement, including the Union, which saw EU representatives consistently backing a UN Security Council Resolution approving the entirety of the Comprehensive Plan. In this respect, an important role was also played by Germany, which acted even in its capacity as EU President to stress its strong support for the proposal. Therefore, the constant and outspoken patronage of the Quint eventually paved the way for a wider, explicit advocacy of Kosovo independence on the part of EU institutions, while pushing EU officials such as Olli Rehn, the Commissioner for Enlargement, and Javier Solana, the High Representative, to call for the adoption of a joint position on Kosovo "without delay". Nonetheless, rather than proceeding to formal consideration of the report, the Security Council remained trapped in a protracted period of consultations on account of Russia, which exploited the plan as a pretext to distance itself from its previous positions and move instead closer to Serbia. Throughout the negotiations, Russia had consistently agreed with the Quint in considering independence as the only viable solution, and despite opposing the idea of it being imposed to

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[173] Ker-Lindsay, J. (2009); p.39, p.44, p.48, p.53, p.55.

Belgrade, it never completely dissociated itself from Quint stances. However, following the presentation of the Comprehensive plan, Russia started instead to prioritize its geopolitical interests; it repeatedly criticized the mediators' reproaches towards Belgrade, it insisted more firmly on the need of a negotiated solution, hence refusing to accept any settlement imposed on Serbia; and it demanded the mediators to cease their "favouritism" towards Kosovo as well as towards its independence as a final outcome. This situation rendered increasingly more tangible even the threat of a Russian veto in the UN Security Council, which would have therefore prejudiced the approval, and consequently the implementation, of the Comprehensive plan for Kosovo. The Quint members, along with other senior EU officials, frequently sought to persuade Russia to change its mind over the proposal, or at least to abstain from voting in the Security Council. In fact, as France Foreign Minister Philippe Douste-Blazy clarified, "the two sides had plenty of chances to negotiate, but had failed to bridge their differences", while all members of the Quint defended the conviction that "Belgrade could not regain its authority without provoking violent opposition. […] Autonomy of Kosovo within the borders of Serbia [was] simply not tenable". This notwithstanding, Russia had little incentive to seek a compromise over this issue, as compared with its desire to promote its relationships with Serbia as well as to "retaliate for the NATO bombing of Serbia in 1999", which Moscow was unable to prevent.[174]

Due to Russia persisting opposition, the Comprehensive plan was never taken to a vote in the UN Security Council, which means that ultimately, the negotiating process did not result in any written agreement between the conflicting parties.[175]

Provisional findings

In light of the empirical evidence, it is therefore possible to discuss the concrete efficacy of informal cooperation. From a concrete point of view, the Quint overarchingly displayed a relatively low degree of efficacy, given by its inability to achieve substantial results both in terms of goal-attainment and in terms of conflict-settlement. In fact, despite its strong commitment towards the promotion of Kosovo independence, the Quint was only able to promote some moderate rapprochement between the parties over technical matters, particularly within the dimension of decentralization. Nevertheless, the mediation effort ultimately failed to produce a formal agreement between the parties, with these

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[174] *Ivi*., pp.171-181; Knoll, B. (2008); pp.131-132; Economides, S. and Ker-Lindsay, J. (2010); pp.498-499; Ker-Lindsay, J. (2009); pp.52-53, p.61, p.64.
[175] Knoll, B. (2008); p.132.

latter retaining a radically opposed position over the status issue. Accordingly, being the question of Kosovo status the central catalyst of the dispute, the mediation efforts proved equally unsuccessful in promoting the resolution of the conflict between Serbia and Kosovo.

However, the dynamics inherent to the Kosovo status talks also provide important information relating to the practice of informal cooperation, which allow to draw some preliminary conclusions related to the previously detected variables for measuring the efficacy of informal groupings.

Firstly, for what concerns the negotiating leverage, the members of the Quint could rely on a considerable amount of resources, primarily given by the aggregate might of the strongest Union countries along with the participation of a superpower such as the US. Their potential for influence was further strengthened by the quality of their assets, being the Quint an experienced mediator which actively engaged for the resolution of the secessionist conflicts in the former Yugoslavia. Its historical relations with the Western Balkans, moreover, allowed its members to acquire meaningful knowledge regarding the strategic, cultural, economic, and social elements bringing together the region and its past, so much that the added value of the informal contact group was easily recognised by the UN. This expertise is what arguably prompted the mediators to offer different incentives to the least collaborative disputant in the form of bilateral agreements or proposals for membership within international organizations such as NATO or the EU, while oftentimes applying a diversionary tactic, aimed at diverting the parties' attention from the irreconcilable issue of Kosovo's status highlighting instead the need to resolve the dire internal conditions of Kosovo as well as the advantages their resolution could bring for both parties, thereby fostering a certain degree of rapprochement. Notwithstanding, the Quint members were unable to provide incentives that could meet the interests of Serbia, and therefore push the Serbian government to depart from its position and accept important compromises. At the same time, the Quint's bargaining power *vis-à-vis* Serbia was weakened by the generally low credibility of its argumentations, which, despite advocating to be open to external inputs and intended to promote the interests of both sides, since the beginning remained visibly linked to a clear intentionality circa the final outcome to which the negotiations should have led, namely Kosovo independence. Conversely, the prospect of achieving independence was a strong motivating factor for Kosovo, being it in harmony with its own objectives, which indeed maintained a proactive attitude for the entire duration of the negotiating process, remaining considerably open to trade-offs over technical matters while accommodating both the mediators' willingness to render its sovereignty contingent on the attainment of adequate internal standards, as well as their subsequent aspiration to subordinate Kosovo to a European administration until the former would have been able to provide for its own governance and security. It follows that, a negotiator's leverage can represent a significant

prerequisite even for the efficacy of informal cooperation, but it must be calibrated on the basis of third parties' interests and needs in order to successfully promote external compliance.

For what concerns the negotiating strategy, the Quint's approach could be described as manipulation. In fact, in collaboration with Ahtisaari, the Quint members retained a strong role in structuring the talks as well as in determining the substance of negotiations, while they sought to exert pressure on the parties throughout the negotiation process, with a view to leading them to align with their objectives. However, this approach has proved to have limits, in particular if considered in relation to Serbia. Indeed, even before the beginning of direct consultations, it was clear for both parties that Kosovo independence was perceived to be the only possible solution to the instabilities unleashed by Serbia's actions in the late 1990s, which therefore precluded the possibility for the parties to evaluate the viability of any other arrangement for the settlement of the conflict. At the same time, the rigidity of the mediation objectives soon led to a negotiating impasse, reflective of the diametrically opposed positions of Kosovo and Serbia regarding the status issue. The deadlock prompted the mediators to redirect the negotiating dialogue towards more practical matters, which were nevertheless identified and enclosed into four negotiation tracks formulated by the same Quint. In a similar fashion, the persisting inability of the parties to achieve considerable compromises eventually led the mediators to partially revise their plan for Kosovo, designing an arrangement which outlined in detail the framework for the "supervised independence" of the region, and which therefore once again reflected exclusively the mediators' assessment concerning the appropriate solution to be applied. What is more, Ahtisaari mandate authorised him to submit the plan directly to the UN Security Council, which means that the mediators' proposal could have been endorsed irrespective of the parties' acceptance. In other words, throughout the negotiations the mediators retained exclusive control over the definition of the negotiating agenda, format, and procedures, which were overall focused on materializing a pre-determined outcome. However, in the end this approach went furtherly to the detriment of the already polarized stances of the parties, while it revealed as the underlying cause of the renewed acts of violence between the Serbian and Albanian communities. As a result, although Ahtisaari and the Quint members sought to frequently encourage the disputants to participate in an open and constructive way, the low inclusivity and the overall rigidity of the mediation efforts proved unable to encourage both Kosovo and Serbia to move towards agreement, causing instead the progressive alienation of the latter from the negotiation process, of which the very own legitimacy was questioned. By consequence, in contrast to the previously identified hypothesis, a manipulative strategy per se cannot be considered sufficient to assure the efficacy of informal cooperation. A certain degree of formulation can be certainly important to help the parties identify relevant issues to be address as well as to overcome negotiating deadlocks; however, a negotiating approach should

equally valorise an extensive and consistent external inclusivity, understood as the productive involvement of third parties both in the preparation as well as in the conduct of each stage of consultation, with a view to favouring their positive engagement while facilitating the necessary understanding of each other's perspectives. Similarly, the potential for effectiveness of a manipulative strategy goes beyond the simple act of imposition, but is contingent upon the exploitation of relevant leverage, able to persuade the conflicting parties to depart from their security points and move towards a mutually acceptable agreement.

With reference to the coherence of the mediation efforts, the Quint members displayed an elevated level of unity both as regards the formulation of objectives and in relation to the activities conducted to achieve them. Their unyielding collaboration undoubtedly served to guarantee the clarity of the intents and actions of the informal group; however, their unity has been consistently associated to rather inflexible stances, a factor which ultimately hindered the operational success of the informal group. Therefore, as opposed to conventional wisdom, the Quint demonstrated that the unity of a group must be steadily balanced with an appropriate degree of flexibility, reflective of the capacity to adequately decipher and adapt to external developments for the purpose of efficacy.

Finally, the theoretical proposition highlighting third parties' cooperative willingness equally revealed its weight as an intervening variable for the effectiveness of informal cooperation. Indeed, if on one side the enthusiasm of Kosovo facilitated the conduct of the talks, on the other the intransigence of both parties over the status issue ultimately revealed to be the main obstacle for the resolution of the conflict. In this respect, however, it should also be noted that the particularly uncooperative attitude of Serbia was also the by-product of the same mediatory approach, which, being increasingly perceived as inequitable and uncompromising by the Serbian government, presented the latter with an additional motive not only to question the rightfulness of the negotiations but even to justify the employment of obstructive tactics aimed at undermining the achievement of the mediators pre-determined objectives. The empirical data do not allow to ascertain whether the presence of compelling incentives could have encouraged the parties to revaluate their interests and change their perceptions of the circumstances. Nonetheless, it allows to confirm the decisive value of third parties' willingness to cooperate, which absence outright precludes the possibility for the mediators to attain positive negotiating outcomes.

In addition to these relevant findings, however, the analysis of the Quint's role in the Kosovo status talks makes it also possible to detect two additional factors that had proven to exert a significant impact on the efficacy of informal cooperation.

The first is represented by trust. Indeed, by focusing most of their efforts on coercing Serbia to accept a pre-determined formula, the mediators failed to encourage the increase of reciprocal trust between

the parties, inevitably also diminishing the latter's ability to find critical points of contact. Concurrently, such approach also prejudged the mediators' capacity to empathize with both sides equally, which consequently reduced their chances to fulfil their mediatory objectives. Indeed, whereas Kosovo Albanians displayed high levels of trust by virtue of their expectations regarding the achievement of independence, the negotiating strategy aggravated the already feeble confidence of Serbia, which promptly drove the Serbian government to address both the mediators as well as Kosovo as direct adversaries. In light of these considerations, it is therefore possible to argue that other than ensuring impartiality and external inclusivity, a negotiating process should equally aim at actively increasing the level of trust both between the conflicting parties as well as between these latter and the mediator, in order to enhance the chances of external cooperation and with it the potential for the negotiations to yield the expected results.

The second factor of prominence relates instead to the external context, and it is mainly represented by the actions of Russia. Indeed, it was the persisting opposition of the Russian government towards the Comprehensive plan for Kosovo that revealed to be the second main obstacle for the successful achievement of the mediators' objectives. The Quint members' desire to see Russia as a direct supporter ultimately prevented them from seriously considering a possible shift of Russia's strategic ambitions, despite the latter repeatedly admitted that it was against any imposed settlement. Albeit on a lesser extent, the negotiation process has also come under the influence of other particular external dynamics, which contributed to stiffen the conflicting parties' positions hence furtherly impairing their potential for compromise. For instance, Serbia's reluctance to constructively participate in the talks was also conditioned by the presence of particularly unwelcomed figures within the Albanian delegation, whereas the ambitions of Kosovo Albanians were galvanized by the Montenegro's attainment of full independence. The possible consequences generated by external factors as well as by the actions of specific international stakeholders can thus exert a considerable weight on the effectiveness of informal groupings. Accordingly, a pragmatic assessment of the conflict scenario as well as of the stances of relevant stakeholders may result essential to prevent the exacerbation of antagonistic positions, reducing in turn the potential obstacles to effectiveness.

To conclude, the developments of the Kosovo status talks also reveal to be valuable for addressing the question of informal cooperation legitimacy insofar as they provide important insights inherent to its concrete dimension, which is given by the scope of member states support towards the policies and activities of an informal group. Indeed, empirical data shows how since the beginning the Quint was careful to involve EU institutional representatives in its meetings, thereby not only ensuring that the Union was regularly informed about its intentions and progresses, but also allowing the latter to potentially participate in the Quint deliberations. The upholding of this systematic line of

communication represented a key factor for the recognition of the informal group, since it not only encouraged the open advocacy of EU institutions, but it ultimately enabled the Quint to foster a wider intra-EU consensus towards the support of Kosovo independence, attested by the concrete advocacy the Union granted within the US Security Council to the Comprehensive plan – an arrangement which was essentially aimed at promoting Kosovo statehood -, thereby also succeeding in raising the issue on EU agenda. In the end, the resistance of the member states that from the onset had opposed to the separation of Kosovo from Serbia (i.e., Cyprus, Greece, Romania, Slovakia, and Spain) prevented the EU from reaching a full alignment over the question of recognition. However, the absence of a formal consensus did not prevent the launch in 2008 of the EULEX Kosovo (EU Rule of Law Mission in Kosovo), the largest civilian mission ever established by the EU, which was born with the aim to stabilize and assist the Kosovo region as recommended by the Comprehensive plan. [176] By consequence, empirical evidence makes it possible to claim that informal cooperation has the concrete potential to be recognised as a rightful EU foreign policy practice, at the same time suggesting that the acquisition of a greater intra-EU support on the part of an informal group is favoured by the consistent inclusion of EU institutions in the process, which assure a regular line of communication with the Union, and it can be reinforced by their active advocacy.

