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Is the European Union speaking with one voice in Brussels, Vienna and Strasbourg?

The EU at the OSCE and the Council of Europe during
the Ukraine crisis

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”But over time, we have seen that they weigh in the EU aspect more and more in each decision. [...] It is the daily procedure that matters, [...] that forms a common mind-set and reflection. It is a new culture that is developing [...] And this effect, I believe that it is a more important factor than the treaty itself, that and the day-to-day personal contact.”

- EU official (interviewee n° 3)

Abstract

The European Union has increasingly engaged in formulating a common foreign policy, an aim that has been reinforced through the Lisbon Treaty and the European Security Strategy of 2003. The EU puts considerable effort into coordinating the member states' positions also in other international fora in order to "speak with one voice" on all occasions. EU internal rules stipulate that the EU should formulate a common position and express it together in and through international multilateral organisations.

This thesis will explore the EU's foreign policy at the OSCE and the Council of Europe during the on-going Ukraine crisis. The crisis has been vividly debated both in the public and academic sphere. Previous research on inter-organisational relations has been largely concentrated on the EU's relations with the UN. However, the latter has not had a prominent role in the current Ukraine crisis. Instead, European organisations have distinguished themselves, notably the OSCE and the Council of Europe.

The EU is represented in these organisations both through their member States and through the European External Action Service, a feature that could be beneficial for coordination but also ambiguous and at worst even contra-productive when the EU wants to "speak with one voice". Drawing on sociological role theory concepts, this thesis aims to explore how the EU has acted in these organisations during the crisis. It will argue that while the EU delegation has taken a strong role at the OSCE in speaking for and representing the EU member states (top-down Europeanization), the EU at the Council of Europe is still characterized by a high degree of bottom-up policies and lower role acceptance by the member states, which could be explained by a lack of (formal and informal) institutionalization of the EU delegation's role in Strasbourg. Recent developed during the Ukraine crisis indicates however a trend towards top-down leadership.

Abbreviations

Abbreviation	Meaning	Organisation
CoE	Council of Europe	Council of Europe
CM	Committee of Ministers (decision-making body)	Council of Europe
COMM/Commission	European Commission	EU
ECHR	European Convention on Human Rights but also European Court of Human Rights	Council of Europe
EEAS	European External Action Service	EU
EU	European Union	EU
OSCE	Organisation for Security and Cooperation in Europe	OSCE
PACE	Parliamentary Assembly of the Council of Europe	Council of Europe
PC	Permanent Council (decision-making body)	OSCE
TEU	Treaty of the European Union	EU
TFEU	Treaty on the functioning of the European Union	EU
UN	United Nations	UN
UNGA	United Nations General Assembly	UN

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1. Introduction

The rhetorical question supposedly pronounced by the American former secretary of state Henry Kissinger has become classic: “Who do I call if I want to call Europe?” It has been quoted many times when addressing the complex political landscape of the European Union (EU). When Catherine Ashton was appointed the first High Representative of the Union for Foreign Affairs and Security Policy, some claimed that the issue was solved.¹ But the High Representative along with other inventions following the Lisbon Treaty such as the European External Action Service (EEAS) have not come without challenges. More recent sociological institutionalist work has been arguing that this is due to the strong connotations of diplomacy as a national activity, and that the Common Foreign and Security Policy and the (CFSP) EEAS are not only challenging the member States in terms of realist concepts of power, but also in symbolic terms.²

The political events in Ukraine that erupted in 2013, including mass protests (Euromaidan), the ousting of president Yanukovich, the referendum in the Crimean peninsula and the clashes with the Russian Federation, have been argued to be the most important security crisis in Europe since the collapse of the Soviet Union.³ Conveniently, Kissinger has expressed his opinion on the matter in a debate article published in the Washington Post, where he makes a strong voice in the political debate arguing that “[f]ar too often the Ukrainian issue is posed as a showdown: whether Ukraine joins the East or the West”.⁴ This jargon has been echoed through the academic debate as well, where focus has been on the EU’s relationship with Ukraine and Russia respectively, on potential trade benefits for the partners and who to blame for the conflict.⁵ Surprisingly little attention has been paid to two aspects: firstly to frame the Ukraine crisis as an EU foreign policy issue; secondly, to address other relevant international organisations in the crisis, such as the Organisation for Security and Cooperation in Europe (OSCE) and the Council of Europe. Both these organisations have been involved to a different extent in the crisis; the OSCE’s response to the crisis has ranged from high-level

¹ See e.g. Reuters 2009-11-20.

² See for example Adler-Nissen (2013).

³ MacFarlane & Menon (2014) p. 95.

⁴ Kissinger (2014).

⁵ See for example the “Faulty Powers” article series of “Mearsheimer and His Critics”, published in *Foreign Affairs* in the November/December print 2014.

diplomacy and multilateral dialogue to monitoring, fact-finding and military visits. The Council of Europe has assisted with measures such as: an International Advisory Panel to promote confidence through an independent investigation of acts of violence; assistance by the Venice Commission regarding Constitution reform; assistance to the preparations of presidential elections in May 2014, and much more.⁶ Maybe most important to emphasize is that the Russian Federation and Ukraine are members of both organisations, giving unique opportunities to discuss the crisis with relevant partners in a European context. The question that arises from an EU perspective is how the EU has been carrying out their common foreign policy in this context. The insight in how the EU acts within these organisations is minimal and has hardly been treated at all in previous research. Since these organisations have become an important *interface* towards important actors in the crisis, it is interesting to see how the EU has acted within these organisations.

The European Security Strategy from 2003 states that the EU's external actions should be based on effective multilateralism. The member states are "obliged to coordinate their action in international organizations and at international conferences".⁷ The EU foreign policy has been further re-enforced by the Lisbon Treaty, aiming to create a common foreign policy. Although foreign policy remains member state competence, the member states are thereby forced to coordinate, creating somewhat of a hybrid policy area.⁸ Extensive literature has dealt with the EU's capability to act jointly and coordinate within especially the General Assembly of the United Nations (UNGA).⁹ It points to a more general problem with competing membership obligations between two organisations, where on the one hand the EU has agreed to act jointly and on the other hand it enters an arena that has a strong tradition of national representation. Naturally, this can cause conflicts of interests for the member States. Previous research points, however, to an increasingly coherent position between the EU28.

1.1 Research aim

This thesis aims to explore the EU's "actorness" within the Council of Europe and the OSCE in regards to the Ukrainian crisis. This single research question entails several questions of how the EU acts in these organisations; the dynamics between the member state representations and the EU delegation; the role of the EU delegation; do the member states act

⁶ CoE webpage 2; See CoE webpage 1 for a thorough list of CoE action in Ukraine.

⁷ TEU, Article 34.; Duke in Jorgensen *et al* (2013), p. 18.

⁸ See for example Wong in Hill and Smith (2011); Adelsen-Nisser (2013).

⁹ See for example Verlin Laatikainen and Smith (2006); Jorgensen & Verlin-Laatikainen (2013).

mainly through the EU or do they prefer to act on their own? The study will investigate and explore role perceptions and role prescriptions, arguing that it gives an in-depth knowledge to a research problem previously under-explored. The research aim will be further problematized and operationalized in the following sections.

1.2 Outline of the thesis

The thesis has been outlined in order to define the research problem and find relevant tools to answer to it. It starts with a literature review, leading to more precise research questions at the end of chapter 2. We will see that there is little theorization on the EU's actorness in multilateral fora, and the existing research tend to be mostly of empiric nature. Furthermore, it does not account for the recent innovations stemming from the Lisbon Treaty, such as the EEAS. Instead, the study look to more recent work on the EU as a foreign policy actor, drawing from sociological institutionalism and role theory, in order to see if we can detect a Europeanization effect on the EU foreign policy at the Council of Europe and the OSCE. It will be argued that due to the nature of participation of the EU in these organizations and a lack of documents in this regard, the most appropriate way to explore this previously under-researched area as a first step is to conduct interviews. In the analysis chapter, the material retrieved from the interviews will be discussed thematically in order to answer to the research questions and to line out themes that appeared during the interview. Finally, the results will be discussed further in the concluding chapter, where I will try to relate the results to theory and to answer to the research questions.

2. Literature review

The European Security Strategy from 2003 states that the EU's external actions should be based on effective multilateralism. The member states are "obliged to coordinate their action in international organizations and at international conferences".¹⁰ The Treaty on the Functioning of the European Union asserts that "[t]he Union shall establish all appropriate forms of cooperation with the organs of the United Nations and its specialised agencies, the Council of Europe, the Organisation for Security and Cooperation in Europe and the Organisation for Economic Cooperation and Development."¹¹ The member States have agreed to cooperate and coordinate their policy within these multilateral organisations. With the Lisbon Treaty, the European Common Foreign and Security Policy (CFSP) has been reinforced and new inventions such as the High Representative of the Union for Foreign Affairs and Security Policy and the European External Action Service (EEAS) have been put in place in order to enhance coordination and the ability to speak with one voice. Thereby, the issue of common representation could in theory be said to have been solved. In multilateral relations, however, this raise several issues such as the future legal status of the EU in multilateral organisations, the internal coordination and the external representation in these fora, and the role of the new European diplomatic service of EEAS in these aspects.¹²

Previous research on the EU's relations with international organisations has been described as "more scattered and compartmentalised than comprehensive, systematic and integrated".¹³ It has focused on the relationship with the UN and often has it been of an empiric nature, exploring voting behaviour of the member States at the UNGA. The focus has been on coordination and the ability to coordinate positions, and often the mere existence of a common output has been interpreted as a sign of efficiency. However, as the EU institutional landscape has evolved, so has the research on the EU as an international actor. The EU has been seen as, at the one end of the spectrum, "a potential state, or at least the performer of essential state functions in the international political arena." At the other end are "those who see the EU as at best a patchy and fragmented international participant, and as little more than

¹⁰ TEU, Article 34.; Duke in Jorgensen *et al* (2013), p. 18.

¹¹ TFEU, 220 (Duke in Jorgensen *et al* (2013), p. 19.

¹² Verlin Laatikainen (2010) p. 476.

¹³ Duke in Jorgensen *et al* (2013) p. 15.

a system of regular diplomatic co-ordination between member states.”¹⁴ This study will argue that the EU is a complex, hybrid actor that needs another set of tools to analyse. It continues on a new stream of research on the EU as an international actor, that assumes a link between role and identity theories with EU external action. Roles, in this understanding, refer to patterns of expected or appropriate behaviour, a concept that can be linked to neo-institutional theory and its emphasis on ”logic of appropriateness”.¹⁵ It will be argued that these conceptual analytical tools can be useful to analyse the EU’s external action at the OSCE and the Council of Europe, and that a good way to start exploring this phenomenon is by simply asking EU and national officials. This approach will also move away from a mere bottom-up perspective, which constitutes a risk when only measuring voting behaviour.¹⁶

2.1 The EU as an international actor

The EU as an international actor has been researched from the perspective of broader international relations, in the realms of foreign policy analysis and analysis of identity and order. There are some main dividing lines in the literature. Firstly, there are those who underline the distinctiveness of the European Union, as opposed to those that have tried to put it into a broader international relation’s perspective.¹⁷ The notion of multilateralism has been present in the debate. Despite formulated goals in the European Security strategy and the Lisbon Treaty, the EU as a multilateral actor is sometimes criticized for lacking a “grand strategy”,¹⁸ leaving its aims and goals in the international arena up for debate. The explicit goal of effective multilateralism, as mentioned above, is interpreted by some as a goal in itself, whereas others argue that it is an “instrumental mean to pursue specific policy objectives related to distinctive EU or member-states’ interests”.¹⁹ This illustrates the second main division in the discussion of the EU as an international actor: is the EU a “normative power” or a “normal”/ strategic power?²⁰ A normative power is defined as an actor that influences the thinking of other actors in the international system rather than acting through coercive means to achieve its goals. It has become common in the academic and political discourse to label the EU a normative great power.²¹ On the other hand, these concepts are

¹⁴ Elgström & Smith (2006) p. 1.

¹⁵ Elgström & Smith (2006) p. 5.

¹⁶ Duke in Jorgensen *et al* (2013) p. 18.

¹⁷ Hill & Smith (2011) p. 5.

¹⁸ Duke in Jorgensen *et al* (2013) p. 21.

¹⁹ Blavoukos & Bourantonis (2011), p. 1.

²⁰ Smith 2011, p. 245.

²¹ Bengtsson & Elgström 2012, pp. 94-95.

not necessarily mutually exclusive. On the contrary, scholars have argued that the division between normative and strategic power might well be a false dichotomy, since the Lisbon Treaty makes it clear that the EU is to “assert its interests *and* values on the international scene”.²² There is therefore no contradiction in being an interest-based and a normative organisation.

2.2 Inter-organisational relations: coordination, voting behaviour and increasing convergence

Previous research tends to explore either the level of cohesion of EU members within international organisations, or the externally oriented approach looking at cohesion between the EU and its partners.²³ Furthermore, research is often of an empiric and descriptive nature, rather than explanatory. Maria Strömvik explains the problem at hand by the fact that the EU often is considered a case *sui generis* and therefore hard to classify as a *case of* something. A consequence is that many studies of the EU’s relations with other multilateral organisations are of empiric nature.²⁴ Another striking feature is the strong focus on the relations with the UN. This is hardly surprising, since the EU and the UN were some of the first organisations that had to relate to each other in such a comprehensive way.²⁵ In inter-organisational relations, there is always an element of competition between the two organisations, especially when competences over-lap. The EU and the UN, on the contrary, have developed an extensive coordination network and has been characterized as ‘natural partners’ in multilateralism, since they “mirror each other’s values and precepts”.²⁶ The EU has for a long time worked to express a common position in the UN and to coordinate the member states’ positions primarily in the General Assembly. Some scholars argue that this has been a way for the EU to construct an internal identity through external issues.²⁷

Studies have typically focused on voting behaviour and many have shown a general convergence in the UN General Assembly.²⁸ Furthermore, previous research has also investigated the EU’s capacity to export norms. Simon Duke (2012) explores for example whether the EU’s multilateral roles really lead to ‘effective multilateralism’ or ‘good

²² Duke in Jorgensen *et al* (2013) p. 21; TEU, Article 21, emphasis added.

²³ Duke in Jorgensen *et al* (2013) p. 21

²⁴ Strömvik (2005), p. 9.

²⁵ Duke in Jorgensen *et al* (2013), pp 15-16.

²⁶ Duke in Jorgensen *et al* (2013), pp 15-16.

²⁷ Duke in Jorgensen *et al* (2013), pp. 16-17; Deudney and Maull (2011), p. 117.

²⁸ Duke in Jorgensen *et al* (2013), p. 17; Rasch (2008), pp. 220-53.

governance' in the case of the UN. The conclusion is ambiguous – on the one hand, the EU-UN multilateral relation is the most successful example, but on the other hand, the EU is being challenged internally at the same time as the global institutional landscape is changing towards less structured *ad hoc* working groups.²⁹

Hardly surprising, the EU is shown to be most cohesive when it has exclusive competences and less cohesive when it comes to foreign or security policies. This is true even in the cases where the EU has formulated a common position in Brussels, due to competing national interests and the intergovernmental nature of the policy area.³⁰ Verlin Laatikainen and Smith (2006) give a more nuanced picture, saying that although there is a clear link between the EU internal decision-making structures and its effectiveness in other multinational fora, the link is not as neat as you would think. For example, in areas where the competence is shared between the member States and the EU, such as environment, the EU has overcome these challenges and still manages to coordinate efficiently. This is much due to a strong position of the Commission that takes on a coordinating role.³¹

2.2.1 Concepts of Europeanization and effectiveness in EU multilateralism

Europeanization is a fashionable word commonly used for describing the process of policy convergence over time. It is used both as a constraining, independent variable, where the EU imposes policy orientations on national governments and as a variable dependent on the roles played by the member states.³² Reuben Wong identifies five types of Europeanization processes commonly used in the literature on EU foreign policy: 1) A top down process of national adaption to the EU position and thereby policy convergence; 2) A bottom-up national projection of ideas to the supranational level, where the more powerful member states can be expected to project their ideas to the common position; the multidirectional processes of 3) socialization (convergence of interests and creating of a common identity); 4) “modernization” of ideas (often applied to the new economic and political adaption of accession countries after 2004 to the EU policy) and 5) the policy isomorphism, distinguishing between *direct* Europeanization where competence within a policy area is transferred to the EU level and *indirect* Europeanization where the competence is shared or lays with the member states, but there is a process of policy learning between the member

²⁹ Duke in Jorgensen *et al* (2013) pp. 16 - 24.

³⁰ Duke in Jorgensen *et al* (2013), p. 17.

³¹ Verlin Laatikainen & Smith (2006) pp. 16-17.

³² Wong in & Smith (ed) (2011), pp. 150, 151.

states. It is worth noticing that these concepts are not mutually exclusive but share certain overlapping assumptions.³³ Foreign policy is traditionally a member state-owned policy area, but has become somewhat of a hybrid after the Lisbon treaty and the installation of the EEAS, according to which the EU member states should have a common foreign policy. Furthermore, the member states are obliged to coordinate their actions in other multilateral fora.³⁴ When exploring the issue at hand, we would explore an *indirect* Europeanization effect (since it is member state competence), with the possibility to explore both bottom-up and top-down streams seen not only as policy effect but also as a socialization process.

In the multilateral relations context, Verlin Laatikainen and Smith (2006) has studied whether we can see a Europeanization effect on the EU's foreign policy at the UN.³⁵ They employ the concept of Europeanization as the institutional (development of) capability to coordinate actions, adaption by individual member states to the EU position and the external diffusion process of European ideas or institutions, i.e. whether these are reflected in the UN.³⁶ They are thereby defining Europeanization as a top-down process, where a lack of national adaption would mean no Europeanization.

The results indicate an institutional capacity build-up at the UN, where the EU Presidency increasingly speaks on the behalf of the EU member states, together with the Commission that "raises the EU flag in its areas of competence". The system of coordination and consultation that emerged after the Amsterdam Treaty has also resulted in greater coherence in EU positions in the General Assembly. When it comes to national adaption, there is a variation between member states where more powerful states (i.e. France, United Kingdom) continue to protect their national interests to a larger extent compared to so-called middle powers (Netherlands and Nordic countries) and small states (i.e. the newer member states). Naturally, France and UK have a very special position at the UN, since they both have permanent seats at the Security Council. Middle powers are generally taking the lead in promoting the necessity of a common EU position and multilateralism, whereas the small states such as "new" member states from Central and Eastern Europe are the most compliant.³⁷

³³ Wong in Hill & Smith (ed) (2011), pp. 150-154, 166-168.

³⁴ European Security Strategy (2003); TEU, Article 34.

³⁵ Verlin Laatikainen & Smith (2006), p. 5.

³⁶ Verlin Laatikainen & Smith (2006), pp. 5-10.

³⁷ Verlin Laatikainen & Smith (2006), pp. 13-15.

Verlin Laatikainen and Smith further explore the effectiveness of the EU in acting on and influence certain policy areas, exploring both *internal effectiveness* (do member states want to act collectively at the UN; is there an EU output and cohesion?) and *external effectiveness* (does the EU manage to influence other actors? Does the EU contribute to the effectiveness of the UN? Can the EU “save” the UN?)³⁸ The results of their analysis indicate that the ability of EU member states to agree and put forward common statements and positions is clearly linked to the EU’s internal decision-making structures and procedures. However, the variations are not entirely explained by this structure but vary between and even within policy areas. The Commission has taken a prominent role in trying to coordinate MS action, but there are few mechanisms for it to act when the member states are divided.³⁹

The study by Verlin Laatikainen and Smith is together with Jorgensen *et al* (2013) one of the most thorough recent works on the EU’s relationship with a multilateral organisations, but there are two issues to address. Firstly, it is the issue of Europeanization. The concept used by Verlin Laatikainen and Smith explores the existence of top-down Europeanization where member states adapt to EU policy. If there were no national adaption, there would be no Europeanization effect. This would be a simplistic view and a normative idea of what the EU should be,⁴⁰ since it is easy to imagine for example a scenario where the EU has a high level of coherent acting within the OSCE, but the process of policy creation is bottom-up, rather than top down.