Case study 2: the Middle East Quartet for the "Arab-Israeli peace process"

For many, the Arab-Israeli conflict is a struggle of national identity, of two peoples and two nationalist movements - the Zionist and the Palestinian - located in the same territory. The origins of the conflict trace back to 1947, when, following the transfer of the mandate for Palestine from the British government to the UN, trough the Resolution 181 the latter called for the creation of two separate states, one Jewish and one Arab, and for the internationalization of the city of Jerusalem, meaning its establishment as a separate entity to be governed by a special international administration. The endorsement of the Resolution triggered violent protests across Palestine, which promptly evolved into intense clashes between the Jewish and Arab communities. On 14 May 1948, the Jewish people responded with a unilateral declaration of independence, which turned the protests into an outright interstate war between the newly formed State of Israel and the armies of the neighbouring Arab states. The war came to an end a year later, thanks to the armistice agreements of 1949 signed by Israel with Egypt, Jordan, Lebanon, and Syria; however, the conflict had enabled Israel to expand its

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[176] Economides, S. and Ker-Lindsay, J. (2010); p.496, pp.505-506.

territory by 21 percent as compared to the boundaries envisaged by the UN, whereas Jordan had taken control of the West Bank and Egypt of the Gaza Strip, depriving Palestine of the chance to declare its own independence. The 1948 war is still present in the imaginary of Israel as a "heroic struggle for survival, wherein the outnumbered forces of the Jewish army overcame overwhelming odds to defeat the forces intent on strangling the nascent Jewish state", and is therefore depictive of the Arab rejection of Israel legitimacy, whilst Palestinians refer to it as *al-Nakba* (i.e., the Catastrophe), recognising it as the start of their exile, a symbol of Palestinian dispossession, displacement, and loss.[177]

The end of the 1948 war nevertheless signalled the beginning of the Arab-Israeli peace process, which was symbolically inaugurated by the UN Security Council Resolution 242. Indeed, such Resolution demanded "the establishment of a just and lasting peace in the Middle East", to be acquired through the "withdrawal of Israel armed forces from the occupied territories" and the "termination of all claims or states of belligerency and the respect for and acknowledgment of the sovereignty, territorial integrity and political independence of every state in the area and their right to live in peace".[178] Despite UN requests, the consequences of the conflict plunged the Middle East into a cycle of violent confrontations, which witnessed the progressive outbreak of a further five Arab-Israeli wars - the 1956 Suez Crisis, the Six Day War of 1967, the Yom Kippur War of 1973, and the Lebanon wars of 1982 and 2006 -, the proliferation of terrorist acts, political violence, cross-border clashes, military raids, and incursions. The war of June 1967 was particularly impactful, since it allowed Israel to acquire the control of the West Bank and of the Gaza Strip, subsequently expanding its municipal boundaries to East Jerusalem, thereby occupying all territories allocated for both the Jewish and the Palestinian state under the terms of the 1947 UN partition plan. Moreover, the capture of the West Bank provided Israel with a newfound sense of confidence and strength given by the historic and religious value of the area, which is considered to be part of the "Greater Land of Israel", the biblical lands of Judea in the south and of Samaria in the north, to which the Jewish people have historic right and claim. Consequently, the West Bank was no longer regarded as a territory that could be traded and returned to Palestine in exchange for peace. Similarly, the control of East Jerusalem granted Israel access to the Temple Mount area, a religious site that is sacred to Muslims, and symbolizes for Israel another historic bond to the Greater Land. In order to promote the end of hostilities and the conclusion of a peace agreement between Israel and Palestine, the international community, and especially the US, undertook various diplomatic initiatives in the region, but all collided with Israel refusal to

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[177] Peters, J. (2012), "Understanding the Israeli-Palestinian conflict". In *Routledge Handbook on the Israeli-Palestinian Conflict* (pp.1-8). Abingdon: Routledge; pp.1-2.

[178] UN Security Council (1967), "Resolution 242 (22 November 1967)". United Nations Information System on the Question of Palestine. Accessed on 22/01/22 at
https://unispal.un.org/unispal.nsf/0/7d35e1f729df491c85256ee700686136

negotiate with the Palestine Liberation Organization (PLO), an organization established on the initiative of the League of Arab States in 1964 with the aim to give Palestine a political voice, thus able to represent the Palestinian people, and to determine the direction of a Palestinian national project.[179] In the 1970s the PLO started to gain international support, particularly from Third World countries, which identified the Palestinian cause with their own post-colonial struggles for independence, but even the EEC expressed itself in favour of Palestine self-determination with the issuing of the "Venice Declaration" in April 1980, although it refrained from explicitly calling for Palestinian statehood. Notwithstanding, the animosity between the parties was furtherly aggravated by the consequences that were unleashed by a controversial traffic accident occurred in the Gaza Strip that caused the death of four Palestinians, which, being perceived as a deliberate act of violence against Arabs,[180] triggered an unprecedented wave of demonstrations across the territories occupied by Israel. This phenomenon is remembered as the first *Intifada* (i.e., the Uprising), which represented "a campaign of civil disobedience and popular resistance to the Israeli occupation" that received the widespread support of all sectors of the Palestinian society. The campaign succeeded in reverting the prevalent international perception of Israel as the most vulnerable of the parties, highlighting instead the unfavourable conditions to which the Palestinians were subjected under Israeli rule in the occupied territories, and the consequent unsustainability of the arrangement. As a result, the mediation efforts gained a new impetus, and the Madrid Conference convened in November 1991, co-chaired by the US and the Soviet Union, secured a significant breakthrough between the parties with the signing of the "Declaration of Principles" on 13 September 1993. Indeed, through the Declaration Israel and the PLO agreed to undertake several consultations regarding key topics including the Palestinian refugee issue, the question of borders and of Jerusalem, arms control, and regional security. These talks led to the Oslo Accords, seven interim measures negotiated between 1993 and 1998 designed to transfer land and authority to the Palestinians, paving the way for the end of Israeli occupation and the signing of a full peace agreement. Specifically, the Accords ensured the creation of a Palestinian self-governing body which would have been periodically elected and would have gradually assumed total control of occupied territories. In 1994, the Palestinian Authority (PA), headquartered in Ramallah, was therefore established as an interim step towards the fulfilment of the Palestinian right to national self-determination, being essentially entrusted with the administration of the "populated areas" of the West Bank, identified as "Area A" and "Area B", and the majority of the

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[179] Parsons, N. (2012a), "The Palestine Liberation Organization". In *Routledge Handbook on the Israeli-Palestinian Conflict* (pp.209-221). Abingdon: Routledge; p.209.
[180] "Israeli Acquitted in Traffic Mishap That Sparked Arab Riots" (1992). Los Angeles Times, 7 March. Accessed on 22/01/22 at https://www.latimes.com/archives/la-xpm-1992-03-07-mn-3555-story.html

Gaza Strip.[181] However, the implementation of the Oslo Accords was fraught with difficulties. Indeed, the process lacked sufficient mechanisms to ensure the parties' compliance and it was unable to mitigate their mounting acrimony, which eventually caused the suspension of the talks. The signing of the Accords had sparked renewed civil unrests, which also led to the assassination of Israel Prime Minister Yitzhak Rabin, vilified for having compromised with the PLO and for his willingness to cede the West Bank and Gaza. After its death, Israeli settlement-building continued unabated, while life for the Palestinians persistently involved "economic hardships, restrictions on movement, roadblocks, and security closures". In the end, the Oslo process provided the parties with a pretext for mutual accusations, over delays and failures to implement many of the promised measures, especially with reference to the occupied territories and security standards. For instance, the Israeli government reported to the Israeli public that negotiations could not proceed because of the intransigence of Palestine over the right of return, which represented a direct attack towards the authority of the Jewish state and demonstrated Palestinian reticence to accept the idea of coexistence. Similarly, Palestine was reprimanded for its failure to repress the wave of terrorism that originated from the West Bank and Gaza, whereas the Palestinians lamented Israel refusal to progressively surrender the civil and military control it detained over the "Area C" of the West Bank as well as its security responsibilities in the Area B, seeing it as a move to reinstate the initial nature of the occupation while seeking to coerce the PA into acting as its enforcer.[182]

It was in the face of this state of crisis that the EU issued the "Berlin Declaration" (25 March 1999), which explicitly mentioned the readiness of the EU to recognise a Palestinian state while calling on the conflicting parties to refrain from any activity that could prevent the achievement of a peace agreement, explicitly mentioning settlement activity and the fight against the incitement of violence. Moreover, the Declaration argued that a viable Palestinian state was also "the best guarantee for Israel's security and its acceptance as an equal partner in the region". Therefore, preceding other international actors, including the US, the EU for the first time expressed its advocacy for a two-state solution, and with it its support for Palestine statehood. Following the electoral victory of Labour's Ehud Barak on 17 May 1999, Israel and the PLO quickly resumed the Oslo negotiations. In a meeting at Camp David, mediated by the US, the parties discussed the most critical issues of the long standing Israeli–Palestinian dispute including borders, Palestinian refugees, and the right of return. However, the summit was unable to favour an agreement.[183]

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[181] Parsons, N. (2012b), "The Palestinian Authority". In *Routledge Handbook on the Israeli-Palestinian Conflict* (pp.222-232). Abingdon: Routledge; pp.222-224.

[182] Peters, J. (2012); pp.2-5; Golan, G. (2012), "Peace plans, 1993-2010". In *Routledge Handbook on the Israeli-Palestinian Conflict* (pp.92-106). Abingdon: Routledge; pp.92-93.

[183] Müller, P. (2012), "Historic overview – The EU and the Israeli-Palestinian conflict". In *EU Foreign Policymaking and the Middle East Conflict - The Europeanization of national foreign policy* (pp.27-68). Abingdon: Routledge; pp.45-46.

The collapse of the negotiations triggered another period of violent protests across Palestine, the second, al-Aqsa *Intifada*, which reflected the Palestinians "pent-up frustration and disenchantment with the Oslo process, with the economic hardship resulting from Israeli measures, and [their] growing mistrust towards Israel". In Israeli eyes, however, the outbreak of violence merely confirmed that Palestine was not a true partner for peace, and the Israeli government was certain it represented a political move in the aftermath of Camp David in order "to pressure Israel to cede to Palestinian demands through a campaign of terror". The second Uprising thus placed the parties' relationship under further strain: the cooperative ventures and the dialogue between Israeli and Palestinian civil society, which had begun to develop during the Oslo years, quickly vanished, and the timid strategies of peace and coexistence were replaced by confrontations, containment, and separation. "In a period of four years, successive terrorist attacks on civilian targets led to over one thousand Israeli deaths", and in response "Israel resorted to overwhelming military force to suppress the riots, destroying Palestinian infrastructures and causing the death of more than five thousand Palestinians", thereby re-invading Palestinian areas.[184]

It was precisely against the backdrop of the destructive cycle of retaliation and counter retaliation, lawlessness and chaos surrounding the second Palestinian Uprising that the Middle East Quartet, an informal contact group comprised of the EU – represented by the Commissioner for External Relations, the High Representative, and the rotating EU Presidency -, the US, Russia, and the UN, was established. More specifically, the Quartet was primarily conceived as the most efficient response to the rapidly deteriorating security and humanitarian conditions of Palestinian territories, but also as a way to fill the political vacuum which resulted from the decision of the new US administration of President George W. Bush to downsize its engagement in the Arab-Israeli peace process, with a view to devote greater resources to the fight against the Saddam Hussein regime in Iraq, as part of a more general "war on terror" induced by the terrorist attacks of 9/11. In fact, in the wake of US disengagement the EU sought to take its place as a mediator to the conflict; however, the persisting divisions among member states over the appropriate course of action to take *vis-à-vis* Israel obstructed any institutional effort to develop an independent European initiative aimed to cease the violence and revive the peace process. In parallel, among the actors boasting a historical presence in the region, the EU, the UN, and Russia frequently met in order to seek a way to confront jointly the ongoing crisis, eventually agreeing that in such a process the participation of the US, with its strong diplomatic ties to Israel and its extensive power of influence, was indispensable.[185] Consequently, the EU in particular strived to engage the US in the creation of a coordinated multilateral response to the Arab-

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[184] Peters, J. (2012); p.5.
[185] Tocci, N. (2011), "The EU, the Middle East Quartet and (in)effective multilateralism". In *Mercury E-papers*, N.9. Edinburgh: University of Edinburgh; p.4.