The second notion has to do with the concept of effectiveness, a concept that runs through the literature. The argument, as expressed by Koops (2013), is that inter-organisational effectiveness “cannot be reduced merely to the EU’s ability to be effective *within* another organisation (i.e. to be able to ‘speak with one voice’), but more importantly it depends on the overall impact the EU is able to generate in a given policy field”.⁴¹ There are two elements in this sentence. First of all, it demonstrates the problematic approach in trying to assess overall effectiveness, whereas the EU’s internal and external effectiveness are two different issues (although the second one is dependent on the first one). Secondly, it is true that considering mere common output as effectiveness is not enough to capture even the *internal* aspect. But

³⁸ Verlin Laatikainen & Smith (2006), pp. 5-10.

³⁹ Verlin Laatikainen & Smith (2006) pp. 16-17.

⁴⁰ Wong in Hill and Smith (ed) (2011).

⁴¹ Koops (2013) in Jorgensen & Verlin Laatikainen (ed) (2013).

instead of adding the element of *external* effectiveness, which is a completely different issue requiring a set of completely different tools, this essay will focus on developing and refining the instruments to assess the internal aspect of the EU's actorness in international organisations.

Another interesting feature of the study is that the authors link the EU effectiveness to the level of Europeanization of common external action, in terms of both institutional development and in terms of member states' acceptance of the EU role. Rightly conceptualized, this could add theoretical insights to this study. I will get back to this, after a short paragraph on the scarce research available on the EU's relationship with the OSCE and the Council of Europe.

2.2.2 The EU's relationship with the OSCE – functional convergence

Although most attention has been paid to the relations with the UN, some scholars have explored the EU's relationship with the OSCE and, to a lesser extent, the Council of Europe. Galbreath and Brosig (2012) have tried to map out the relationship between the three organisations. They argue that even if there is a functional and geographical overlap in competence between the organisations, the organisations have committed to “the principle of complementarity, avoiding duplication”.⁴² The authors have classified this development as a “functional convergence”, which has produced greater cooperation and arguably competition. In their interview study, several respondents insist that the over-lap between all three organisations is not a problem, since each organisation has its own specific tools to use. The problem is rather that some countries use so-called forum shopping, where a state's government talks to one organisation on a particular matter and then decides to move to another to pursue this issue. The coordination efforts between the organisations then help preventing forum shopping.⁴³ One respondent makes the following distinction between the organisations: “[T]he Council of Europe is about standard-setting, it has a legal approach while we [the OSCE] have a more political approach”.⁴⁴

⁴² Paunov (2013).

⁴³ Galbreath and Brosig in Jørgensen (2013), p. 276.

⁴⁴ Galbreath & Brosig in Jørgensen & Verlin Laatikainen (2013). In the analysis they focus more on the EU-OSCE relationship, but the same can be said for the EU-CoE. See for example “PACE Recommendation 2027”.

While Galbreath and Brosig's study serves as an interesting background story in order to map the relationship, it does not help us answering the core issue, namely EU as an actor at the OSCE and the Council of Europe.

2.2.3 Lacking a comprehensive and systematic approach?

To sum it up, inter-organisational studies have almost exclusively focused on the relations between the EU and the UN. They have often been of empiric nature, measuring voting behaviour convergence within the UNGA. Overall, the research indicates an institutional build-up in order to coordinate and a convergence of positions. It denotes a difference between big and small (and medium) member states in terms of compliance. There is also a difference between issues, connected to the policy procedure of the specific issue. Drawing on expectations from previous literature, we could expect that our case (as a foreign policy issue) is an example of where the EU has difficulties to act cohesively, and that there would be a difference in behaviour or attitude between big and small member states.

On a more general note, the key concept in most studies is "efficiency", although it has been operationalized quite differently. In general, most studies have distinguished between internal and external efficiency. There are several problems with using any of these approaches in this study. First of all, the empiric research on voting behaviour would have no relevance to the case at hand, since the main decision-making bodies at the Council of Europe and the OSCE are based on a consensus culture.⁴⁵ Secondly, there seems to be no problematizing of the concept of "efficiency", which almost without exception has been seen as the mere existence of common action amongst EU countries, without looking more qualitatively into the complex dynamics of the process.⁴⁶ Questions such as "do member states want to act collectively" and "is there an EU output" are relevant aspects of EU effectiveness, but it is not enough to capture the dynamics of EU common foreign policy, let alone to explain it. Neither do these traditional approaches take into account the various institutional inventions that have been put into place in the wake of the Lisbon Treaty.

⁴⁵ The Permanent Council (OSCE) can only take decisions by consensus, leaving in reality a veto power to the member States. The Committee of Ministers (CoE) can take decision by majority voting, however, it has a strong tradition of seeking consensus and voting is unusual. See OSCE 3-4; and Coe 5.

⁴⁶ Strömvik (2005), p. 40; Krause in Krause & Ronzitti (2012) pp. 20-22.

2.3 Role theory and sociological explanations to the EU external action

There is however more recent, innovative research on the EU as a foreign policy actor, looking more specifically at these inventions and using other tools to assess the EU actorness. One consequence of the Lisbon Treaty is the installation of EU delegations (EEAS), instead of the previous external representation that was carried out by the Commission and the member state presidency. Hayes (2013) argues that the invention of EU delegations has both advantages and less beneficial consequences. On the positive side, it has reduced the number of actors and should therefore increase the consistency of EU policy over time. Additionally, it has eliminated the bureaucratic rivalry between the Commission and the Council Secretariat. On the other hand, Hayes identifies two potential conflicts concerning the EU in international organisations. Firstly, a conflict between the EU delegation and the member state delegations that will continue to have a strong role in these organisations. Secondly, there is a potential conflict between the EU and the international organisation itself, resulting in formal restraints (limited status of the EU delegation in the international organisation) and informal restraints (the attitude from the organisation/non-EU members towards the EU delegation).⁴⁷ The issues raised by Hayes are important aspects of the new EU institutional structure and its role in international organisations.

Bengtsson and Elgström's study from 2012 has employed *role theory* to analyse the role(s) of the EU in global politics. Their study aims to investigate the EU's perceived role compared to the role expectations held by other actors, operationalized in two case studies. The authors aim to find the components that construct the EU role identity, possible role competition and the degree of coherence between role conceptions and perceived role performance. In resemblance with Smith (2011), Bengtsson and Elgström are trying to find out whether the EU is a normative power and if this is reflected in an outsider's perception. Eventual incoherence between its own and other's perceptions is expected to create tensions and prevent the EU from spreading values and norms.⁴⁸ Their study focuses on the perceptions held by non-EU actors, but of equal importance are the internal dynamics and perceptions, as demonstrated by Helwig (2013). Helwig analyses the development in relation to the Lisbon Treaty and the new role of a High Representative in the EU, concluding that there is a expectations-capability gap, where the High Representative does not meet the expectations

⁴⁷ Hayes in Jorgensen *et al* (2013), pp 35-37.

⁴⁸ Bengtsson & Elgström 2012, pp. 93-94.

due to lack of institutional pre-conditions.⁴⁹ These studies are relevant to this study because they link perception of roles and perception of performance to actual effectiveness, by discussing the discrepancy gap between expectations and (perceived) performance. By mapping the interaction between institutional pre-conditions, expectations and perceived performance assuming that it is linked to actual performance, we could develop the concepts of effectiveness in EU external action.

One researcher who has employed this concept in the internal realms of the EU is Adler-Nissen (2013). She adopts a Bourdieu-inspired approach when analysing the European External Action Service and the High Representative for Foreign and Security Policy, arguing that the clash between national foreign services and the EEAS is due to mainly a *symbolic* power struggle, where the EEAS is challenging the state-centred tradition of diplomacy as an established social practice and order. This opens the way for another institutional approach that focuses less on institutional capacity and traditional, state-associated assets. The hybrid actor EEAS could instead be understood as a new actor in a field where “incumbents” (i.e. the national foreign services) are much more acquainted with the rules. The success of the EEAS is then due to its capability to adapt to the rules of the game. There is of course certain leeway to change the rules of the game, but diplomacy is first and foremost attributed to national services and the EEAS could only be seen as a legitimate representative if the member States recognize it.⁵⁰

Just as Adler-Nissen, Aggestam (2014) tries to make up with the “deterministic” institutionalist approach when discussing leadership in the EU foreign policy. She argues that leadership should be seen as an interaction between institutions and the leader, where the institutions constitute the frame in which the leader has a possibility to affect the form and content of leadership. This *interactional approach* to leadership considers the leadership position not fixed, but as a circular process, where the limits of leadership are constantly negotiated by leaders and followers. Leadership is rather understood as a common practice than a single leader or function, closely related to the role prescriptions by the member States. According to this concept it is also possible to have a common leadership practice where the EEAS is allowed to exercise leadership, but does not do it effectively.⁵¹ In this way, we have

⁴⁹ Helwig 2013, p. 252

⁵⁰ Adler-Nissen (2013).

⁵¹ Aggestam (2014) pp. 15-17.

managed to completely disconnect the issues of internal and external effectiveness. It is not saying that they have nothing to do with each other, but that we have to answer to them one at a time.

The approaches taken on by Adler-Nissen (2013) and Aggestam (2014) are helpful in several ways to this study. It provides an eclectic theoretical framework drawing from interactional role theory as well as sociological institutionalism, aiming to analyse the dynamic processes that constitute the new EU representation, where the EEAS has emerged as an actor in the diplomatic field and possibly as a leader amongst the national delegations. It moves away firstly from the presumption that the EU delegation has a fixed role and acts accordingly (*position role*), secondly from the empiric studies measuring pure performance (often referring to a vaguely defined efficiency concept). Instead, it focuses on the perceptions of roles, and its constant renegotiation between incumbents (the member states national diplomatic services) and the newcomers (the EEAS diplomatic services), which in itself arguably is a factor for efficiency. Here we have a whole new framework of analysis of the capacity of the EU to act jointly within the Council of Europe and the OSCE, where traditionally the member States are represented by their national delegations. This approach is particularly helpful in exploring a realm where voting is not the main activity (as in UNGA), instead we aim to capture the qualitative discussions and interactions of the diplomatic services in Vienna and Strasbourg.

Despite this upsurge of research on EU roles and leadership, there is still little work done on what roles that the EU delegations can take. Verlin Laatikainen (2010) has used Oran Young's leadership terminology in order to map out the possible development of the role that the EU can take at the United Nations. She argues convincingly that Young's terminology is relevant in the multilateral context, asserting that also non-state actors can provide multilateral leadership.⁵² The possible leadership roles lined out include the *structural leadership*, where the EU delegation enjoys full membership at the UN and the coordination of position is tightly integrated between EU institutions in Brussels and New York; *entrepreneurial leadership*, where the EU delegation coordinates and the member states represent; *intellectual leadership*, where there is a substantive division of labour and the EU delegation both coordinates and represents the EU on defined normative agenda items, and

⁵² Verlin Laatikainen (2010) p. 483.

member states can pursue national diplomacy on other issues.⁵³ This is an interesting approach, but here again we come to the issue of normative versus material roles, which as has been concluded above, are not necessarily mutually exclusive. This essay will not investigate the normative/material roles, since it does not agree that they are mutually exclusive. Moreover, the typology developed by Verlin Laatikainen only addresses *formal* institutional factors. The whole idea by employing role theory is to be able to also address *informal* institutional factors affecting the role of the EU delegation. Therefore, this typology is not optimal for this study, although it remains an important contribution.

2.3.1 Role theory as method

Role theory is arguably a misleading designation since there is no such thing as a general role theory aiming to explain why a phenomenon occurs, but rather a framework of "topics, concepts, and assumptions."⁵⁴ It is thereby not a theory to be tested, but it entails assumptions that behaviour is predictable depending on social identities and situations. It assumes a link between roles and behaviour, and by depicting roles it should in a future step be possible to predict behaviour. Thereby, role theory provides a link between individuals and social structures.⁵⁵

Within political science, role theory has typically been used by new institutionalists to study politicians' behaviour, based on the argument that "institutional structures greatly constrain(s) the conduct of politics by shaping the motives and conduct of politicians".⁵⁶ Although different approaches emphasize different aspects, it has been recognized within role theory that both formal and informal rules and institutions shape behaviour. Searing (1991) argues that the best way to explore the roles of politicians is to ask them about their goals and ambitions – the motivational approach. He admits however that each approach has its benefits and its faults, and that the middle way would be to draw a little on all approaches.

2.4 Towards a theoretical framework

I have argued that it is relevant to frame the issue of EU actorness in multilateral fora as a part of the EU's common foreign policy. Traditionally, scholars have tried to evaluate EU efficiency by studying voting behaviour. This makes little sense in consensus-based

⁵³ Verlin Laatikainen (2010) p. 491.

⁵⁴ Searing (1991) p. 1243.

⁵⁵ Juncos & Pomorska (2010), p. 4; Aggestam (2006) p. 12.

⁵⁶ Searing (1991) p. 1240.

organisations. Furthermore, efficiency should not be reduced to pure performance, since it is hardly a satisfactory definition of efficiency and more importantly, it does not explain the phenomenon at hand. Neither would it be satisfactory to look only on the institutional settings and potential hindrance towards an common EU foreign policy, since the treaties are quite clear in this aspect: the member states shall coordinate their actions within other multilateral fora, and the EEAS has been designated the role of coordinator. To assume that there is a widespread consensus about how a positional role should be played is, however, a simplistic view, as argued by Searing (1991). Although there are formal institutional constraints on how the EU can act, it also leaves certain leeway for interpretation and negotiation. It is in this context that role theory can become relevant to the issue at hand, developing the understanding of the role of the EU, in this way exploring both formal and informal institutional restraints.

This thesis will draw on an interactional approach to roles, assuming that “symbols, or meanings, emerge from processes of social interaction and serve as powerful forces in shaping behaviour. Thus, roles are seen as sets of formal and informal rules created and recreated through interactions”.⁵⁷ Instead of assuming that the mere existence of cooperation equals an efficient common foreign policy, the execution of a common foreign policy should be seen as a complex process with several actors involved. Institutions, understood as both official institutions and social and cultural practices, set the frame of action but the frame is also in constant negotiation between actors.

Although it should not be excluded that individual officers could have preferences and ambitions, as argued by Searing,⁵⁸ it is reasonable to take an interactional approach given the aim of this thesis. It is justified to assume that there are both formal and informal rules or institutions that could affect the role, and in the long run the efficiency, of the EEAS. It is reasonable to believe that the EEAS and the member States are in a process of role learning and role negotiation. Therefore it is relevant to look at the interaction between these “newcomers” and “incumbents”, to see how they perceive the role of the EEAS and possible institutional hindrance towards EU common action, formal or informal. Institutional development and role conceptions could also be linked to levels of Europeanization. High level of Europeanization is defined as acceptance by the member states of a leadership role

⁵⁷ Searing (1991), p. 1246.

⁵⁸ Searing (1991), p. 1247.

for the EU delegation (top-down coherent action), together with a high level of institutionalization of the role. We can also picture a scenario where there is a high level of common action for the EU group, but where the position carried out is rather an aggregated member state position, coordinated and mediated by the EU delegation (bottom-up coherent action). Europeanization is not a linear convergence development but a bi-directional negotiated process. Furthermore, it reconciles the dichotomy of seeing the member states or the supranational institutions as principal actors.⁵⁹

Analysis scheme: role conceptions of the EU delegation /level of Europeanization of EU foreign policy.		
Roles And levels of Europeanization	Role conceptions	
	Self-perception <i>What expectations does the EU delegation have on its own role at the OSCE/Council of Europe?</i>	Role prescriptions <i>What do Member States expect from the EU delegation?</i>
<i>The EU as the newcomer</i> - Absence of coherency - Low level of Europeanization	The EU delegation is trying to establish its role at the organisation and/or adapting to the rules of the organisation.	Member states feel that they can pursue another position than the EU and take unilateral action, even if the EU issues statements.
<i>The EU as the coordinator</i> - Bottom-up - Coherency	The EU takes an active role in arranging coordination meetings. The EU finds it important for the member states to act jointly but it does not push strongly for its own agenda. The EU therefore takes a mediating role and negotiates between the member States in order to find a common position.	Member states enthusiastically engage in EU coordination. Member states think it is important to act jointly at the OSCE/Council of Europe. The joint position is negotiated between the member states for each issue, with the EU as the mediator.
<i>The EU as a leader</i> - Top-down - High level of Europeanization	The EU views itself as the agenda-setter and pushes strongly to carry out the Brussels conclusions, even against the member states' will.	The member states consider it important to carry out the Brussels conclusions and the EU politics at the OSCE/Council of Europe. The member states prefer to act through the EU and consider the EU delegation as the leader of the EU group.

⁵⁹ Wong in Hill & Smith (ed) (2011), pp. 163-164.

I have chosen not to employ the terminology invented by Young, employed on multilateral organisations by Verlin Laatikainen (2010). This is since 1) I do not find the normative/material dichotomy reflected in this terminology relevant to the study and 2) the role terminology as operationalized by Verlin Laatikainen focuses on formal institutional restraints, whereas I want to research both the formal and informal restraints. Therefore I leave the theoretical concept open in this aspect, although some categories have resemblance to the categories as employed by Verlin Laatikainen.⁶⁰ Instead I have included notions from Wong (2005) about top-down and bottom-up Europeanization effects.

It should be underlined that the study does not aim to measure actual performance. However, it assumes a link between role conceptions (the perceived role performance of the EU delegation as compared to the role prescriptions) and an effective EU common foreign policy.

2.4.1 Research questions

The Lisbon Treaty aimed at resolving the issue of common EU representation. However, it has raised issues of how it is carried out in multilateral organisations. This essay aims to explore whether we can detect a Europeanization effect on EU foreign policy in the context of the OSCE and the Council of Europe.

This entails several sub questions:

- What role has the EU delegation (EEAS) taken in coordinating the EU member states during the Ukraine crisis?
- Are there conflicting role prescriptions among the member states or the EU delegation itself regarding which role the EU delegation should take?
- What role do the member states take in this process?

The study aims to look at the internal role conceptions of the EU delegation assuming that this has an impact on the actual outcome. Without claiming to measure actual performance, I would like to underline this assumption, and argue that the study of roles serves as a first step in a previously under-researched area. There is little or no research on how the EU delegations act in these fora, particularly since the installation of EEAS delegations, which is

⁶⁰ The EU as a coordinator resemble the EU as an *entrepreneurial leader*, and the EU as a leader might correspond to the EU as a *structural leader*, see Verlin Laatikainen (2010) p. 491.

a very recent invention.⁶¹ I argue that this integrated approach to the concept of efficiency allows for a more qualitative understanding of the EU common foreign policy.

The issue of the Ukraine crisis is a part of the EU foreign policy, which according to previous research is an area where the member states have the most difficulty to cooperate and where the EU is the least cohesive, since cooperation is still based on consensus.⁶² Through the Lisbon Treaty, there is a formulated goal to create a common European foreign policy, which is why we could expect enhanced coherence and cooperation also in this policy area.