Israeli conflict, and it ultimately succeeded in inducing the mobilization of US Secretary of State Colin Powell, who recognised the potential benefits a broader international support could have brought to US initiatives in the region. On 10 April 2002 in Madrid, EU foreign ministers therefore convened in a meeting with US Secretary of State Colin Powell, along with UN Secretary General Kofi Annan and the Russian Foreign Minister Igor Ivanov, expressing their advocacy for a solution allowing to pool "the power and resources of the most powerful actors active in the region in the most efficient configuration in the shortest amount of time".[186]

At the same time, however, the establishment of the Quartet also answered to an individual power-based logic that rested on the similar desire of its participants to increase their relevance within the Arab-Israeli peace process. Indeed, for the US the Quartet chiefly represented a useful tool to favour the alignment of the international community to US initiatives, while allowing the latter to increment its pressure on Palestine – mostly with the aim to repress its internal terrorist activity -, which had generally shown little cooperation in the context of American mediations also owing to the perceived pro-Israeli stance of the US. Similarly, the EU conceived its participation in the informal contact group as a mean to finally gain recognition as a political player in the Israeli-Palestinian arena. In fact, whilst its member states had been able to find a basic consensus concerning the rights of the Palestinians, the EU had hitherto struggled to directly intervene in the peace process, not least because of the oppositions of some member states – and especially of Germany - towards the employment of any kind of negative conditionality against Israel, which had consequently constrained EU role to the simple albeit valuable issuance of symbolic declarations. The scope of this same internal incongruence and indecision was indeed reflected in the tripartite representation the Union was set to uphold within the Quartet, and particularly in the presence of the rotating EU Presidency as opposed to the direct contribution of any member state. Nevertheless, EU institutional representatives saw their inclusion as an opportunity to strengthen their political profile in EU foreign policymaking, drawing on EU's declarations as well as their mandate to assume a more active operational role providing them with ample creative leeway, at the same time enabling them to facilitate the establishment of a common intra-EU approach with regards to both conflicting parties. On the part of Russia, its membership in the Quartet also reflected a strong intent to enhance the stature of Moscow in the region, at the same time "serving as a check on western hegemony over the Arab-Israeli peace process". Indeed, Russia had inherited the role of the former Soviet Union as a supporter of the Middle East peace-making efforts, and while its strong ties with some countries in the region such as Syria allowed Russia to retain some influence as a diplomatic actor, the latter had been swiftly

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[186] Alcaro, R. and Haubrich-Seco, M. (Eds.) (2012), "Re-thinking western policies in light of the Arab Uprisings". In *IAI Research Papers,* N.4. Rome: Nuova Cultura; p.117; Müller, P. (2012); pp.52-53.

side-lined by the US thereby failing to acquire a significant role, either on the ground or in terms of negotiating power. Finally, the Quartet constituted an attractive forum even for the UN, which had been absent as a political actor in the peace negotiations since the end of the Jarring Mission of 1968,[187] retaining instead a purely technical role in the region, mostly in the humanitarian realm. Accordingly, the creation of the informal contact group was regarded as the occasion for the UN to expand its responsibilities beyond purely operational matters, recapturing its mediatory role in the region. As a further confirmation of this concurrent inward-looking rationale, the EU, the UN, and Russia alike also shared the analogous ambition to exploit the Quartet as a framework through which to influence the US, thus bringing its positions and policies in line with their own.[188]

The "Arab-Israeli peace talks" (2002-2006)

Shortly after the enactment of the Middle East Quartet, the EU reaffirmed its commitment for a two-state solution, stating its sympathy for the Palestinian cause as well as its unequivocal acceptance of Israel's rights to statehood through the so-called "Seville Declaration" of 22 June 2002. Specifically, the Declaration called for "an end to the occupation and the early establishment of a democratic, viable, peaceful and sovereign State of Palestine, on the basis of the 1967 borders, if necessary with minor adjustments agreed by the parties", a "fair solution […] to the complex issue of Jerusalem", and a "just, viable and agreed solution to the problem of the Palestinian refugees". In the end, "the result should be two states living side by side within secure and recognized borders enjoying normal relations with their neighbours". Additionally, the document proposed important parameters for the revival of the peace process, including an active role for the Quartet, the convening of an international peace conference and a well-defined time scale for negotiations. The Union's renewed commitment and its corresponding recommendations represented the most important step of Europe's declaratory diplomacy, insofar as only two days after the publication of the Declaration, in its Rose Garden speech of 24 June 2002, US President George W. Bush formally expressed its support for such a vision, depicting "two states, living side by side in peace and security". Even though this solidarity was

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[187] In addition to the aim to foster the withdrawal of Israeli forces from Arab lands captured in the war, the 1967 UN Resolution 242 provided for the appointment of a special representative to serve as mediator and facilitate the implementation of the Resolution's goal of a "just and lasting peace". The post was held by Dr. Gunnar Jarring, Sweden's ambassador to the Soviet Union, who served until November 1968. The Jarring Mission ultimately failed and marked an end to the UN's peace-making role in the Middle East.

[188] Müller, P. (2014), "Informal security governance and the Middle East Quartet: Survival of the unfittest?". In *International Peacekeeping*, Vol.21 (4: pp.464-480). London: Taylor & Francis Group; pp.474-476; Alcaro, R. and Haubrich-Seco, M. (Eds.) (2012); pp.117-120.

accompanied by a call for Palestinians "to elect new leaders […] not compromised by terror" – thus implicitly referring to the President of the PLO and the PA, Yasser Arafāt -, its statement represented US first official endorsement of the two-state solution.[189]

The outspoken patronage of the US was fundamental to guarantee the earnest consideration of the European proposal on the part of the Quartet members, which reviewed it in the frame of the consultations aimed at devising an adequate strategy for the resolution of the Arab-Israeli conflict. After six months of intense discussions, in April 2003 the informal contact group succeeded in developing its "Roadmap to a permanent two-state solution to the Israeli-Palestinian conflict", a plan which envisaged a multi-phase arrangement conducted under the auspices of the Quartet and finalized to the achievement of a two-state solution to the conflict, to be attained within the start of 2005. Specifically, the first phase (from inception to May 2003) was focused on confidence building measures and on ensuring Palestine institutional reform. The latter was expected to enhance its democratic standards, to consolidate its security services, and to dismantle its terrorist capability infrastructure. Concurrently, Israel was to freeze all settlement activity, dismantle settlement outposts created after March 2001, improve the humanitarian situation, and withdraw its armed forces to the (pre-*Intifada*) 28 September lines. The second phase (from June to December 2003) foresaw the completion of abovementioned tasks with a view to creating a "Palestinian states with provisional borders". The Palestinian state would have been launched by an international conference, and it would have been possibly recognised by the UN. The third phase (from January 2004 to 2005) envisaged the consolidation of all previous steps so as to enable the start of the "final status talks". In this respect, a second international conference was to launch negotiations on final status issues, including permanent borders, security, Palestinian refugees and Jerusalem, the resolution of which would have finally decreed the establishment of a Palestinian state, the end of Israeli occupation and the cessation of hostilities. The Roadmap therefore incorporated important elements of the European proposal, but it also sought to correct several shortcomings that were seen as the root cause of the failure registered by previous mediation efforts, namely the lack of clear incentives as well as of a clearly defined negotiation objective, the marginality of monitoring and accountability, and the absence of a reciprocal implementation mechanism. To this end, incentives were provided in the form of statements to be adopted at the outset of the final goals, which envisioned for Palestine a declaration expressing its "recognition of Israel's right to exist in peace and security" and for Israel an "unequivocal affirmation of its commitment to the two-state solution", as well as through the promise that the outcome of the negotiations would have conducted to the termination of violence – which

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[189] Cladi, L. and Webber, M. (2016), "Between autonomy and effectiveness: Reassessing the European Union's foreign policy towards the Israeli-Palestinian conflict". In *European Foreign Affairs Review*, Vol.21 (4: pp.559-589). Kluwer Law Online; pp.571-572; Müller, P. (2012); pp.53-54.

was the main motive of Israel's resentment - and occupation – strongly desired by Palestine -. Furthermore, as defined in the last stage of the Roadmap, the negotiations had the clear objective to facilitate the creation and the peaceful coexistence of two sovereign states; while the process prescribed the monitoring of each of its phases in order to ensure their effective implementation. In this respect, the oversight was to be initially carried out according to an informal monitoring practice advanced by existing regional organs, subsequently evolving into a formal monitoring system including an "enhanced international participation". However, the Roadmap failed to explicitly define both the composition as well as the operational frameworks of such enforcement bodies, and combined with Israel's erroneous expectations regarding the pace of the implementation process, the initial delay generated by the need to concretize the monitoring mechanism led to immediate problems concerning the implementation of the plan.[190]

In fact, being it congruent with its "national" ambitions, the Roadmap was easily welcomed by Palestine, which showed reticence only towards the idea of a Palestinian state with provisional borders. On the contrary, Israel's first reaction was entirely hostile, claiming it was a "document of surrender that would [have] lead to Israel's destruction". It was only under the pressure of the US that the Israeli government finally relented, albeit presenting fourteen reservations to the plan. Nevertheless, notwithstanding Israel's formal acceptance of the Roadmap, the Israeli government refused to comply with its initial requirements on the grounds of Palestine slow progresses – particularly in reference to the dismantling of its terrorist infrastructure -, therefore highlighting Israel's conception of the implementation process as a sequential rather than reciprocal procedure. Although the Roadmap had clearly stated that "in each phase, the parties [were] expected to perform their obligations in parallel",[191] without a concrete enforcement mechanism, Israel's insistence upon terrorism prevention prior to any action on its part inevitably hindered the implementation of the plan according to the planned timeframes and criteria.[192]

On the other hand, the Roadmap was instrumental in stimulating a greater international commitment towards the promotion of Palestinian reform, a process within which the EU in particular was able to acquire a prominent role. Indeed, since the initiation of the Oslo negotiations, the Union had sought to foster the amelioration of Palestine economic and social conditions, so much that it swiftly evolved into the greatest international donor to the Palestinians. As early as 2002, the EU had provided about half of the total international assistance to the region, contributing some three billion euros to the occupied territories. However, its nearly unreserved support also attracted international criticism,

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[190] Golan, G. (2012); pp.97-99.
[191] The Middle East Quartet (2003), "A performance-based Roadmap to a permanent two-state solution to the Israeli-Palestinian conflict". Red Sea Summit in Aqaba, Jordan, 4 June. Accessed on 25/01/22 at http://www.hlrn.org/img/documents/The%20roadmap.pdf
[192] Golan, G. (2012); p.99; Cladi, L. and Webber, M. (2016); p.571.

which lamented that "the PA regime [had been] created at the cost of democracy, transparency, accountability, the rule of law and respects for human rights". Confronted with such accusation, the Union decided to improve the monitoring of its assistance to the PA and gradually moved toward more stringent conditionality. The first of these attempts was undertaken in 1999, concomitantly to the conclusion of the association agreement between the EU and the PA – and overseen especially by the High Representative Javier Solana -, with the publication on the part of the Union of the so-called "Rocard-Siegman Report". Recognising that "the creation of a democratic, viable and peaceful sovereign Palestinian state on the basis of existing agreements and through negotiations [was] the best guarantee of Israel's security and Israel's acceptance as an equal partner in the region", the Report demanded, *inter alia*, the ratification and the enactment of the Basic Law and of the Law on the Independence of the Judiciary, the establishment of a Constitutional Court and of a High Judicial Council, the abolishment of State Security Courts, the holding of elections, the redistribution of competences within the executive, the safeguarding of the transparency of public finances and the restructuring of municipalities, the civil service and the security sector. If on one side the effects of EU policies held limited results, with Palestinian development being primarily constrained by the regional instability as well as Israeli rigid restrictions of Palestinians movement, on the other they served as a model for the definition of the first phase of the Roadmap, which thus reflected the Union's comprehensive understanding of Palestinian reform rather than the US's narrower focus on removing Arafāt from power and contrasting the terrorist groups on the Palestinian territory. What is more, the inclusion of Palestine socio-economic development as an integral part of the Quartet's objectives was functional to favour a more substantial engagement towards the cause on the part of its members. In this connection, the most significant initiative of the Quartet members was arguably the creation, as early as July 2002, of the "International Task Force on Palestinian reform", which also gathered other major donors to the PA, namely Canada, Japan, Norway, the International Monetary Fund (IMF) and the World Bank. Additionally, the Task Force established seven working groups, some of which were chaired by the European Commission, which had the goal to promote the eradication of corruption, the decentralization of power though a greater independence of the judiciary, the strengthening of local government and of civil society, the preparation for free and fair elections, and an effective and transparent regulatory framework to foster private sector development. Curiously, no group was appointed to manage the reform of Palestinian security sector, which remained always a specific priority of the US, in light of its substantial military assets in the Middle East as well as the central American commitment towards the eradication of transnational terrorism. The intense and protracted engagement of the Quartet was essential to secure the implementation of important reform measures in terms of democratization, good governance, and fiscal transparency,

with the latter being commended by the IMF as a system "rivalling the most fiscally advanced countries in the region". As highlighted by the EU Commissioner for External Relations Chris Patten, the protracted and conspicuous assistance of the Union in particular was important not only to promote the gradual development of "a viable Palestinian state" while "in the short-term making the Palestinian territories a better, safer neighbour for Israel", but also to ensure the very own existence of the PA, since "without the EU there would have been no Palestinian interlocutor for the negotiations". However, notwithstanding the substantial improvements, the overall governance capacity of the PA remained weak, not least due to the large-scale damage that had been inflicted by Israel's military operation during the second *Intifada*, consequently reducing the ability of Palestine to comply with important Roadmap obligations, particularly in the security realm.[193]

The evident difficulty of Palestine to improve its security parameters was furtherly exploited by the Israeli government, not only as a pretext to keep motivating its hesitation in the implementation of the Roadmap, but also as an excuse to justify the start of the construction of an imposing "security wall", which completion would have led to the physical separation of Israeli and Palestinian territories. Indeed, the first section of the wall was completed in July 2003, and it was fiercely defended by Israel as a legitimate response to the unyielding Palestinian terrorist potential.[194] In a similar fashion to its approach towards Palestine, EU tripartite representation had long sought to translate the Union's substantial economic clout *vis-à-vis* Israel into meaningful political power, drawing on the association agreement established with the latter in June 2000 in order to coerce the Israeli government to abide by the Quartet's Roadmap as well as the principles of international law. In fact, at that time the EU represented Israel's main trade partner, accounting for about 31% of total Israeli exports and 41% of its total imports. Notwithstanding, beside the temporary enactment of measure such as the suspension of Israel preferential trade terms – which was strongly advocated by the European Parliament - or the rejection of Israeli requests for upgraded agreements with the EU, the lingering intentionality of member states including Germany, Italy, and Spain to prioritize their economic relations with Israel as well as to avoid the deterioration of political ones, prevented the systematic exploitation of EU's economic leverage and political conditionality as a mean to promote Israel's compliance. In this respect, it is also interesting to note that Israel had openly expressed its "interest" towards the possibility of a "full integration" into the Union, seeing such a partnership as a way to "enable security and flexibility" between the two regions, despite the sizeable adjustments that such arrangement

[193] Newman, D. and Yacobi, H. (2004), "The role of the EU in the Israel\Palestine conflict". In *Working Papers Series in EU Border Conflicts Studies*, N.12. Beer Sheva: Ben-Gurion University of the Negev; pp.10-12, pp.22-23, p.29; Altunişik, M.B. (2008), "EU foreign policy and the Israeli–Palestinian conflict: How much of an actor?". In *European Security*, Vol.17 (7: pp.105-121). London: Taylor & Francis Group; pp.112-113; Müller, P. (2012); p.22-23; Müller, P. (2012); pp.49-50, p.54; Tocci, N. (2011); pp.7-8; Cladi, L. and Webber, M. (2016); p.570.
[194] Cladi, L. and Webber, M. (2016); p.573.

would have implied. However, neither Palestine nor Israel have ever been regarded by the Union as possible candidate for EU membership, which means that in this context the prospect of accession has never been harnessed as an incentive.[195]

This notwithstanding, the presence of intra-European divergencies over the issuance of sanctions against Israel did not prevent the Union from adopting a common position, which called for the "end [of] the construction of the security fence", on the grounds that it "[threatened] to render the two-State solution physically impossible to implement".[196] On the other hand, the possibility of a joint Quartet response against the construction of the security wall was denied by the US, which continued instead to side with Israel in contending that Palestinian terrorism constituted the main obstacle to peace.[197]

Despite the appreciable improvements achieved by Palestine in its reform process, the Israeli move triggered a new wave of heavy terrorist acts, which aggravated the already mounting discontent voiced not only by the Israeli public but even by the military, which lamented the inability of the Israeli government to move towards a peaceful resolution of the conflict. Moreover, at a more strategic level, there was an increasing realization that in a situation of relentless violence "the continued occupation of the West Bank and Gaza was rapidly leading to a demographic balance in favour of the Arabs". The construction of the security wall was also attracting a strong international criticism, which led to the overwhelming approval in October 2003 of a Resolution by the UN General Assembly denouncing Israel illegal measure – despite US opposition -[198] and culminated in the International Court of Justice (ICJ) advisory opinion of July 2004, which recognised that "the wall [constituted] an action not in conformity with various legal obligations incumbent upon Israel". Even in this case the US expressed its dissent, advocating that "the giving of an advisory opinion in this matter [risked to] undermine the peace process", while it was the mediatory role of the Quartet, conducted on the basis of its Roadmap, which constituted the optimum route for peace. The commitment towards both the Quartet and the Roadmap was reasserted also by the EU and Russia, which regarded them to be the foundation for a peaceful settlement of the conflict. However, while they acknowledged Israel's right of self-defence - with Russia equally highlighting Palestine responsibilities concerning the subsistence of terrorist acts -, they also stressed that advancing such a right through the construction of a separation wall remained an unacceptable measure.[199]

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[195] Newman, D. and Yacobi, H. (2004); p.10, p.16, p.48.
[196] European Council (2003), "Thessaloniki Conclusions (19–20 June 2003)". Official website of the European Commission. Accessed on 26/01/22 at https://ec.europa.eu/commission/presscorner/detail/en/DOC_03_3
[197] Cladi, L. and Webber, M. (2016); p.573.
[198] The UN would have preferred the Resolution to be issued by the Security Council, however, this was precluded by the veto of the US.
[199] UN General Assembly (2004), "Request for an advisory opinion on the legal consequences of the construction of a wall in the occupied Palestinian territory". Official website of the International Court of Justice. Accessed on 27/01/22

Against this complex and uneasy situation, it was actually the forceful internal pressure generated by the intolerable levels of violence as well as the rising social frustration linked to the lingering of the conflict that finally compelled the Israeli government to partially disengage from the occupied territories. In particular, the initiative of Israel Prime Minister Ariel Sharon intended to redeploy the Israeli military outside the Gaza Strip, hence considerably reducing the unpopular security burden on the latter, to withdraw the Israeli settlements in Gaza as well as in the northern part of the West Bank, and to relinquish all of Israel governmental authority within the Gaza. Nevertheless, Israel was to maintain control over the so-called "Gaza envelope", namely land, sea, and air access in addition to water and electricity infrastructures, while "reserving the right to use preventive measures as well as the use of force against threats" originating in the region. With a view to appeasing the general public, the plan was announced, in February 2004, as a critical compromise for peace, that the Israeli government had conceded despite the "security vacuum for which the Palestinians [were] to blame". However, the Israeli move was also calculated on the basis of a specific strategic purpose in relation to the peace negotiations. Specifically, enacting a unilateral disengagement process would have allowed Israel to prove its commitment towards the Quartet's objectives without, however, having to comply with the Roadmap obligations. Concurrently, it would have granted the Israeli government the opportunity to decide the terms as well as the scope of its withdrawal. Indeed, not only did the Gaza Strip not have the same degree of political and religious symbolism of the West Bank and East Jerusalem, but the number of Israeli settlers in the region was far less conspicuous as compared to the Israeli presence in the West Bank.[200]

To ensure the continued support of the US, Israel held bilateral consultations with the Bush administration prior to the launch of its disengagement plan, a procedure that revealed to be successful insofar as it warranted not only US unilateral acceptance of Israeli initiative – which was publicly declared shortly after the initiative disclosure -, but also the American approval circa the retention on the part of Israel of some settlement blocs in the West Bank under a future peace agreement. On the contrary, the initial response of the remaining Quartet members was strongly negative. Indeed, Israel's disengagement plan was clearly at odds with the objectives of the Roadmap, substituting the latter's parallel steps towards a two-state solution with unilateral measures envisaging just a partial withdrawal of Israel sovereignty from Palestinian areas. For this reason, the American move was the subject of open criticism on the part of the European component, epitomized by the sarcastic remarks of the Irish Foreign Minister Brian Cowen, whose country held the EU presidency in the first half of 2004, stating that "Israel [had to] make peace with its enemies, the Palestinians, rather than with its

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at https://www.icj-cij.org/en/case/131/written-proceedings; Golan, G. (2012); p.101; Cladi, L. and Webber, M. (2016); pp.574-575.
[200] Golan, G. (2012); pp.101-102; Cladi, L. and Webber, M. (2016); p.574; Tocci, N. (2011); p.10.

friends in Washington". However, EU tripartition, the UN and Russia soon understood that such development could be nevertheless exploited to progressively promote the full relocation of occupied territories to the PA. Furthermore, mirroring the logic that had underpinned the very own inception of the informal contact group, they also recognised that without the practical backing of the US it would have nevertheless been difficult for them to exert sufficient influence on the parties. It was on this premises that the Quartet members convened for a protracted round of discussions which closed on 9 May 2005, when the Quartet successfully managed to release a joint statement declaring its support towards the Israeli initiative. Notwithstanding, such statement equally stressed that Israel's planned disengagement had to be simply a step towards "the full and complete Israeli withdrawal" from occupied territories "in a manner consistent with the Roadmap, […] paving the way toward realizing the vision of two democratic states".[201] Therefore, the final position of the Quartet on the matter is also reflective of US willingness to compromise, which can be traced back to the same intentionality expressed by the Bush administration at the onset of the peace talks, that is the desire to enhance the dominance and legitimacy of the US in the region by capitalizing on the support and the resources of other relevant international actors.

Since the start of the Quartet-led peace negotiations, Israel had expressed itself in favour of the US mediatory role by virtue of their longstanding and positive economic, security and political relations, whereas it showed resistance towards the involvement of the EU and the UN in particular, which in Israeli eyes retained a clear favouritism towards Palestine, as demonstrated by their unwavering support and their extensive assistance to the region. With reference to the UN, Israel's negative disposition was also based on the perceived low credibility of the UN as a political actor in the peace process, since, both historically and in the post-Oslo years, it had failed to assert itself as an effective contributor to the resolution of the conflict. Israeli wariness towards the EU was instead furtherly motivated by the "continuous negative statements" issued by EU institutions denouncing Israeli actions, which added to the widespread perception that the particularly remarkable and long-standing European assistance to the PA was also serving to finance the arms imports which would have subsequently been used in the terrorist attacks against Israeli society. As reported by a daily newspaper:

> The EU transfers money to the PA that is used by terror organizations. It prevents Israel from protecting its citizens from the terror attacks of the enemy, it prevents political support to Israel and boycotts it economically and militarily. The EU supports Yasser Arafāt, its forever "darling", despite of its involvement in terror attacks.

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[201] Newman, D. and Yacobi, H. (2004); pp.7-8; Müller, P. (2012); p.55; Müller, P. (2014); p.471.

Although such claims were rejected by EU representatives, the accusations negatively affected the openness to dialogue of Patten, who repeatedly refused to visit Israel despite invitations on the part of the Foreign Ministry. This led Patten to be largely viewed as the most anti-Israel of the EU representatives, consequently contributing to intensify Israel's negative perceptions of the Union. In addition, the Israeli government was aware of the existing intra-European disagreement concerning the approach to adopt towards Israel in the context of the peace process, which reassured the latter of the fact that the economic and political interests of some Union countries would have made it difficult for EU representatives to impose strict negative conditionalities on Israel. To be sure, this does not mean that Israel ignored the importance of its economic partnership with the Union, on the contrary, relevant "Israeli interest groups went on a mission to Europe on several occasions to counter any attempts at minimizing relations with Israel or at boycotting its goods". Notwithstanding, the Israeli government often sought to exploit the circumstances in order to widen EU internal divergencies, increasing with it the chances that the negotiations would turn in its favour. By way of example, in 2004 the Swedish Foreign Minister Laila Freivalds admitted that during her brief stay in Israel she had avoided meeting with Palestinian leaders in accordance with the Israeli government's request, which was set as a condition for the continuation of Sweden and Israel bilateral political dialogue.[202] In contrast, a greater mediatory role for the EU was strongly desired by the Palestinians, which regarded it as a necessary counterweight to the recognised pro-Israeli bias of the US. EU's declarations in favour of Palestine, starting from the Venice Declaration of 1980, and the meaningful financial assistance and aid packages provided by the Union as the main donor to the PA following the association agreement of July 1999, were instrumental in promoting trust-building between the two regions, at the same time leading Palestine to recognise the power of influence of the EU. Accordingly, the Palestinians hoped that the Union would be able to exert the same kind of influence on Israel, forcing the latter to "abide by the agreements made", advocating that as "the main financial supporter to the peace process, the EU [could] play a real political role if the will power [was] present".[203]

The occasion for EU to play a greater political role would have emerged precisely in the context of Israeli disengagement plan. Indeed, despite Israel's reservations with regards to the Union's involvement, it was particularly the latter, together with the US, which guaranteed the effective management of Israel's withdrawal from the Gaza Strip. In fact, in addition to assisting the redeployment of Israeli settlers and personnel, with a view to facilitating the transfer of authority from Israel to the PA – which was completed in September 2005 -, the Quartet appointed a "Special

[202] Newman, D. and Yacobi, H. (2004); p.16, p.24, pp.26-27, p.29, p.38.
[203] *Ivi.*, p.35, p.37; Müller, P. (2014); p.469.

Envoy for the Gaza Disengagement", namely James Wolfensohn, former President of the World Bank. Its office was established in Jerusalem, and it was staffed and funded mostly by the EU. Along with its team, which included representatives from all Quartet members, the Special Envoy was mandated to work on the non-security related aspects of disengagement, namely the disposition of assets, the passages between the West Bank and Gaza, the access and trade to and from the Gaza Strip, and the revival of Palestinian economy. In the meantime, the death of Arafāt, the election of Abū Māzen in October 2005, and the latter's imposition of a ceasefire contributed to ease the tense relationship between the parties, which in turn encouraged a slight softening of the conditions of Israeli plan. Specifically, the Israeli government decided to reduce the envisaged security measures for the Gaza, and after some indecision and US intervention, to relinquish control of the sole crossing point from Gaza to Egypt, the Rafah Border Crossing. The combination of such circumstances proved to be fundamental to enable the significant brokering, on 15 November 2005, of the "Agreement on Movement and Access" between Israel and the PA, which, mostly drawing on the input of the Special Envoy, prescribed a series of measures intended to ease movement restrictions on both Palestinian goods and persons between the Gaza and the West Bank, thereby promoting the development of Palestine economy, the access of Palestinians to healthcare, academic opportunities and employment abroad, and more generally reducing the sense of entrapment and discrimination felt by the Arab population of the Gaza Strip. *Inter alia*, the Agreement stipulated the continued operativity of the Rafah, the Karni and the Sufa crossing points (these latter both connecting the Gaza to Israel), it regulated the number of admitted export trucks per day, the construction of a seaport and the possible construction of an airport, in line with Israel's security needs. What is more, under American assurances, Israel accepted the EU tripartition's proposal concerning the establishment of a European supervising mission at the Rafah border, at the same time allowing the joint involvement of the Quartet in matters such as economic development, the training of a Palestinian security force, and other security-related issues for the Gaza. However, no measures were dictated for the management of the norther area of the West Bank.[204]

On 21 November 2005, the Council of the EU welcomed the Agreement and concurred that the EU should undertake the border control monitoring mission as planned within the negotiations. Accordingly, the Council's confirmation enabled the launch, on 30 November 2005, of the EU BAM Rafah (the EU Border Assistance Mission at Rafah), precisely with the aim to monitor the operations of this border crossing point. The increased involvement of the Quartet members, and especially of

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[204] Musu, C. (2007), "The EU and the Middle East peace process: A balance". In *Studia Diplomatica*, Vol.60 (1: pp.11-28). Brussels: Egmont Institute; pp.25-26; UN Office for the Coordination of Humanitarian Affairs (2006) "The Agreement on Movement and Access one year on". Official website of the OCHA, East Jerusalem. Accessed on 29/01/22 at https://reliefweb.int/sites/reliefweb.int/files/resources/5C043703E4CAF188C1257237003CE281-ocha-pse-30nov.pdf; Golan, G. (2012); p.102; Tocci, N. (2011); pp.10-11; Müller, P. (2014); p.471.

the EU, in the monitoring of the Gaza Strip therefore enabled them to acquire for the first time a prominent role in the management of Palestinian security sector reform, while the US retained a focus on the military aspects of security. On 1st January 2006, the presence of the EU in the peace process was furtherly strengthened through the establishment of a second civilian mission, EUPOL COPPS (the EU Coordinating Office for Palestinian Police Support), which was deployed following a Palestinian request for help with the PA's policing and law enforcement function. Notwithstanding these positive developments, Israel's disengagement also carried significant repercussions for both the Israeli and the Palestinian leadership. Indeed, the particular removal of Israeli settlements from the norther area of the West Bank, which equated to the surrender of an area considered part of the historic Land of Israel (i.e., Samaria), prompted severe criticism on the part of Israeli society, at the same time leading Israeli Prime Minister Sharon to be alienated by his own party, to which he responded by founding a new more centrist political party. On the other side, the fact that both the Israeli withdrawal as well as the conclusion of the Agreement had not been established through direct negotiations politically weakened Abū Māzen, whereas Palestinian public opinion tended to credit the violence of militant Palestinian organizations such as Ḥamās and Islamic Jihad for having induced the "expulsion" of Israel from the Gaza. The scope of this sentiment revealed its importance in the context of the January 2006 elections, which led to the electoral victory of Ḥamās, thereby subjecting the PA to the direct control of a terrorist movement. This event in particular made it difficult to continue the peace negotiations, not least since the mediatory role of the Quartet was constrained by the fact that both the EU and the US had officially listed Ḥamās as a terrorist organization, and directly interacting with the latter would have certainly sparked ample reprimands on the part of both domestic and external actors. Indeed, after having attempted to boycott the Ḥamās government through the joint imposition of heavy sanctions, the limited willingness of the EU, the US, and the UN to maintain active interactions with its representatives, opposed by Russia's desire to preserve instead its relations with both parties, brought to the progressive marginalization of the Quartet as a mediator in the peace process in favour of other political actors including Egypt, Saudi Arabia or Turkey.[205]

Provisional findings

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[205] Council of the EU (2005), "Council conclusions on Middle East peace process". Official website of the United Nations Palestinian Rights Committee, Brussels, 21 November. Accessed on 29/01/22 at https://unispal.un.org/DPA/DPR/unispal.nsf/0/88D75A9A1A41A191852570C00060DA17; Musu, C. (2007); p.26; Golan, G. (2012); p.102; Tocci, N. (2011); p.11, pp.17-18; Müller, P. (2012); p.55; Cladi, L. and Webber, M. (2016); p.575, p.577; Altunişik, M.B. (2008); p.114.