2.4.2 Contribution

This essay strives to contribute to the fields of European studies, international relations theory on diplomacy and EU foreign policy analysis. Firstly, by exploring the EU's relations with the OSCE and the Council of Europe, relations that have been previously under-researched. Secondly, it will integrate the study into the more general studies of the EU common foreign policy, and thus be able to draw on theoretical approaches in this tradition. A thorough theoretical approach has been surprisingly absent in inter-organisational studies. Thus, this study could contribute in both an empiric and a theoretical way to the understanding of the development of a common EU foreign policy, diplomacy and engagement in other multilateral organisations. The phenomenon of EEAS delegations is relatively new and there is little research on its role in multilateral organisations.

3. Research design and methods

3.1 Design of the study

This Master thesis is an explorative, comparative case study of the EEAS delegation's role in EU common foreign politics in multilateral organisations. It will study the EU group dynamics and the role of the EU delegation during the Ukraine crisis at the multilateral organisations Council of Europe and the OSCE, both relevant actors during the Ukraine crisis. Furthermore, they are relevant in terms of EU coordination, since all EU member States are also members of both organisations.

⁶¹ The EEAS institution was initiated only in 2010 by the High Representative at the time Catherine Ashton, see IP/10/373, 25 March 2010.

⁶² Hill & Smith (2011) p. 188.

The cases of the EU at the Council of Europe and the OSCE could be categorized as an *exemplifying* case, since it is a part of a broader category (the EEAS representation in Strasbourg and Vienna as examples of the EEAS representations all over the world).⁶³ The case in the case, however, the Ukrainian crisis, could be argued to be an extreme case and therefore not representative⁶⁴ – crisis management has been argued to be where the EU have most difficulties to cooperate. But that is also the most interesting case – when decisions must be taken quickly, will the EU step up and lead the member states or will member states step up? Will the member states follow the EU position? Furthermore it must be underlined that it is not necessarily an extreme case, but maybe just a “hard case”. This does not exclude the prospects of comparison to other cases (in the same category), but the type of case should be kept in mind when analysing the results.

There is also a comparative element of course since two organisations are included. Most interesting would be if these two cases would turn out differently, or if the EU has taken on different roles in the OSCE and at the Council of Europe, or if the member states interact differently with the EU delegation. Instead of just looking at whether the EU has managed to speak with one voice or not, this design of study will help to explore the EU group dynamics and the delegation’s role as a constantly re-negotiated process through a snap shot. These tools could then help to understand *why* the EU did or didn’t succeed to act jointly, in a more inventive way than “the member States did not want to”.

3.2 Analytical approach

This explorative and interpretive study has taken an abductive approach since it aims to explore the perceptions of the interviewees themselves of the role(s) taken by the EU delegation and the interaction with the member states. The typology of the different roles taken by the EU delegation has not been thoroughly established in previous literature, despite occasional attempts.⁶⁵ Therefore, it cannot be said to be theory testing, but rather exploring how the interviewees themselves describe the roles taken by the EU delegation and the role prescriptions by the member states, by studying language, the meanings and perspectives in their worldview.⁶⁶ The EEAS is a relatively new institution and it is reasonable to believe that the roles of the delegations are not yet fully established, especially with the perspective of a

⁶³ Bryman (2012), pp. 70-71).

⁶⁴ Bryman (2012) pp. 66-73.

⁶⁵ See Verlin Laatikainen (2010).

⁶⁶ Bryman (2012), p. 401.

leadership as a constant process of negotiation.⁶⁷ Furthermore, theory testing is difficult with such a small sample.

The study will be a qualitative thematic analysis, using interviews as material. Interviews allow for exploring a phenomenon more in-depth and at the same time distinguish themes and categories. It allows for being “systematic and analytic but not rigid”, and the approach to the themes and categories is reflexive, with a possibility to revise the categories based on the interviews.⁶⁸ There is no agreed definition of *thematic analysis*, but it has been used in various ways. Prainsack and Kitzberger (2009) claimed to use a thematic analysis, since they wrote about “themes that emerged from our interviews”.⁶⁹ This approach will be used in this study as well, by looking for repetition of topics. Repetition is said to be the most common criteria for establishing when a pattern in the data constitutes a theme. Other ways of identifying themes are to look for indigenous typologies or categories, and similarities.⁷⁰

The analysis scheme developed above (page 20) will serve as a basis for analysis. The interview guide (see appendix) has been developed accordingly, relating to the themes and expectations outlined in the analysis scheme, deduced from previous research.

3.3 Interviews as a methodology

The semi-structured interview technique allows us to lead the interview through important themes and still leave room for the interviewee to elaborate on a subject. Qualitative interviews are valuable when the focus of the study is the interviewee’s point of view. A semi-structured interview normally has a set of questions or subjects that the interviewer uses, and preferably the questions should be posed in the same way each time. It is however more flexible than structured interviews, since it also allows for follow-up questions without putting reliability and validity of measurement at stake, in difference to quantitative and structured interviews.⁷¹

The method of interviews is relevant due to the nature of the research aim and questions. Interviews are useful when you want to study perceptions and go in-depth. Theoretically, it

⁶⁷ Aggestam (2014).

⁶⁸ Bryman (2012) pp. 558-559.

⁶⁹ Prainsack and Kitzberger (2009), p. 53.

⁷⁰ Bryman (2012) p. 580.

⁷¹ Bryman (2012), pp. 470-471.

might have been possible to do a qualitative text analysis on the same subject, and then try to detect perceptions of the delegations through written statements. But apart from that it would limit the in-depth exploration, another restraint would be the scarce access to documentation. Although all EU statements are public, it is difficult to draw any conclusion as to how the member states perceive the EU delegation and who is dominating the discussion and agenda setting. After a quick check, one finds that there are very few official national declarations made by member states. This could of course be interpreted as if the member states prefer acting through the EU and find the EU delegation a legitimate leader. This would however be a simplistic explanation.

In order to understand this, we must understand the environment in which they act; the difference at the Committee of ministers (CoE) and the Permanent Council (OSCE), compared to UNGA, is that there is a tradition of consensus; in the Permanent Council all decisions are taken by consensus. In the Committee of ministers there is a possibility to vote on a decision if consensus is not reached; however, the emphasis is on consensus. Therefore, disagreement within the group might not be reflected in the final result. Furthermore, there are no public records of minutes, so only the statements that the delegations wish to publish will be accessible. Additionally, since this study will look at the EU coordination process, which is conducted even more in the outskirts of public documentation, it is hardly likely that we will find relevant documents that will help us answer our questions. Furthermore, as underlined by several interviewees, the EU statements in Brussels are often broad⁷² and therefore it would be difficult to estimate if the EU member states in Strasbourg and Vienna have been acting accordingly.

Most interviews were conducted by phone. One interview was conducted face-to-face, and one by Skype. To hold interviews by phone is not necessarily a disadvantage, as argued by Alan Bryman (2012). In fact, it could even be an advantage, since it prevents respondents to be affected by characteristics or the presence of the interviewer, reducing this bias. Although some researchers claim that material retrieved by phone interviews is inferior to face-to-face interviews (respondent less engaged in the interview process, more likely to respond “don’t

⁷² This was brought up by interviewees n° 1, 2, 9. “[T]he EU line is so broad. So you could have a very strong decision, you could have a weak decision, at the Committee of Ministers, and both would be framed by the EU position.” (n° 2).

know” to a question),⁷³ other studies have showed that it does not affect the kinds of responses you get.⁷⁴ I did not notice any difference in the engagement in the interview, length of the replies et cetera between the phone interviews and the interviews held in person. Neither did I encounter any problems language-wise, even though the interviews were held in two different languages. Possibly, it might be that I had to repeat the questions more frequently in the interviews held in English with persons who did not have English as their first language. This, of course, could cause some frustration during the interview process, but should not affect the over-all result.

All the interviews were recorded except for n° 3, due to technical problems. All the interviewees gave their consent the interviews being recorded. By recording the interviews, the process was considerably enhanced. Firstly, it helped creating a smooth conversation during the interview. Taking notes during the interview would have disrupted the process, which was demonstrated during interview n° 3. Secondly, a recorded interview is of course much better in terms of reliability of material. Furthermore, it forces you to reflect over the material and re-evaluate. Maybe you will understand something differently when listening to the interview afterwards. It also helps you in being critical towards your own interview technique, in order to see if you are varying the phrasing of the questions, which could create bias in some cases. Additionally, by transcribing the interviews, you get to know your material thoroughly, which helps for an efficient and qualitative analysis process.⁷⁵

3.4 Sampling

The sampling of the material is *purposive*, deduced from the research questions that are aimed at exploring a certain phenomenon (role conceptions of the EEAS delegation) on a certain issue (Ukraine) within certain organisations (OSCE and the Council of Europe). The individuals sampled have been selected in order to differ from each other in terms of key characteristics that have been identified as important in previous theory.⁷⁶

A recurrent problem in qualitative research sampling is to know how many people to interview before theoretical saturation has been achieved, and there are no formal criteria as

⁷³ Bryman (2012), p. 215.

⁷⁴ Bryman (2012), p. 488.

⁷⁵ Bryman (2012), p. 482.

⁷⁶ Bryman (2012) p. 418.

to when this would occur.⁷⁷ In the final result, I managed to conduct a total of nine interviews. The individuals have been chosen in order to represent both big, small and middle power states and the EEAS. There are two imbalances in the selection. Firstly, it is slightly unbalanced between representatives at the Council of Europe and the OSCE. The aim was to gather four or five interviews for each organisation, but this was not possible due to practical reasons. This is probably the biggest restraint on the study, since it will limit the ability to draw conclusions regarding the OSCE, which is under-represented in the sample. The difficulties to find interviewees connected to the OSCE were much due to my limited network in this organisation. However, it should be underlined that it is a first attempt to explore a phenomenon that has previously been under-researched, through an interpretative qualitative analysis. Therefore, the aim was not to find a sample big enough to enable generalization, which in general is very difficult in qualitative research,⁷⁸ but rather to explore and to find factors that are relevant to the research problem.