In consideration of collected data, it is therefore possible to advance relevant propositions concerning the effectiveness of informal groupings. In practical terms, the Middle East Quartet registered substantial accomplishments mostly with reference to its mediatory objectives. Indeed, although it was unable to promote the concretization of the two-state solution as foreseen in its Roadmap, the Quartet achieved important results in relation to the circumstances that were considered as prerequisites for the peaceful coexistence of Israel and Palestine as two independent entities, thereby fulfilling to a large degree the sub-goals outlined in their plan. Indeed, the Quartet was successfully able to promote the internal reform of Palestine insofar as it secured the implementation of important measures enhancing its democratization, good governance, and fiscal transparency, while it facilitated - and to a certain extent induced - Israel's partial disengagement from the occupied territories. In this regard, of particular importance was the brokering of the Agreement on Movement and Access, which provisions were essentially intended to favour the amelioration of the living conditions of the Arab population of the Gaza Strip, while promoting Palestine economic development. Concurrently, the negotiations enabled the Quartet, and in particular the EU and the US, to retain a meaningful role in the management of Palestinian security, hence also encouraging the necessary improvement of Palestinian security sector. Notwithstanding, the effectiveness of the Quartet in terms of goal-attainment has not been able to translate into an equal capacity to favour the end of hostilities and the resolution of the Arab-Israeli conflict. Overarchingly, the efficacy of the informal group can be therefore evaluated as medium.

At the same time, the empirical evidence inherent to the Arab-Israeli peace talks provides meaningful insights that make it possible to ascertain the viability of previously identified variables with relation to the efficacy of informal cooperation.

Firstly, for what concerns the negotiating leverage, each member of the Quartet can be regarded as a relevant actor, for it holds its own distinct relations with the conflicting parties as well as its unique history of involvement in the conflict. Notwithstanding, in the course of negotiations it has been progressively confirmed mainly the value of EU and US' assets, which were rooted in these latter's particularly strong and profitable ties with Palestine and Israel respectively. Indeed, conceived as a remedy to the shortcomings of past mediation efforts, the Quartet had been careful to directly include in its Roadmap what were perceived to be compelling incentives for cooperation, namely the mutual recognition of the parties' sovereign rights, the end of violence, and the return of occupied territories. However, although the purposes of the Roadmap clearly resonated mostly with Palestine national aspirations, and they undoubtedly contributed to favour its rather cooperative disposition, in the end it was precisely the pressure exercised by the US and EU representatives in particular towards Israel and Palestine respectively that facilitated the achievement – albeit partial - of the mediation objectives.

It is also interesting to note that while EU leverage derived from the steadfast and extensive support the latter upheld towards the Palestinian cause, which also enabled the Union to exploit its economic clout and its status of main donor through the application of aid conditionality, that of the US was mainly based on its latent power, which Israel wanted to maintain in its favour, as well as in consideration of the longstanding economic, security and political ties the US shared with the latter. By consequence, the empirical data confirm the importance for informal groups to hold an adequate bargaining power *vis-à-vis* the conflicting parties, at the same time highlighting the need for the corresponding leverage to capitalize on the interests and perceptions of third parties.

With reference to the negotiating strategy, the Quartet largely harnessed manipulative tactics, starting from the very own formulation of the Roadmap. Indeed, through the latter the informal contact group was able not only to clearly communicate its negotiating objectives – which was considered as an important factor for promoting the Quartet efficacy -, but also to delineate in detail the specific measures to be implemented by the parties within a determinate timeframe. Following the publication of the plan, the mediation efforts of the Quartet essentially reduced to an exercise in persuasion, witnessing their repeated exertion of pressure on the parties undertaken by means of denouncing statements, positive and negative conditionality, and the use of passive influence – the latter mostly in reference to the US -. Nevertheless, the attitude of both Israel and Palestine in the face of such manoeuvres is reflective of the pre-eminence of the communicative source over the communicated message, given that even when confronted with similar demands (i.e., requests of compliance with the Roadmap objectives), the acquiescence of the former was primarily – if not exclusively – the result of the action of the US and EU representatives respectively. It follows that, partially in line with the identified hypothesis, a manipulative negotiating strategy has the potential to favour the effectiveness of informal groupings; however, the message that it seeks to impose must be reinforced by an appropriate leverage.

As regards the criteria of coherence, throughout the negotiations the Quartet members displayed a rather erratic propensity for unity, both in a formal and strictly operational sense. On the one hand, the informal contact group successfully managed to devise a clear mediatory plan allowing the advancement of the Arab-Israeli peace process; it was ultimately able to stand united in the face of Israel's disengagement plan, albeit with difficulty; and following the lead of EU representatives, the Quartet increasingly engaged for the promotion of Palestine reform, giving also rise to an international task force which provided considerable support on the ground. Furthermore, building on the exercise of the Special Envoy, the joint commitment of the Quartet members was functional for the noteworthy conclusion of the Agreement on Movement and Access, as a result of which they were also able to acquire – for the first time except for the US - a stronger role in the security

dimension of the peace process. On the other hand, notwithstanding the existence of a high degree of consensus within the Quartet in relation to the aims of the Roadmap, the specific character of its participants as well as of their relations *vis-à-vis* the conflicting parties gradually consolidated a peculiar division of labour between the former, with the EU tripartition and the US acting as the lead negotiators. In fact, since its inception the Quartet had shown its dependency over the readiness of the US, elevating it not only to the *conditio sine qua non* for the very own existence of the informal contact group, but also recognising it as a determinant for the mediatory effectiveness of the latter, particularly in relation to Israel. Indeed, US intervention proved its value in several instances, overall encouraging Israel cooperativity while inducing it to grant significant concessions, especially in the context of Israeli disengagement process. Simultaneously, EU representatives were able to assert their position as the main interlocutor of the Palestinians, leveraging mainly the economic power of the Union to promote the development of Palestine according to the requisites of the Roadmap. Nevertheless, the EU played an important role even within the Quartet itself, inspiring not only the structure but also the contents of the Roadmap, which took into consideration the 2002 Seville Declaration – also thanks to US advocacy - as well as the Union comprehensive framework for Palestinian aid conditionality. Moreover, it was precisely EU's dedication towards the Palestinian cause which prompted the increased practical involvement of the Quartet in this frame, with the Union ultimately acquiring a more prominent role even in the management of Palestine security sector, which had hitherto remained an exclusive responsibility of the US. By contrast, for the entire duration of the talks Russia and the UN retained a rather secondary role, essentially in support of the two lead negotiators; and whereas the former aimed at positioning itself as a neutral facilitator, the direct inclusion of the UN, as the repository of international law, essentially contributed to enhance the international legitimacy of the Quartet. To this effect, equally useful was the official UN endorsement of both the Quartet in September 2002 (Resolution 1435) as well as of its Roadmap in November 2003 (Resolution 1515).[206] Indeed, the external perceptions regarding this particular informal configuration led it to be described as "the perfect marriage of US power, EU money and UN legitimacy".[207] This notwithstanding, the employment of separate approaches in relation to the parties also proved to have its limits. Indeed, the strong backing of the US towards Israel, strengthened by the former security priorities, drove the US to act contrary to the Quartet's principles on several occasions, for instance preventing the UN Security Council from issuing a Resolution condemning Israeli security wall, or unilaterally expressing its support for Israel's disengagement plan, despite it being openly in contrast with the objectives of the Roadmap. Such actions undoubtedly undermined

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[206] Tocci, N. (2011); p.6, p.8.
[207] Alcaro, R. and Haubrich-Seco, M. (Eds.) (2012); p.114.

the Quartet's capacity to advance its mediatory goals according to the Roadmap parameters, consequently reducing its potential for effectiveness. Accordingly, as opposed to the conventional wisdom concerning the value of unity, the empirical analysis revealed that the employment of an asset-based division of labour within the informal group can be useful to facilitate third parties' compliance, thereby increasing the chances of the former to achieve the expected results. However, such approach can turn into an obstacle if is linked to actions that are directly in conflict with the main objectives of the informal group.

Finally, for what concerns third parties' willingness, despite the visible differences as regards their inclination to comply with the Roadmap objectives, both Palestine and Israel showed a substantial degree of acquiescence towards the demands made in particular by EU representatives and the US respectively. In fact, since the onset of the negotiations Palestine showed its support for the two-state solution, being it congruent to its aspirations of independence. Nevertheless, it was mainly thanks to the vast and unwavering financial assistance of the EU specifically that the region was progressively able to implement meaningful measures for the development of Palestinian statehood. By contrast, Israel proved to be reticent about the birth of a Palestinian state, not least since it implied the surrender of occupied territories, and it often exploited the low progresses of the Palestinian security sector as a pretext not only to delay the fulfilment of the Roadmap requirements, but also to pursue initiatives that were clearly inconsistent with these latter. Israel's scarce willingness to cooperate could have therefore precluded any further accomplishment on the part of the Quartet; however, US intervention was progressively able to encourage compliance as well as a greater openness to compromise on the part of Israel. Consequently, confirming the identified hypothesis, the subsistence of an external cooperative willingness reveals to be an essential element for the efficacy of informal cooperation. Nevertheless, empirical data also allow to observe that such proclivity can be actively fostered by capitalizing on relevant leverage.

In addition to providing fruitful information concerning the applicability of specified variables, the analysis of the second case study makes it also possible to validate the weight of the additional criterions identified in the course of the previous empirical assessment, namely trust and the external context. Indeed, trust is a factor that marked both the relations between the conflicting parties as well as those between these latter and the Quartet. In the former case, the lack of trust was a defining feature of Israel in particular, which refused to compromise with a Palestinian leadership that allowed the perpetuation of terrorist acts against Israel. Indeed, it was only following the election of Abū Māzen in 2005 and the latter's imposition of a ceasefire that the Israeli government eased not only the security measures for the Gaza but also the restrictions on movement of the Arab community in the area. Similarly, even the trust between the mediators and the conflicting parties was important to

favour the Quartet efficacy as well as the centrality of the EU tripartition and the US in the peace negotiations. The significative support of the Union contributed to enhance Palestinian trust towards EU power, which in turn led Palestine to desire a more prominent role for the Union in the peace process, able to counter the pro-Israeli bias which the former strongly perceived in relation to the US, the same that had motivated Palestine not to comply with American demands in its past mediatory interventions. On the other hand, US longstanding ties with Israel along with its outspoken support for the latter led the Israeli government to confide only in the American mediation while side-lining the remaining Quartet members. The presence of trust in relation to both parties was therefore of benefit to the Quartet mediatory objectives; however, it should also be noted that the absence of joint negotiations, meaning a mediation process engaging both parties simultaneously, narrowed the scope for constructive confrontation, arguably hindering the promotion of mutual trust between these latter, which could have possibly increased their willingness to compromise and commit. Accordingly, the second case study allows to confirm that, with a view to increasing its potential for efficacy, informal cooperation should harness its bonds of trust as an asset, at the same time aiming to increase the reciprocal confidence of the conflicting parties.

In relation to the external context, the attitude of the conflicting parties, and primarily of Israel, in the process of the Quartet-led negotiations has clearly highlighted the impact of such variable on the choices of the disputants, and consequently on the efficacy of mediation. In fact, the Israeli unilateral disengagement plan was chiefly enacted as a response to the pressure generated by the heavy criticism of Israeli civil society, including the military, lamenting the inability of the government to facilitate the end of hostilities; it was the electoral victory of Abū Māzen and its attempt to curb violence that encouraged Israel to be more open to compromise with regards to the occupied territories; and it was the social consequences following Israel's disengagement initiative, with particular reference to the rise to the government of Ḥamās, which ultimately determined the end of the Quartet-led mediation process. The empirical evidence therefore corroborates the idea that a pragmatic evaluation of the negotiating context can help prevent or more effectively respond to the detrimental changes that may occur, as such increasing the chances of an effective informal cooperation.

To conclude, the developments inherent to the Arab-Israeli peace talks also allow to address the question of informal cooperation legitimacy by providing useful data relating to its concrete dimension, that is the capacity of an informal group to acquire a wider intra-European support with reference to its policies and practises. Firstly, it is important to notice the high degree of institutional embeddedness linked to the European component of the Quartet. Indeed, EU tripartite representation was not only agreed upon in the margins of the Council but also composed solely of EU institutional representatives, which, while enjoying the creative leeway granted by informal cooperation,

necessarily warranted the Union regular reports in relation to the peace talks. This basic consensus was also reflected in the shared position of EU member states towards Palestine, which even before the Quartet's inception proved to be in support of the Palestinian quest for statehood, as demonstrated by the different declarations issued by the Union since the 1980s as well as by the increasingly efficient mix of conspicuous financial support and political conditionality that characterized EU approach to the region since the end of the 1990s. This advocacy provided the tripartite representation with the necessary foundations on which to develop not only its own mediatory approach towards Palestine, but even that of the same Quartet, at the same time allowing the latter to draw on a vast array of European resources to concretize its reform policy. In contrast, member states opinions were highly divergent in relation to the approach to adopt towards Israel, and particularly over the need to promote Israeli cooperation within the peace process through the imposition of strict sanctions. As a result, despite the desire of EU representation to exploit the Union economic clout *vis-à-vis* Israel as a negative incentive, the willingness of several member states to prioritize their economic and political ties with the latter prevented the concretization of this mediation strategy. Notwithstanding, in the face of Israel's unlawful intent to build a wall able to guarantee the physical separation of its territories from Palestine, member states aligned with EU representatives to jointly denounce the initiative, concurrently showing support for both the subsequent UN Resolution as well as the ICJ advisory opinion, which similarly condemned the Israeli act. In this respect, equally significant was the patronage granted by the Council to the proposal of EU representation soliciting the Union to acquire greater responsibility for the security management of the Gaza Strip. Indeed, after such proposal was approved by Israel, the Council issued a Conclusion formally recognising the achievements obtained by the Quartet while welcoming the commitment to establish a civilian mission aimed at the supervision of the Rafah crossing border. The progressive support shown by member states to the stances and activities of the tripartite representation is thus indicative of the potential for legitimacy of informal groupings, while suggesting that the increase of the latter's perceived authority is contingent upon the subsistence of a direct line of communication between the informal group and EU member states, which, by repeatedly encouraging interinstitutional debate, can foster a wider intra-European consensus. Furthermore, in light of the particularly marked support of the Union for the initiatives concerning Palestine, it can be argued that the legitimacy of informal cooperation has a greater potential to be recognised when the objectives of the latter are built on existing common positions, albeit indicative of the lowest common denominator of member states interests.

Data-driven conclusions: The concrete value of informal cooperation

The undertaking of a comparative empirical analysis grounded on a bidimensional deductive approach, aimed at the contextualized validation of evaluative parameters built on widespread academic argumentations on EU actorness as well as the detection of additional intervening variables, has allowed to gain meaningful information relating to the potential for efficacy of informal cooperation in the context of EU foreign policy. Most significantly, the combination of provisional findings makes it possible to identify a set of plausible, wide-ranging determinants, which have therefore the potential to be harnessed as a constant for the appraisal of informal groupings effectiveness. Specifically, in light of previous empirical assessments, such criterions can be delineated as follows:

Leverage

An informal group's bargaining power constitutes a significant prerequisite for the successful promotion of its policy objectives by facilitating third parties' compliance. However, for its leverage to be effective the corresponding incentives must be strategically calibrated on third parties' interests, perceptions and needs.

Manipulative strategy

The employment of manipulative tactics can contribute to ensure the efficacy of informal cooperation, but these latter must be grounded on the exploitation of relevant leverage in order to effectively induce third parties to align with and enforce the desired procedure. Moreover, the persuasive potential of an informal group can be enhanced through the inclusion of interested parties in the standard-setting process, since the advancement of an excessively rigid message can easily prejudge its efficacy.

Coordination

While the preservation of operational unity is not a necessary condition to ensure the efficacy of informal cooperation, a high degree of internal coordination must be maintained in relation to both the final aims of the process as well as the activities performed to achieve them. Indeed, whereas the employment of an asset-based division of labour can be important to encourage the constructive involvement and collaboration of different actors, such approach can turn into an obstacle if is linked to actions that are directly in conflict with the main objectives of the informal group. At the same

time, such objectives must be consistently balanced with an appropriate degree of flexibility, reflective of the capacity to adjust to external developments for the purpose of efficacy.

External willingness

The subsistence of third parties' cooperative willingness represents a critical factor for the achievement of informal cooperation goals, so much that its absence outright precludes any chances to attain positive policy outcomes. Notwithstanding, an informal group has the possibility to actively foster such proclivity by capitalizing on relevant leverage.

Trust

The existence of bonds of trust not only between the informal group and external stakeholders but even between these latter constitutes an asset that can be exploited to facilitate external acquiescence, thereby enhancing the potential for informal cooperation to yield the expected results.

External context

Aside from the dynamics inherent the political relations between the actors involved in a specific foreign policy context, the very own developments unleashing within the latter - including a shift of third parties' interests, domestic pressure, or regional instability - can have a more or less direct impact on the efficacy of the policies and practises of an informal group, with the potential to completely undermine their concretization. A pragmatic assessment of the external context is therefore essential to prevent or more effectively respond to the harmful changes that may occur, decreasing in turn the obstacles to the efficacy of informal cooperation.

From a strictly practical point of view, case-study analysis revealed that the highest level of efficacy attained by an informal group has been of medium scope. Specifically, informal cooperation has been mainly useful to promote the fulfilment of informal groups' secondary goals - such as the resolution of technical issues or the fostering of national development -, while it was less successful in promoting their main objectives, which consequently led to very limited results even in the more general terms of conflict resolution. This notwithstanding, the empirical assessment *de facto* attests to the concrete efficacy of informal cooperation, thus confirming the possibility for the latter to represent an effective foreign policy practice for the EU. Indeed, while informal cooperation practical outputs as such can be considered as sub-optimal, they should also be pitted against the cost of inaction, that would have necessarily resulted from the visible absence of an intra-European consensus over the matters concerned. Moreover, they should be equally evaluated on the basis of the strategic potential of

delineated criterions, meaning their possibility to be exploited as guiding principles for the progressive refinement of informal cooperation practices, thereby leading to the maximization of the latter potential for efficacy.

Just as significant, the empirical assessment allowed to substantiate the benefits attributed to informal cooperation, showing how the enactment of informal cooperation mechanisms enabled the European component to enhance the reactivity, policy consistency and external impact of the Union while flexibly integrating its resources and those of other relevant actors for the achievement of common objectives. In fact, in both case studies informal cooperation proved to be an instrument able to compensate for the lack of a consistent European stance in relation to the matters at stake, thus permitting to overcome the operational deadlocks raised by the absence of a common position concerning both the nature of Kosovo status as well as the approach to adopt towards Israel within the context of the Arab-Israeli peace process. The flexibility intrinsic to the practice was also functional in terms of adaptability, allowing informal groups to timely adjust their policies and operations in response to external changes. For instance, acting through a mechanism of informal cooperation enabled the corresponding Union actors to easily alter the course and the pace of negotiations, leading the latter to focus firstly on the resolution of more practical issues and subsequently on a revised conception of national independence, in the face of the impasses generated by the unyielding positions of the Kosovo Albanians and Serbia in relation to the scope of Kosovo autonomy. Similarly, it enabled EU tripartite representation to adapt its action to Israel's disengagement plan, hence turning the unilateral measure into an opportunity to facilitate the enforcement of Israeli obligations under the Roadmap, and in particular the relocation of occupied territories to the PA. Concurrently, by providing the necessary leeway for relevant EU actors to collaborate, informal cooperation promoted the advancement of a more cohesive European foreign policy. Indeed, in the case of the Kosovo question, the practice was instrumental for the very own formulation of an external policy on the part of the Union, symbolized by the Guiding Principles agreed upon within the framework of the Quint, which constituted the foundation of the entire mediation process and ultimately underpinned the elaboration of the Comprehensive plan for Kosovo. In a similar fashion, informal cooperation not only permitted to increase the strength of the European agenda regarding Palestine, by providing EU representatives with a mean through which to uphold more firmly and efficiently the need of Palestinian reform, but it also facilitated the delineation of a clearer foreign policy towards Israel, increasing EU representatives potential to encourage the open contestation of Israeli actions on the part of the Union, while harnessing the economic clout of the latter to impose mechanisms of negative conditionality towards Israel - albeit of little impact -. Furthermore, the exploitation of informal cooperation served as an influence multiplier for the EU,

for it enhanced the latter's ability to impinge on the dynamics inherent delicate situations of conflict, contributing to promote a certain degree of rapprochement between the parties for instance by fostering the democratic development of Kosovo and Palestine, or by incentivising the resolution of contentious issues including the decentralization of power within Kosovo, or the return of occupied Palestinian areas and the protection of the rights of the Arab population. In addition, the more or less direct inclusion of relevant third actors in the corresponding informal groups increased the political weight of the EU insofar as it favoured the recognition of the European vision and input on the part of the former. In fact, these latter contributed especially to the formulation of the Guiding Principles for the resolution of the Kosovo question, which were subsequently endorsed even by the UN, as well as to the drafting of the Roadmap for the Arab-Israeli peace process, which was largely inspired by the proposals of the 2002 Seville Declaration and by the comprehensive aid framework of the EU to the PA; while the noteworthy commitment of EU representatives in relation to the latter encouraged the increased engagement of the Quartet as a whole in the active promotion of Palestinian reform. At the same time, informal cooperation led the Union to acquire an important role even in the more practical dimension of security, by prompting the deployment of different civilian missions aimed at the stabilization and assistance of the Kosovo region, at the supervision of the Rafah crossing border and at the development of the PA's justice sector.

In this connection, the value of informal cooperation is furtherly reinforced by the perceived legitimacy of the practice, which, as substantiated by empirical evidence, has proven able to condition – albeit to different extents – the stances of non-participating member states. Equally significant is the evidence highlighting that, despite member states uneven responses, the cause-effect relationship underpinning the recognition of informal groups' authority appears to be hinged on the subsistence of a regular line of communication between the latter and the Union, which, by repeatedly encouraging interinstitutional debate in relation to the activities of a specific informal group, can foster a wider intra-European consensus, and thus the development of a common EU position in line with the stances of the informal group. This reporting function is typically secured by EU institutional representatives, which inclusion in informal cooperation processes can be therefore pivotal for ensuring these latter's recognition as rightful practices by the Union. At the same time, the participation of EU institutions can ensure their active advocacy for the initiatives of an informal group, which has proven to represent an influence multiplier in relation to EU internal dimension. Finally, case-study analysis reveals that the legitimacy of informal cooperation has a greater potential to manifest when its aims and operations are built on existing common positions, albeit indicative of the lowest common denominator of member states interests.

Conclusion

Contrasting the conventional wisdom as well as the common EU-level rhetoric on EU actorness, which conceive the Union international efficacy exclusively as the direct product of member states joint commitment and unified action, practice attests that, besides treaty provisions, formal competence distributions and pre-given sets of rules, informal cooperation practices are often the key driver of how EU foreign policy is discussed, formulated, and executed. Indeed, without negating the benefits deriving from European integration, member states recognise the limits inherent the CFSP decision-making process, with particular reference to the unanimity rule, which repeatedly proves unable to reconcile member states' heterogeneity of interests and strategic perceptions, hindering by extension the responsiveness and international influence of the Union as an independent actor. Indeed, it is precisely with the aim to secure a greater balance between the desire to safeguard their national priorities and that to maintain access to the resources and governance of EU foreign policy, that member states increasingly exploit informal cooperation mechanisms for the conduct of foreign policy. As a result, CFSP procedures are frequently bypassed in favour of a process which can instead facilitate the acquisition on the part of member states of a prominent role in international policy, at the same time allowing them to remain embedded in the Union structure and thereby capitalize on the added value arising therefrom. By retaining the flexibility that is intrinsic to informal processes, informal cooperation enables relevant member states to engage cooperatively in matters of interest on the basis of independent rules, thus irrespective of the presence of an intergovernmental consensus over the issue at stake as well as of the status the latter holds in EU foreign policy agenda. Being the relevance of an actor defined according to qualitative criteria, namely the presence of a strong willingness to commit and the possession of issue-specific expertise and resources, informal cooperation is in itself a widely accessible process, that also favours the smaller and less-resourceful Union countries by meeting their typical exigency to focus their modest interests and resources on a restricted number of policy areas.

Although such practice can also be assimilated to the more familiar coalition-building process which develops within the margins of the Council, whereby subsets of member states can be seen to integrate their resources with the aim to directly shape EU foreign policymaking on the basis their interests and strategic perspectives, in a context such as that of foreign policy, where an actor's influence is ultimately measured on its ability to concretely affect external events, informal groupings operating outside the intergovernmental framework of the Union provide the latter with a more significant

resource to increment its power of influence as an international actor, since they directly interact with the external context and can thus concretely impinge on its dynamics. Indeed, academic literature largely recognises the potential benefits of informal cooperation, attributing to it the capacity to heighten the dynamism, coherence, and proactivity of EU foreign policy, and thus overcome the constraints posed by CFSP decision-making, by allowing relevant actors to flexibly coordinate their efforts and assets for the re-elaboration, or formulation, and execution of external policies in relation to the corresponding issue of interest. The worth of such a practice is furthermore enhanced by its degree of inclusivity, which often implies the direct involvement of third states in the activities of the informal group, as well as its institutional embeddedness, meaning the extent to which its operations are carried out in conjunction with other international organizations, including the same EU. Indeed, the participation of relevant international stakeholders can provide the informal group with additional clout with a view to achieving the latter's objectives, but it is also seen to be a source of international legitimacy, which thus enhances the visibility and the perceived authority of the informal group, increasing with it the possibility for the latter's policies to attract greater international support. However, this legitimacy prospect is questioned in relation to the Union, since, despite having the potential to induce changes that can affect the EU as a whole, informal cooperation implies the participation of a restricted number of member states and cannot therefore ensure the representation of the Union's aggregate interests. Without prejudice to these considerations, literature lacks a data-driven analytical dimension which is instead necessary to ascertain the concrete efficacy of informal cooperation, hence its ability to yield the expected results and consequently bolster EU capacity for external action. With the purpose to contribute to bridging this evaluative gap, a comparative, outcome-oriented empirical analysis has been undertaken, driven not only by the objective to verify the concrete potential for informal cooperation to represent an effective foreign policy practice for the EU, but also by the aim to detect the very own practical conditions which can be seen to favour the latter's chances to achieve positive policy outcomes, by consequence enhancing the strategic value of the practice. Indeed, by exploiting a deductive approach for the evaluation of two different case studies, it has been possible to identify meaningful data relating to the contingency of informal cooperation effectiveness, which subsequent integration has allowed to delineate a set of plausible comprehensive criterions that, by rendering such efficacy more predictable, have the potential to be applied as a constant for the evaluation and estimation of the degree of operational success of a specific informal group. Concurrently, the empirical assessment has substantiated the expectations concerning the advantages of informal cooperation, by attesting to its concrete capacity to improve the responsiveness, policy coherence and overall influence of the EU, overcoming the deadlocks that the evident absence of an intergovernmental consensus had generated. More specifically, informal

cooperation confirmed the scope of its benefits insofar as it demonstrated its capacity to reconcile member states' heterogeneity of interests and resources by allowing relevant European actors – including both member states and institutional representatives – to increase their role and power in foreign policy, enhancing their ability to shape it according to their perspectives and priorities. In so doing, informal cooperation provides for an adequate balancing between operational flexibility and decisional autonomy, thereby improving the reactive capacity of the Union. Furthermore, by promoting the iterative interaction and collaboration between a limited number of actors sharing similar objectives, informal cooperation is conducive to a more cohesive foreign policy, which detains a greater potential for impact given by the more targeted and strategic mobilization of relevant resources and capacities. Concurrently, informal cooperation proved to possess a higher level of adaptability, meaning the capacity to resist and timely adjust its policies and actions on the basis of extrinsic changes. In this respect, the value of informal cooperation has been furtherly strengthened by the perceived legitimacy of the practice, which, confuting academic assumptions, has proven to retain the ability to acquire intra-European recognition, and consequently support on the part of member states and EU institutions in relation to its policies and initiatives. From a similar perspective, this also means that informal cooperation has the remarkable potential to foster a greater intra-EU consensus over the matters it addresses, simultaneously raising the importance these latter hold for EU foreign policy, and consequently increasing member states' capacity to intervene through the CFSP framework.