Secondly, it was generally more difficult to speak to the so-called “big” member state delegations. My purpose was to cover both big, small (eastern) and middle (Nordic et c) member states, since previous literature has indicated that this might be a key factor.⁷⁹ In Vienna, I did not manage to speak to any big member state which is regrettable, especially since my results as well indicate a difference between small/middle and big member state behaviour/role perceptions. Otherwise I managed to collect a sample that corresponded to my initial requirements. I managed to collect interviewees representing national delegations and the EEAS, connected to both organisations. I did however discover another group that should have been represented in the sample. Several respondents claimed that there was a general scepticism among *southern* member states towards an EU common foreign policy.⁸⁰ This had not been accounted for when sampling the interviews. In future studies, this group should be represented as well within the sample.

In the table below I have summarized some information about the interviewees, all while trying not to compromise their anonymity.

⁷⁷ Bryman (2012) p. 425.

⁷⁸ Bryman (2012) p. 390.

⁷⁹ Verlin Laatikainen & Smith (2006), pp. 13-15.

⁸⁰ Interviewees n° 1, 2, 4, 5.

Table over interviews				
<i>Interview n°</i>	<i>Date</i>	<i>Delegation</i>	<i>Organisation</i>	<i>Interview held in</i>
1	2015-04-27 (30 min)	Sweden	OSCE	Swedish/Phone
2	2015-05-05 (50 min)	Ireland	Council of Europe	English/Skype
3	2015-05-08 (25 min)	EEAS	Council of Europe	Swedish/In person
4	2015-05-29 (30 min)	Sweden	Council of Europe	Swedish/Phone
5	2015-06-01 (25 min)	Estonia	Council of Europe	English/Phone
6	2015-06-04 (30 min)	EEAS	OSCE	English/Phone
7	2015-06-09 (20 min)	United Kingdom	Council of Europe	English/Phone
8	2015-06-19 (25 min)	EEAS	Council of Europe	English/Phone
9	2015-07-03 (30 min)	Estonia	OSCE	English/Phone

Well aware of the fact that my choice to let the interviewees stay anonymous could limit the credibility of the study, I chose to give them the opportunity since the majority of interviewees set this as a condition for participating in the study. Several delegations that were asked to participate refused with reference to the sensitivity of the subject, even with the prospect of being anonymous.

The interviewees were approached as respondents whose perspectives could help us to recreate the institutional context and depict role conceptions. But they were also approached as expert informants whose particular experiences could help understand specific aspects of the organisations they were acting within.⁸¹ This study relies on both types of information. On the one hand, their perceptions of roles are at the centre of attention, but on the other hand, their expertise and familiarity with the organisation(s) and the questions at hand should not be overlooked. Their knowledge of the institutional environment should not be diminished to mere perceptions, but taken into account as information provided by an informant, of course critically scrutinized as all information.

Conducting interviews is always a risky method, and furthermore, it is a time consuming method. Although it would have been preferable to have a larger sample of interviews, the

⁸¹ This is an approach that has been previously used by Searing (1994), pp. 405-406.

number of conducted interviews is reasonable within such a limited study. Since the big versus small/middle member state (and possibly a southern aspect) showed to be an important factor, more cases should be added before reaching complete theoretical saturation. The big versus small member state factor was not my main hypothesis, however. The aim of the study was to see a) whether there is a difference in member state versus EEAS delegations' perceptions and b) whether there is a difference between in the role conceptions of the EU delegation between the OSCE and the Council of Europe. In relation to these research questions, the study is still of relevance as an initial explorative study of a phenomenon that has been under-researched in the past. The findings have pointed to interesting factors that could be explored in a future step. Furthermore, the study indicates a difference in how the EEAS delegation acts at the OSCE and the Council of Europe, making the comparative study approach relevant.

3.5 Reliability and validity of the research

Reliability and validity in qualitative research is not as clearly defined as in quantitative research. However, "validity" has in qualitative contexts been interpreted as whether "you are observing, identifying, or 'measuring' what you say you are".⁸² In this respect, there are many ways to explore the EU as a foreign policy actor. I will not argue that exploring role conceptions is the best way, but I will argue that it contributes to the over-all understanding of the EU as a foreign policy actor. Furthermore, as argued above, in the context of the Council of Europe and the OSCE, you cannot study for example voting behaviour as it is done in the UN context. The limited access to documents is also a contributing factor to the choices of design of study. It should be noted that the study is not aiming at measuring *actual* behaviour of the EU delegation or the member states, but it illustrates perceptions of the interviewees, which is assumed to be linked to actual behaviour. If you see research on a phenomenon as a process over time, this would be the first step at exploring and interpreting roles and possible factors to the role conceptions of the EU delegation. This is a way to lay ground for future research, where actual performance might be relevant.

As for *external validity*, or the degree to which the findings can be generalized, the study remains humble. Generalization is usually a problem in qualitative research, where the aim is to gain in-depth knowledge and the samples are often quite small.⁸³ It is also quite obvious

⁸² See for example Mason (1996) 24.

⁸³ Bryman (2012) p. 390.

that just because the EU acts in one way in Strasbourg, it does not mean that it acts in the same way in New York or Paris. Due to the small sample, it is difficult to say if we can establish with certainty the roles of the EU delegation even at the OSCE or the Council of Europe. If we would ask another set of member state delegations in these organisations, would they say the same thing? This is a crucial question especially in respect of the so-called “big” member states, since we could expect differences between the EU sceptic United Kingdom and the EU-friendly Germany, for example. Therefore we cannot with certainty say that this is the role that the EU delegation has taken. But we can say something about how the roles are perceived, contributing factors, repetitions between different kinds of delegations in the role conceptions, and establish themes that should be further explored in future studies.

As for *reliability*, this is also a recurring problem in qualitative studies, since it is impossible to “freeze” a social setting and the circumstances of an initial study.⁸⁴ The best strategy would probably be to make the process as transparent and open as possible, so that the reader can follow the argumentation of the study and see for themselves the key quotes that are used for drawing conclusions.

4. Background

Before starting the analysis, it is necessary to make some definitions: explain some institutional settings within the multilateral organisations, the mapping of the EU’s relationship with each of them, and define the Ukraine crisis.

4.1 The Ukraine crisis

Firstly, the Ukraine crisis has only been shortly introduced and not yet defined. The events erupted when the Ukrainian president Viktor Yanukovich on November 21 2013 suspended the preparing of an Association Agreement between Ukraine and the EU. The agreement was part of the EU’s attempts to deepen its relations with its Eastern partners beyond the Eastern Partnership, and the Vilnius meeting of November 2013 was supposed to be the delivery summit. The discontinuation of the agreement was badly looked upon within the EU as well as by parts of the Ukrainian population, resulting in mass demonstrations (so-called “Euromaidan”) in Kiev and other parts of the country. On 22 February, president Yanukovich

⁸⁴ Bryman (2012) p. 390.

was ousted after having fled Kiev. The agreement was finally concluded in two parts, on 21 March and on 27 June under the post-revolutionary government.⁸⁵

Ukraine itself was internally divided on the issue. Roughly the dividing lines were between the EU-friendly West and the Eastern parts of Ukraine, which hosts a large Russian population. In the autonomous region of Crimea, the citizens demanded a referendum on its status, leading eventually to the annexation⁸⁶ of the autonomous region of Crimea by the Russian Federation on 18 March. In the regions of Donetsk and Luhansk, violence escalated into a long-during conflict between the post-revolutionary Ukrainian government and pro-Russian groups.⁸⁷ The Geneva accord of April 2014 was intended to de-escalate the situation, but the uneasy situation still persists in the regions of Donetsk and Luhansk. Arguably, Russia has violated the Geneva accord several times, the situation in the regions is still instable and a blame game between the EU and Russia is still on going. Nevertheless, the post-revolution Ukrainian regime signed the Association Agreement with the EU and is working with several international organisations, amongst them the OSCE and the Council of Europe, in order to build up a stable regime.⁸⁸

As always it is difficult to research a still on-going phenomenon. We cannot fully evaluate the EU's performance during the Ukraine crisis, but since this study does not aim to map actual performance but role perceptions, this poses less of a problem. If we were to do a document study for example, then it would be more sensible to the time limitations. Now we do not need a more precise time definition of the crisis. The only reference to time will be the question of whether the respondents think that the EU performance has developed over time during the crisis.

4.2 The EU and the OSCE

History

The EU and the OSCE have a long tradition of cooperation, which has been intensified in the new century. The development can be seen in the light of the end of the Cold war, after which

⁸⁵ Mearsheimer (2014); MacFarlane & Menon (2014).

⁸⁶ The word "annexation" is arguably a political designation. This thesis does not aim to address this issue, but has chosen this term since it has been recognized by international organisations such as the United Nations and the Council of Europe. (UN 1; CM/Del/Dec(2014)1195/1.7E/21 March 2014.)

⁸⁷ MacFarlane & Menon (2014); Nationalencyklopedin.

⁸⁸ MacFarlane & Menon (2014), p. 95; Mearsheimer (2014), p. 87 ; CoE 1; OSCE 1.

the grounds for cooperation within the OSCE and the EU respectively changed profoundly. The OSCE focused increasingly on intra-state conflict rather than inter-state conflict, and introduced a “common and comprehensive” and later on a “human” security agenda, distinguishing it from the “limited collective defence of NATO”. This comprehensive security cooperation was increasingly paying attention to democratic transitions and prevention of intra-state conflicts in the Eastern Europe, at the same time as the EU started looking east. The EU equally took an interest in the democratic transitions of their eastern neighbours, both with a view to enlargement and to a stable eastern neighbourhood. While this functional overlap could have created tensions between the organisations, it has instead been considered to create synergies. Apart from increased common missions, the EU sees engagement in the OSCE as an important accession criterion to the EU.⁸⁹

Galbreath and Brosig (2012) further argue that the OSCE’s main asset traditionally has been to provide for a dialogue on European security in a neutral way that neither the EU, nor NATO could provide, especially since both the US and the Russian Federation are members.⁹⁰ The same could be said during the current Ukraine crisis, since not only all the EU members but also Russia and Ukraine are members.

Form of participation

The role of the European Union in the OSCE has never been formally defined in a comprehensive manner, although the established practice of the EU presence dates back to the preparatory negotiations of the Helsinki Final Act in 1975, in which the European Commission was involved. EU participation was formalized in November 2006. The EU participation is justified by the fact that the legal competence concerning some issues treated in the OSCE has been transferred from the EU member states to the European Union. Hence, already the Helsinki Final Act was signed by Prime Minister Aldo Moro “as Prime Minister of Italy and in his capacity as President of the Council of the European Communities”. The other key OSCE documents were signed directly by the then Presidents of the European Commission. Hence, even if the EEAS delegation is a new invention, in Vienna there is a long practice of EU participation in the main bodies of the OSCE.⁹¹

⁸⁹ Galbreath and Brosig in Jørgensen (2012), pp. 271-274.

⁹⁰ Galbreath and Brosig in Jørgensen (2012), p. 271.

⁹¹ EEAS 2.

The EU engages primarily in coordinating member States at the Permanent Council. The Permanent Council takes decisions on activities and mechanisms, and issue statements and declarations. The EU has a seat at the Council and the delegation can intervene in the same way as the participating States of the OSCE and speak on behalf of the EU member states, making it “in principle, treated as an individual OSCE participating State”.⁹²

The Ukrainian crisis in the OSCE

The OSCE’s response to the crisis has ranged from high-level diplomacy and multilateral dialogue to monitoring, fact-finding and military visits. It has assisted in monitoring elections, monitoring and reporting on the situation for minorities and much more. The importance of the OSCE involvement on the ground and as a forum for dialogue has been emphasized by the Geneva Joint Statement on Ukraine, agreed upon by the foreign ministers of Ukraine, the Russian Federation, the United States and the EU on April 17 2014. The agreement was aiming at disarmament, restraint from violence, national dialogue and support to the Ukrainian government in holding free and fair polls and elections in May 2014. The OSCE became at the centre of events again when forces in Eastern Ukraine captivated OSCE military observers between April 25 and May 3 2014.⁹³

The Permanent Council take decisions only by consensus, in difference to the Committee of Ministers (CoE). Between November 2013 and July 2014, the EU delegation issued 35 statements related to the Ukraine-Russian conflict at the Permanent Council meetings.⁹⁴

4.3 The EU and the Council of Europe

The notion of ‘natural partners’ that has been used to describe the EU-UN relationship could also apply to the EU’s relation with the Council of Europe. The EU and the CoE base their relations on the principles set out in the ECHR convention.⁹⁵ Just as for the OSCE, a membership at the Council of Europe is often viewed as a first step to approach the EU, and although there is a notion of conflict there are also considerable coordination efforts between the organisations. The efforts to address possible overlaps have resulted in statements, recommendations and resolutions under the headline of “European Union and Council Of Europe human rights agendas: synergies not duplication”. The Parliamentary Assembly

⁹² OSCE 3; EEAS 2.

⁹³ For the whole timeline of OSCE respons to the Ukraine crisis, see OSCE 1-2.

⁹⁴ EEAS 3.

⁹⁵ EEAS 1.

(PACE) recommendation 2027 from 2013 states that “the Council of Europe’s binding legal instruments (...) constitute an effective system of human rights protection and promotion of the rule of law in all its member States, including those which are also members of the European Union. (...) The Europe-wide common standards and the level of protection set by the Council of Europe’s legal instruments must not be undercut or undermined by member States of the Council of Europe or by the European Union. (...) The Assembly reiterates its view that reinventing existing norms and setting up parallel structures creates double standards and opportunities for ‘forum shopping’”.⁹⁶ The formulation denote a certain frustration from the part of the Council of Europe over the EU’s increasing involvement in “soft” areas such as human rights, democracy and standard-setting. Especially the EU Court of Justice has increasingly set up its own human rights jurisdiction.⁹⁷

Another demonstration of the tensions but also of the efforts to resolve the inter-organisational relations is the on-going negotiations on the EU accession to the European Convention on Human Rights. The Lisbon Treaty entails the EU’s accession to the European Convention, but the accession has shown to be more complicated than expected and it has been contested both internally and externally. The last development in the accession process is that the EU Court of Justice ruled in their opinion of December 18 2014 that the draft agreement was incompatible with EU law, yet again stalling an enhanced cooperation between the two organisations.⁹⁸

The EU’s legal personality and a future accession to the Convention has provoked discussions on as to how the EU should be represented within the Committee of Ministers, the decisive body of the Council of Europe. Today, the EU is an observer to the Committee of Ministers represented by the EEAS. As observers they cannot vote, but they participate regularly at the meetings of the Committee of Ministers and in the working groups, and they can issue declarations. Their most important role at the CoE is to coordinate the member States’ positions through EU coordination meetings.⁹⁹

⁹⁶ PACE Recommendation 2027.

⁹⁷ See for example Douglas-Scott (2006) for a thorough discussion on the subject.

⁹⁸ EurActive (2014).

⁹⁹ EEAS 1.

The Ukrainian crisis at the Council of Europe

The Council of Europe is supporting Ukraine through many mechanisms and institutions. In January 2015 a new action plan was launched in order to address the quickly changing events in Ukraine. The action plan aims at supporting Ukraine's democratic consolidation, giving expert advice on constitutional and justice reforms, democratic governance, combatting economic crime and protection of human rights. The Council of Europe has initiated a range of mechanisms to respond to the crisis: an International Advisory Panel to promote confidence through an independent investigation of acts of violence; assistance by the Venice Commission regarding Constitution reform; assistance to the preparations of Presidential elections in May 2014, and much more.¹⁰⁰ The CoE has been recognized by both Ukraine and Russia as a valuable forum for dialogue and cooperation during the crisis, although the Russian Federation has become slightly more averse towards the CoE since the Parliamentary Assembly decided to suspend the Russian delegation's voting rights.¹⁰¹

The Committee of Ministers (CM) is the decision-making body of the Council of Europe, which has followed the Ukraine events closely at their weekly meetings. Between November 2013 and July 2014, the Committee of Ministers held 30 such meetings, including a Ministerial meeting in Vienna on 5-6 May and 3 extraordinary meetings with view to the events in Ukraine. During this period, Ukraine appeared officially on the agenda 12 times, but was in reality discussed at every meeting from January 2014 and onwards.¹⁰²

¹⁰⁰ CoE 2; See CoE 1 for a thorough list of CoE action in Ukraine.

¹⁰¹ CoE 3. The decision was renewed at the PACE winter session 2015, see CoE 4. See also Deutsche Welle (2014).

¹⁰² Interviewees n° 2, 4; CoE

5. Analysis

The analysis has been lined out in order to answer to the questions in the analysis scheme. However, the sections are divided in order to discuss different themes, rather than one section for the EU officials' perceptions and one for the national delegations. Structuring the analysis by themes allows for an integrated discussion.

5.1 The role of the EU-delegation

When respondents were asked to describe the role of the EU delegation, they tended to touch upon both actual performance (as they perceive it) and their idea of the role. The responses on a general level are in many aspects strikingly similar between Strasbourg and Vienna.

5.1.1 Role prescriptions - what the EU delegation should do

The overwhelming majority of the national delegations point to two important tasks for the EU delegation: to make the EU *heard* and to keep the member states *unified*.¹⁰³ It is important that the EU delegation “*make member states heard*”¹⁰⁴ and that the EU “*does not sit there quietly*”. The role of the EU delegation is to “*keep the EU group together as far as possible*.”¹⁰⁵ Because, “*if there is no unity, the EU can't speak. And if someone speaks and the EU remains silent, then that is of course embarrassing*”.¹⁰⁶ “[A]nd if we cannot agree, then we must find a common denominator, which in that case is not very substantial... but we should at least say something.”¹⁰⁷

One member state representative underlined the importance of sending a common message, since “*every common statement shows cohesion, agreement, unified position and common values. Because one speaks for all. [...] This is very natural. I know it is no-one's interest to show divisions or different opinions within the EU, because it definitely doesn't serve us well*.”¹⁰⁸ So the EU delegation “*would be somewhat like the European phone number within the OSCE, to make reference to Kissinger's famous statement*.”¹⁰⁹

¹⁰³ Interviewees n° 1, 2, 5, 6, 9.

¹⁰⁴ Interviewee n° 9.

¹⁰⁵ Interviewee n° 1.

¹⁰⁶ Interviewee n° 6.

¹⁰⁷ Interviewee n° 1.

¹⁰⁸ Interviewee n° 9.

¹⁰⁹ Interviewee n° 9.

One respondent who differs from the others is the representative from the United Kingdom. The interviewee explains that *“The UK doesn’t agree with the EU coordination and we don’t agree that the EU should speak with one voice at the Council of Europe.”* This is since *“the Council of Europe is a different organisation and we have to speak here as members of the Council of Europe, not as members of the EU. [I]n international organisations, we don’t speak as a part of the EU, we speak on our own.”*¹¹⁰ This is a very demonstrative statement that will be discussed more later.

When the EEAS officials were asked the same question they took a surprisingly humble approach to it: *“The EU delegation’s primary function is to coordinate, and this role (...) has been re-enforced with the Lisbon Treaty, but it has not replaced the national representations.”*¹¹¹ Although if, *“from our perspective, the member states should accept that we have decided something in Brussels and that they then have less leeway to push for their own position [at the Council of Europe]”,* it is *“a balance in general in our work between pushing for our own positions and to mediate. [I]t is something that characterizes our work at the EEAS. We have to be pro-active and anticipate the member states with agendas and issues, and at the same time have a sensitivity for the member state positions.”*¹¹²

But the EU delegation has to ensure that the EU position *“is represented, is the same. [S]o basically its coordination role is a big portion of what we do.”* The official describes the role of the EU delegation as being *“the first persons to flag, if there is something that wouldn’t correspond to the EU approach”.*¹¹³ Another EEAS official admits that *“it is not so much that [the EU delegation is] trying to impose their policy line but rather to make sure that there is a meaningful and substantial common position.”*¹¹⁴

5.1.2 Perceived role performance

The EU delegations in Strasbourg and Vienna are both described as *active* and *visible*.¹¹⁵ When asking follow-up questions on in which way they are being active, the interviewees denote different understandings of “being active”. One national respondent in Strasbourg describes it in the following way:

¹¹⁰ Interviewee n° 7.