The empirical conclusions have therefore allowed to confirm the strategic value of informal cooperation, revealing its weight not only as a further limit to the rationale of the unity-efficacy nexus, but especially as a possible concrete solution to the shortcomings of formal foreign policy proceedings. A valuable potential that has been also reinforced by the identification of the comprehensive criterions relating to the efficacy of informal cooperation, which have indeed the possibility to be exploited as a tool for the progressive optimization of the practice, and by consequence of its outcomes. To be sure, a practical limit to the process can be found in the same causal relationship between informal cooperation and legitimacy, which, having proved to be not completely linear and thus systematic – as demonstrated by the lack of support on the part of some member states regarding specific initiatives by virtue of their national interests -, highlights the fact that although informal cooperation retains the concrete potential to be regarded as a rightful foreign policy practice for the EU, its ability to harness the empirical findings for the purpose to promote its perceived legitimacy remains limited by the difficulty for informal groups to exercise a direct control over it. This notwithstanding, future research could nevertheless further inquire into the logic underlying recognition, which would thereby contribute to provide informal groups with additional

guidelines trough which to increment their legitimacy potential, while supplementary empirical evaluations could be also useful to further verify the generalizability of identified criterions at the same time contributing to increase the predictability of informal cooperation efficacy trough the localization of additional intervening variables.

Web References

"About the Visegrad Group". Official website of the Visegrad Group. Accessed on 24/12/2021 at https://www.visegradgroup.eu/about

"African Union inaugurates international contact group for Libya", (2014). Anadolu Agency, Addis Ababa, 3 December. Accessed on 19/12/2021 at https://www.aa.com.tr/en/politics/african-union-inaugurates-international-contact-group-for-libya/95910

Amato, G. (2001), "Intervento del Presidente del Consiglio Giuliano Amato all'Università Humboldt di Berlino". Accessed on 09\10\21 at http://www.sitiarcheologici.palazzochigi.it/www.governo.it/giugno%202001/www.governo.it/servizi/testo_int5417.html

Amato, G. (2001), "Intervento del Presidente del Consiglio Giuliano Amato all'Università Humboldt di Berlino". Siti Archeologici Presidenza del Consiglio dei Ministri, Berlin, 7 June. Accessed on 09\10\21 at https://www.sitiarcheologici.palazzochigi.it/www.governo.it/giugno%202001/www.governo.it/servizi/interventi/indexea27.html?a=2001

Ashton, C. (2009). "Catherine Ashton High Representative of the Union for Foreign Affairs and Security Policy, and Vice President of the European Commission written statement, based on remarks to the Foreign Affairs Committee of the European Parliament Foreign Affairs Committee of the European Parliament". Official website of the European Commission, Brussels, 2 December. Accessed on 29/10/2021 at https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_09_567

Barroso, J.M. (2004), "Speech by José Manuel Barroso, President of the European Commission "Europe and Culture" - Berliner Konferenz für europäische Kulturpolitik". Official website of the European Commission. Berlin, 26 November. Accessed on 10\10\21 at https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_04_495

Barroso, J.M. (2010), "State of the Union 2010". Official website of the European Commission, Strasbourg, 7 September. Official website of the European Commission. Accessed on 29/10/2021 at https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_10_411

Brattberg, E. (2020), "The E3, the EU, and the post-Brexit diplomatic landscape". Carnegie Endowment for International Peace, June 18. Accessed on 21/12/2021 at https://carnegieendowment.org/2020/06/18/e3-eu-and-post-brexit-diplomatic-landscape-pub-82095

Burchard, H. von der (2020), "EU's foreign policy gender plan faces resistance from Poland and Hungary". Politico, November 25. Accessed on 21/10/2021 at https://www.politico.eu/article/eus-gender-equality-push-for-external-relations-faces-trouble-from-the-inside/

Cameron, D. (2013), "EU speech at Bloomberg. Prime Minister David Cameron discussed the future of the European Union". Bloomberg, 23 January. Accessed on 03/11/2021 at https://www.gov.uk/government/speeches/eu-speech-at-bloomberg

Chirac, J. (2000), "Déclaration de M. Jacques Chirac, Président de la République, en réponse aux interventions des présidents des groupes politiques du Parlement européen, sur le fonctionnement des institutions communautaires, la cooperation renforcée, le modèle social européen, l'élargissement de l'Union européenne, la mondialisation, la culture européenne, le fédéralisme et le principe de subsidiarité". Strasbourg, 4 July. Accessed on 10\10\21 at https://www.vie-publique.fr/discours/142187-declaration-de-mjacques-chirac-president-de-la-republique-en-reponse

Chirac, J. (2000), "Déclaration de M. Jacques Chirac, Président de la République, en réponse aux interventions des présidents des groupes politiques du Parlement européen, sur le fonctionnement des institutions communautaires, la cooperation renforcée, le modèle social européen, l'élargissement de l'Union européenne, la mondialisation, la culture européenne, le fédéralisme et le principe de subsidiarité". Élysée, Strasbourg, 4 July. Accessed on 10\10\21 at https://www.elysee.fr/jacques-chirac/2000/07/04/declaration-de-m-jacques-chirac-president-de-la-republique-en-reponse-aux-interventions-des-presidents-des-groupes-politiques-du-parlement-europeen-sur-le-fonctionnement-des-institutions-communautaires-la-cooperation-renforcee-le-modele-social-euro

Chiriac, R. (2021), "A new EU Special Representative for Central Asia: Towards Enhanced Cooperation". European Institute for Asian Studies, October 21. Accessed on 06/11/2021 at https://eias.org/op-ed/a-new-eu-special-representative-for-central-asia-towards-enhanced-cooperation/

Ciampi, C.A. (2001), "Intervento del Presidente della Repubblica Carlo Azeglio Ciampi al Settimo Foro Europeo della Fondazione Quandt sul tema 'Unità nelle diversità: quale forma politica dovrebbe prendere l'Europa?'". Quirinale. Berlin, 26 June. Accessed on 10\10\21 at http://presidenti.quirinale.it/Ciampi/dinamico/ContinuaCiampi.aspx?tipo=discorso&key=16257

Council of the European Union (2000), "2294th meeting of the general affairs Council". Official website of the EU Council. Luxembourg, 9 October. Accessed on 29/12/2021 at https://data.consilium.europa.eu/doc/document/ST-12012-2000-INIT/en/pdf

Council of the EU (2005), "Council conclusions on Middle East peace process". Official website of the United Nations Palestinian Rights Committee, Brussels, 21 November. Accessed on 29/01/22 at https://unispal.un.org/DPA/DPR/unispal.nsf/0/88D75A9A1A41A191852570C00060DA17

Deschamps, É. (2016), "The reshaping of Europe". CVCE. Accessed on 15/07/21 at https://www.cvce.eu/obj/the_reshaping_of_europe-en-e729dd85-8145-46b4-89da-6d27cc2d1a13.html

"EMGF overview". Official website of the East-Med Gas Forum. Accessed on 24/12/2021 at https://emgf.org/about-us/overview/

"EU as observer in the East Mediterranean Gas Forum" (2021). Official website of the European Commission, Brussels, 8 July. Accessed on 24/12/2021 at https://ec.europa.eu/info/news/eu-as-observer-in-the-east-mediterranean-gas-forum-2021-jul-08_en

European Council (2003), "Thessaloniki Conclusions (19–20 June 2003)". Official website of the European Commission. Accessed on 26/01/22 at https://ec.europa.eu/commission/presscorner/detail/en/DOC_03_3

European Council, (1999). "Cologne European Council Conclusions (3-4 June 1999)". Official website of the European Parliament. Accessed on 11/10/21 at https://www.europarl.europa.eu/summits/kol1_en.htm

Fischer, J. (2000), "From Confederacy to Federation - Thoughts on the Finality of European Integration". Speech at the Humboldt University in Berlin. CVCE. Berlin,12 May. Accessed 10/01/22 at https://www.cvce.eu/en/obj/speech_by_joschka_fischer_on_the_ultimate_objective_of_european_integration_berlin_12_may_2000-en-4cd02fa7-d9d0-4cd2-91c9-2746a3297773.html

Gentili, C. (2021), "East Med Gas Forum: entra in vigore lo Statuto e aderisce anche la Francia". Sicurezza Internazionale, 10 March. Accessed on 24/12/2021 at https://sicurezzainternazionale.luiss.it/2021/03/10/east-med-gas-forum-entra-in-vigore-lo-statuto-aderisce-anche-la-francia/

Gerbet, P. (2016), "German reunification: an international and European issue". CVCE. Accessed on 15/07/21 at https://www.cvce.eu/en/obj/german_reunification_an_international_and_european_issue-en-080cbfc3-52bc-4c27-afd6-38e8d7795154.html

Gerbet, P. (2016), "The common foreign and security policy". CVCE. Accessed on 17/10/21 at https://www.cvce.eu/en/obj/the_common_foreign_and_security_policy-en-a02ed085-03b9-4202-93d3-794363f699e8.html

"Israeli Acquitted in Traffic Mishap That Sparked Arab Riots" (1992). Los Angeles Times, 7 March. Accessed on 22/01/22 at https://www.latimes.com/archives/la-xpm-1992-03-07-mn-3555-story.html

Juncos A. and Pomorska K. (2006), "Playing the Brussels game: Strategic socialisation in the CFSP Council Working Groups". In *European Integration Online Papers*, Vol.10 (11: pp.1-17). Vienna: European Community study association; pp.3-10. Accessed on 02/12/2021 at http://eiop.or.at/eiop/vol_10_2006.html

Junker, J.C. (2018), "State of the Union 2018". Official website of the European Commission, Strasbourg, 12 September. Accessed on 29/10/2021 at https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_18_5808

Junker, J.C. (2018); Von der Leyen, U. (2020), "State of the Union Address". Official website of the European Commission. Brussels, 16 September. Accessed on 08/11/2021 at https://ec.europa.eu/commission/presscorner/detail/ov/SPEECH_20_1655

Laurent, F. (2014), "Déclaration de M. Laurent Fabius, ministre des affaires étrangères et du développement international, sur l'élargissement de l'Union européenne". Paris, 6 May. Accessed on 01/11/2021 at https://www.vie-publique.fr/discours/191080-declaration-de-m-laurent-fabius-ministre-des-affaires-etrangeres-et-du

Letta, E. (2013), "In bilico tra passato e progresso. Quel ponte per il dopo crisi". 27 October. Siti Archeologici Presidenza del Consiglio dei Ministri. Accessed on 10\10\21 at http://sitiarcheologici.palazzochigi.it/www.governo.it/febbraio%202014/www.governoletta.it/Presidente/Interventi/testo_int28ad.html?d=73465

Merkel, A. (2011), "Merkel calls for a sustainable solution to Europe's problems". Deutsche Welle, 15 December. Accessed on 10\10\21 at https://www.dw.com/en/merkel-calls-for-a-sustainable-solution-to-europes-problems/a-15601971

Rajoy, M. (2013), "We have reformed Spain; now we need change at the EU level". El País, 9 December. Accessed on 03/11/2021 at https://english.elpais.com/elpais/2013/12/09/inenglish/1386608722_202254.html

Rankin, J. (2020), "EU fails to agree on Belarus sanctions after Cyprus blocks plan". The Guardian, September 21. Accessed on 21/10/2021 at https://www.theguardian.com/world/2020/sep/21/eu-fails-agree-belarus-sanctions-cyprus-blocks-plan

Shagina, M. (2017), "Friend or Foe? Mapping the positions of EU Member States on Russia sanctions". European Leadership Network, 28 June. Accessed on 04/11/2021 at https://www.europeanleadershipnetwork.org/commentary/friend-or-foe-mapping-the-positions-of-eu-member-states-on-russia-sanctions/

"The European Union announced its support to the Eastern Mediterranean gas forum" (2019). EU Neighbours, 6 September. Accessed on 24/12/2021 at https://www.euneighbours.eu/en/south/stay-informed/news/european-union-announced-its-support-eastern-mediterranean-gas-forum

The Middle East Quartet (2003), "A performance-based Roadmap to a permanent two-state solution to the Israeli-Palestinian conflict". Red Sea Summit in Aqaba, Jordan, 4 June. Accessed on 25/01/22 at http://www.hlrn.org/img/documents/The%20roadmap.pdf

Tusk, D. (2014), "Remarks by President of the European Council Donald Tusk at the handover ceremony with the outgoing President Herman Van Rompuy". Official website of the EU Council. Brussels, 1 December. Accessed on 01/11/2021 at

https://www.consilium.europa.eu/en/press/press-releases/2014/12/01/remarks-by-president-of-the-european-council-donald-tusk-at-the-handover-ceremony-with-the-outgoing-president-herman-van-rompuy/

UN General Assembly (2004), "Request for an advisory opinion on the legal consequences of the construction of a wall in the occupied Palestinian territory". Official website of the International Court of Justice. Accessed on 27/01/22 at https://www.icj-cij.org/en/case/131/written-proceedings

UN Office for the Coordination of Humanitarian Affairs (2006) "The Agreement on Movement and Access one year on". Official website of the OCHA, East Jerusalem. Accessed on 29/01/22 at https://reliefweb.int/sites/reliefweb.int/files/resources/5C043703E4CAF188C1257237003CE281-ocha-pse-30nov.pdf

UN Security Council (1967), "Resolution 242 (22 November 1967)". United Nations Information System on the Question of Palestine. Accessed on 22/01/22 at https://unispal.un.org/unispal.nsf/0/7d35e1f729df491c85256ee700686136

Vaida, P. (2011), "Baltic and Benelux formins discuss EU foreign policy in Estonia". The Baltic Course, Vilnius, 12 September. Accessed on 21/12/2021 at http://www.balticcourse.com/eng/baltic_states/?doc=45696

Verheugen, G. (2002), "Learn from history and shape the future". Center for International Relations and "Rzeczpospolita", Warsaw, 11 July. Accessed on 09\10\21 at https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_02_334

Bibliography

Aggestam, L. and Bicchi, F. (2019), "New directions in EU foreign policy governance: Cross-loading, leadership and informal groupings". In *Journal of Common Market Studies*, Vol.57 (3: pp.515-532). Wiley Online Library.

Ahtisaari, M. (2008), "Conflict resolution: The case of Kosovo". In *Irish Studies in International Affairs*, Vol.19 (14: pp.183-187). Dublin: Royal Irish Academy.

Alcaro, R. and Haubrich-Seco, M. (Eds.) (2012), "Re-thinking western policies in light of the Arab Uprisings". In *IAI Research Papers,* N.4. Rome: Nuova Cultura.

Altunişik, M.B. (2008), "EU foreign policy and the Israeli–Palestinian conflict: How much of an actor?". In *European Security*, Vol.17 (7: pp.105-121). London: Taylor & Francis Group.

Bendiek, A. et al. (2020), "CFSP: The capability-expectation gap revisited". In *SWP Comments,* N.58. Berlin: German Institute for International and Security Affairs.

Bergmann, J. (2018), "Same table, different menus? A comparison of UN and EU mediation practice in the Kosovo-Serbia conflict". In *International Negotiation*, Vol.23 (5: pp.238-257). Leiden: Brill.

Bergmann, J. (2020), "The European Union as International Mediator - Brokering Stability and Peace in the Neighbourhood". Switzerland: Palgrave Macmillan.

Bergmann, J. and Niemann, A. (2015), "Mediating international conflicts: The European Union as an effective peacemaker?". In *Journal of Common Market Studies*, Vol.53 (5: pp.957-975). Wiley Online Library.

Bicchi, F. (2011), "The EU as a community of practice: foreign policy communications in the COREU network". In *Journal of European Public Policy*, Vol.18 (8: pp.1115-1132). London: Taylor & Francis Group.

Bindi, F. (2012), "European Union foreign policy: A historical overview". In *The Foreign Policy of the European Union: Assessing Europe's Role in the World* (2ⁿᵈ ed., pp.11–39). Washington: Brookings Institution Press.

Blockmans, S. (2017), "Differentiation in CFSP: Potential and Limits". Rome: Istituto Affari Internazionali.

Börzel, T. and Heard-Laureóte, K. (2009), "Networks in EU multi-level governance: concepts and contributions". In *Journal of Public Policy*, Vol.29 (2: pp.135-151). Cambridge: Cambridge University Press.

Carbone, M. (2013), "Between EU actorness and aid effectiveness: the logics of EU aid to sub-Saharan Africa". In *International Relations*, Vol.27 (3: pp.341-355). Thousand Oaks: Sage publishing.

Chaban, N. *et al*. (2019), "Perceptions of EU mediation and mediation effectiveness: Comparing perspectives from Ukraine and the EU". In *Cooperation and Conflict*, Vol.54 (4: pp.506-523). Thousand Oaks: Sage publishing.

Christiansen, T. and Neuhold, C. (2013), "Informal politics in the EU". In *Journal of Common Market Studies*, Vol.51 (6: pp.1196-1206). Wiley Online Library.

Cladi, L. and Webber, M. (2016), "Between autonomy and effectiveness: Reassessing the European Union's foreign policy towards the Israeli-Palestinian conflict". In *European Foreign Affairs Review*, Vol.21 (4: pp.559-589). Kluwer Law Online.

Conceição-Heldt, E. (2014), "When speaking with a single voice isn't enough: bargaining power (a)symmetry and EU external effectiveness in global trade governance". In *Journal of European Public Policy*, Vol.24 (7: pp.980-995). London: Taylor & Francis Group.

"Consolidated version of the EU Treaties – Treaty on European Union (TEU) and Treaty on the Functioning of the European Union (TFEU) - as amended by the Treaty of Lisbon (13 December 2007)". In Official Journal of the European Union, N.C326 (pp.1-390). Brussels: Publications Office of the EU.

Cross, M. (2014), "Security Integration in Europe – How knowledge-based networks are transforming the European Union". (4ᵗʰ ed.) Ann Arbor: University of Michigan Press.

Daniel, T. (2012), "Still Punching below Its Weight? Coherence and Effectiveness in European Union Foreign Policy". In *Journal of Common Market Studies*, Vol.50 (3: pp.457–474). Wiley Online Library.

"Davignon Report (Luxembourg, 27 October 1970)". In Bulletin of the European Communities, N.11 (pp.9-14). Luxembourg: Office for Official Publications of the European Communities.

Delreux, T. (2014), "EU actorness, cohesiveness and effectiveness in environmental affairs". In *Journal of European Public Policy*, Vol.21 (7: pp.1017–1032). London: Taylor & Francis Group.

Delreux, T. and Keukeleire, S. (2016), "Informal division of labour in EU foreign policy-making". In *Journal of European Public Policy*, Vol.24 (10: pp.1471-1490). London: Taylor & Francis Group.

Economides, S. and Ker-Lindsay, J. (2010), "Forging EU foreign policy unity from diversity: The 'unique case' of the Kosovo Status Talks". In *European Foreign Affairs Review*, Vol.15 (4: pp.495-510). Kluwer Law Online.

Eilstrup-Sangiovanni, M. (2016), "Power and purpose in transgovernmental networks - Insights from the Global Nonproliferation Regime". In *The New Power Politics: Networks and Transnational Security Governance* (pp.131-168). Oxford: Oxford Scholarship Online.

Elgström, O. (2017), "Norm advocacy networks: Nordic and Like-Minded Countries in EU gender and development policy". In *Cooperation and Conflict*, Vol.52 (2: pp.224-240). Thousand Oaks: Sage publishing.

European Council, (2003), "A secure Europe in a better world – European security strategy". Brussels, 12 December.

Farrell, H. and Héritier, A. (2004), "Interorganizational negotiations and intraorganizational power in shared decision making - Early Agreements under Codecision and their impact on the European Parliament and Council". In *Comparative Political Studies*, Vol.37 (10: pp.1184-1212). Thousand Oaks: Sage publishing.

Fridl, D. (2008), "Kosovo Negotiations: Re-visiting the role of mediation". In *International Negotiation*, Vol.14 (1: pp.71-93). Leiden: Brill.

Gaulle, C. de (1970), "Conférence de presse de Charles de Gaulle (5 septembre 1960)". In *Discours et messages. Volume III: Avec le renouveau 1958-1962* (pp.244-246). Paris: Plon.

Gijswijt, T. (2012), "Informal governance and the Rome Treaties". In *International Handbook on Informal Governance* (pp.412-430). Cheltenham: Edward Elgar Publishing.

Golan, G. (2012), "Peace plans, 1993-2010". In *Routledge Handbook on the Israeli-Palestinian Conflict* (pp.92-106). Abingdon: Routledge.

Grevi, G. *et al*. (2020), "Differentiated Cooperation in European Foreign Policy: The Challenge of Coherence". In *EU Integration and Differentiation for Effectiveness and Accountability*, Policy paper N.5. Rome: Istituto Affari Internazionali, Integration and differentiation for effectiveness and accountability project.

Groen, L. and Niemann, A. (2012), "EU actorness and effectiveness under political pressure at the Copenhagen climate change negotiations". In *Mainz Papers on International and European Politics*, N.1. Mainz: Johannes Gutenberg University of Mainz.

Hill, C. (1993), "The capability-expectations cap, or conceptualizing Europe's international role". In *Journal of Common Market Studies*, Vol.31 (3: pp.305-328). Wiley Online Library.

Ker-Lindsay, J. (2009), "Kosovo: The path to contested statehood in the Balkans". London: I.B. Tauris.

Keukeleire, S. (2006), "EU core groups: Specialisation and division of labour in EU foreign policy". In *CEPS Working Documents,* N.252. Brussels: Centre for European Policy Studies.

Keukeleire, S. and Justaert, A. (2008), "Policy Networks and the Analysis of EU Foreign Policy". Paper presented at the Garnet Conference on the European Union in international affairs (Brussels, 24-26 April 2008).

Keukeleire, S. and Justaert, A. (2012) "Informal governance and networks in EU foreign policy". In *International Handbook on Informal Governance* (pp.433-456). Cheltenham: Edward Elgar Publishing.

Kleine, M. (2013), "Informal governance in the European Union: how governments make international organizations work". Ithaca: Cornell University Press.

Knoll, B. (2008), "The Kosovo Status Process and the prospect of Sovereignty". In *OSCE Yearbook 2008* (pp.121-157). Hamburg: Institute for Peace Research and Security Policy.

Koehler, K. (2010), "European foreign policy after Lisbon: strengthening the EU as an international actor". In *Caucasian Review of International Affairs*, Vol. 4 (1: pp.57-72).

Koenig, N. (2020), "Qualified Majority Voting in EU Foreign Policy: Mapping Preferences". Berlin: Hertie School Jacques Delors Centre.

Kosovo-Serbia conflict". In *International Negotiation*, Vol.23 (5: pp.238-257). Leiden: Brill.

Macaj, G. and Nicolaïdis, K. (2014), "Beyond 'one voice'? Global Europe's engagement with its own diversity". In *Journal of European Public Policy*, Vol.21 (7: pp.1067-1083). London: Taylor & Francis Group.

Meier, O. (2013), "European efforts to solve the conflict over Iran's nuclear programme: How has the European Union performed?". In *Non-proliferation Papers*, N.27. EU Non-proliferation and Disarmament Consortium.

Müller, P. (2012), "Historic overview – The EU and the Israeli-Palestinian conflict". In *EU Foreign Policymaking and the Middle East Conflict - The Europeanization of national foreign policy* (pp.27-68). Abingdon: Routledge.

Müller, P. (2014), "Informal security governance and the Middle East Quartet: Survival of the unfittest?". In *International Peacekeeping*, Vol.21 (4: pp.464-480). London: Taylor & Francis Group.

Musu, C. (2007), "The EU and the Middle East peace process: A balance". In *Studia Diplomatica*, Vol.60 (1: pp.11-28). Brussels: Egmont Institute.

Newman, D. and Yacobi, H. (2004), "The role of the EU in the Israel\Palestine conflict". In *Working Papers Series in EU Border Conflicts Studies*, N.12. Beer Sheva: Ben-Gurion University of the Negev.

Parsons, N. (2012a), "The Palestine Liberation Organization". In *Routledge Handbook on the Israeli-Palestinian Conflict* (pp.209-221). Abingdon: Routledge.

Parsons, N. (2012b), "The Palestinian Authority". In *Routledge Handbook on the Israeli-Palestinian Conflict* (pp.222-232). Abingdon: Routledge.

Pastore, G. (2013), "Small new member states in the EU foreign policy: towards 'small state smart strategy'?". In *Baltic Journal of Political Science*, Vol.2 (4: pp.67-84). Vilnius: Vilnius University Press.

Perritt, H. (2009), "The road to independence for Kosovo - A chronicle of the Ahtisaari Plan". Cambridge: Cambridge University Press.

Peters, J. (2012), "Understanding the Israeli-Palestinian conflict". In *Routledge Handbook on the Israeli-Palestinian Conflict* (pp.1-8). Abingdon: Routledge.

Romanyshyn, I. (2015), "Explaining EU effectiveness in multilateral institutions: The case of the Arms Trade Treaty negotiations". In *Journal of Common Market Studies*, Vol.53 (4: pp.875-892). Wiley Online Library.

"Second report on European political cooperation on foreign policy (Copenhagen, 23 July 1973)". In Bulletin of the European Communities, N.9 (pp.14-21). Luxembourg: Office for official publications of the European Communities.

"Shared Vision, Common Action: A Stronger Europe - A Global Strategy for the European Union's Foreign and Security Policy" (2016). Brussels: Publications Office of the EU.

"Single European Act (Luxembourg, 17 and 28 February 1986)". In Bulletin of the European Communities, Supplement 2/86. Luxembourg: Office for Official Publications of the European Communities.

Slaughter, A.M. (2017), "The chessboard and the web: Strategies of connection in a networked world". New Haven: Yale University press.

Smith, C. (2012), "Informal governance at the United Nations". In *International Handbook on Informal Governance* (pp.236-254). Cheltenham: Edward Elgar Publishing.

Smith, K. (2010), "The European Union at the Human Rights Council: speaking with one voice but having little influence". In *Journal of European Public Policy*, Vol.17 (2: pp.224–241). London: Taylor & Francis Group.

Solana, J. (2016), "European foreign policy and its challenges in the current context." In *The Search for Europe - contrasting approaches* (pp.423-439). Madrid: BBVA.

Tabrizi, A. and Kienzle, B. (2020), "The High Representative and directoires in European foreign policy: the case of the nuclear negotiations with Iran". In *European Security*, Vol.29 (3: pp.320-336). London: Taylor & Francis Group.

Tocci, N. (2011), "The EU, the Middle East Quartet and (in)effective multilateralism". In *Mercury E-papers*, N.9. Edinburgh: University of Edinburgh.

"Treaty establishing the European Economic Community (Rome, 25 March 1957)". In Treaty establishing the European Economic Community and connected documents (pp.5-183). Luxembourg: Publishing Services of the European Communities.

"Treaty on European Union (Maastricht, 7 February 1992)". In Official Journal of the European Communities, N.C191/1 (pp.1-110). Brussels: Publications Office of the EU.

Verdier, P.H. (2009), "Transnational regulatory networks and their limits". In *The Yale Journal of International Law*, Vol.34 (4: pp.114-171). Rochester: SSNR.

Viceré, M. (2021), "Informal groupings in EU foreign policy: A sustainable arrangement?". In *European Policy Analysis*, N.2. Stockholm: Swedish Institute for European Policy Studies.