¹¹¹ Interviewee n° 3.

¹¹² Interviewee n° 3.

¹¹³ Interviewee n° 8.

¹¹⁴ Interviewee n° 6.

¹¹⁵ Interviewees n° 1, 5, 9.

“I think active in terms of coordinating a view. I wouldn’t say very active though, because I mean, obviously, we have our EU head’s mission meeting on Monday, where we can discuss issues and agree common view. But then in the actual deputies’ meeting, EU is just one voice”. “So yes, [...] it’s an active role, but it is more about putting forward a joint statement.”¹¹⁶

This is being re-iterated by another interviewee who claims that *“the coordination positions tends to be relatively minor”*, but rather, *“it facilitates exchanges of views between member states.”¹¹⁷* Several interviewees have in fact, often with their own words, described the role of the EU delegation as a *facilitating* or *mediating* one, rather than a leading role.¹¹⁸ *“They are chairing, they are coordinating, but in essence they are not saying – to be very clear – they are not [...] putting [...] words into the member states’ mouths. [...] Up to the very comma, the agreement comes from the member states.”¹¹⁹*

So despite the fact that all member state officials describe the EU delegation as an active participant with an important and central role, the EU delegation is not described as a leader. Many member states value the role that the EU delegation has taken. A member state official in Vienna says that *“not only that the EU delegation has taken an active part, but I would also say that it is natural. Because otherwise it wouldn’t make much sense to have the EU delegation here [...] They are doing what they are supposed to do, actually.”¹²⁰*

5.1.3 The Ukraine crisis – a way to institutionalize the EU delegation’s role?

Many of the respondents claim that the EU delegation takes different roles depending on the issue. Ukraine is a part of the foreign policy portfolio, which makes it a “difficult issue” to coordinate. On the other hand, it is a high priority issue in Brussels and there have been many Foreign Affairs Council conclusions,¹²¹ which is why we could expect that the EU delegation pushes strongly for the Brussels position here.

¹¹⁶ Interviewee n° 7.

¹¹⁷ Interviewee n° 2.

¹¹⁸ Interviewees n° 2, 5, 6, 9.

¹¹⁹ Interviewee n° 9.

¹²⁰ Interviewee n° 9.

¹²¹ Interviewees n° 1, 2.

In Strasbourg

At the Council of Europe, the Ukraine issue is described as an atypical example,¹²² due to its high-level political character and the foreign policy nature, which makes it a member state competence.¹²³ It is therefore more difficult to coordinate and interviewees give witness of difficulties to get through with an EU language initially, even though there were strong positions coming out of Brussels.¹²⁴

“[The Ukraine crisis] is actually an issue where the member states are mostly the ones speaking where they have the real power to influence as opposed to the EU. [...] This is an excellent example where the EU rely as much on its member states to transpose its position.”¹²⁵

A respondent claims that in regards to *“(t)he Ukraine... parts of it has certainly been of lowest common denominator. That tends to be on delivering a statement. [...] I mean, the EU has this relatively strong position on the Ukraine, in terms of Foreign Affairs Council. When it comes to Ukraine decisions here, [...] it is more of a facilitating role. [M]ore to coordinate the positions to make sure that the EU states doesn’t split [...] because Ukraine is so important on the EU agenda”*. And then you cannot have *“second-rate ambassadors in Strasbourg who are completely at odds with the real policy development in Brussels. And you wouldn’t get that in New York, for example.”¹²⁶*

Another respondent agrees: *“[i]nitially it was very difficult to get through with EU language... what has been agreed upon in Brussels is not necessarily what we can present when face to face with the Russians. The language was much more lenient, but now it is easier. [At the OSCE] they manage to present an EU language and we have not succeeded in the same way.”¹²⁷*

The interviewee perceive an enhancement during the crisis in regards to the coherence in the EU group, confirmed by yet another interviewee: *“I think it has united the EU members even*

¹²² Interviewees n° 4, 5.

¹²³ Interviewees n° 4, 5, 8.

¹²⁴ Interviewees n° 1, 2, 4.

¹²⁵ Interviewee n° 8.

¹²⁶ Interviewee n° 2.

¹²⁷ Interviewee n° 4.

more. They feel like they are a family or so. Different feelings, different opinions, but [committed to] come out of the room united!”¹²⁸

The perceived enhanced performance is accompanied by a perceived enhanced leadership at the delegation. The national representatives in Strasbourg underline a change in role performance by the EU delegation during the Ukraine crisis, pointing to the shift in leadership at the delegation as a factor.¹²⁹ *“The previous head of the EU delegation [...] tried to stay very much in the role of the moderator of the meeting, and not to lead. But it was before the crisis or in the beginning of the crisis. Now [...] we have another head [who] is trying to lead and negotiate and bring the common position forward and re-word it, and more active.”¹³⁰* More on the importance of personal leadership later, but it should be noted that respondents claim that the EU delegation in Strasbourg has moved from being a mere moderator in a meeting to a more active role during the Ukraine crisis.¹³¹ One interviewee seems to have the answer: *“[A]t the same time the situation has changed, it requires more leadership.”¹³²*

The shift in behaviour seems to be limited to the coordination meetings, however. At the deputies’ meeting, with non-EU member states present, their role is more limited: *“They have been much more careful. Naturally, they read the statements we have agreed on, those times that we have agreed on something...”¹³³*

Whilst the national delegations seem to perceive a shift in the EU delegation’s role during the Ukraine crisis, the EEAS official does not consider the Ukraine crisis as a factor. *“I wouldn’t say that the Ukraine crisis is the sort of factor that influences this more than others. If I have to point to things that changed the scope of the relationship much more, then [it is] the EU’s increased involvement and increased exclusive competence on many issues that are also covered by the Council of Europe. So there the enhanced position of the EU is much more visible than in the Ukraine context.”¹³⁴*

¹²⁸ Interviewee n° 5.

¹²⁹ Interviewees n° 3, 4, 5.

¹³⁰ Interviewee n° 5.

¹³¹ Interviewees 4, 5.

¹³² Interviewee n° 5.

¹³³ Interviewee n° 4.

¹³⁴ Interviewee n° 8.

To reconnect to the issue of activeness and how it can be interpreted, the EEAS official makes an interesting reflection in regards to the Ukraine crisis.

“I think the delegation’s role is very active currently. Of course what you call ‘the mediating’, I call it the ‘re-active’ portion of our work. Because it takes up a lot of time also. But recently [...] under the new ambassador this has been very much focus on this ‘activeness’. On initiative, on being truly a leader on the issues where we can be a leader. [...] Yes absolutely [...] the role on the Ukraine is very very active.”¹³⁵

In Vienna

At the OSCE, the EU delegation had a very different starting point, where it to a much larger extent speaks on behalf of the EU group at the deputies’ meetings. An EU official underlines that *“the EU delegation speaks on behalf of the EU and the member states”* and therefore has *“a relatively strong role in coordinating member states and representing the EU.”* However, the role that the EU delegation takes depends on the issue. *“If they do not have any strong feelings in Brussels for the issue, then they take a mediating role. But if Brussels have an interest [in the issue], then they say [...] that this you should push for.”* *“[D]uring this crisis they have had very clear instructions from Brussels to keep up the position and not deteriorate.”¹³⁶*

The EEAS official reflects over the coordination during the Ukraine crisis: *“The member states are very disciplined in Vienna [...] but it gets more and more difficult [...] it takes sometimes long time to come to an agreement and it is also a bit more tense than it used to be.”* He concludes that it is *“probably thanks to the established kind of practice over years [that] we are now able to still function quite effectively even though it is such a difficult situation.”¹³⁷*

The member state representatives in Vienna whom I have talked to confirmed the picture of loyal member states. The EU delegation has *“fallen into place, they have taken their role during this crisis”*.¹³⁸ The EU has *“held up the position that has been decided in Brussels, I*

¹³⁵ Interviewee n° 8.

¹³⁶ Interviewee n° 1.

¹³⁷ Interviewee n° 6.

¹³⁸ Interviewee n° 1.

think, there has been no local diversions.”¹³⁹ The fact that the EU is speaking on the behalf of the member states is underlined, although, technically, *“if one member state wants to add some specifics because let’s say some bilateral agreement with Kiev, [...] then there is no problem to have a national statement”* as long as it *“doesn’t weaken the EU statement”*. But *“it is not that some details are not put in (to the statement) and then they want to make a national statement [...]. This is not the case. This is not how it works.”*¹⁴⁰ This might be why the respondents in Vienna describe the Ukraine issue as more of a *typical* issue,¹⁴¹ in difference to Strasbourg – the well established practice has facilitated a smooth process even when there is a difficult issue where the competence lay with the member states.

Although, as we will see later, one big limitation to the EU delegation’s role is that it cannot engage in spontaneous debate at the deputies’ meeting. In these cases, according to another national representative, member states sometimes respond to comments related to the EU. *“It is often the big [member states] that goes into [the discussion] and say something in their national capacity, that can be above or below the EU position.”*¹⁴² So in this respect, the opinions of the national representatives diverge.

5.2 Explanatory factors

During my interviews, the respondents have pointed to different explanatory factors as to why the EU delegation’s role is perceived in a certain way, why they act in a certain way, and regarding institutional restraints and differences in member state behaviour. Some factors have been discussed already in previous literature, whereas some were new to me.

5.2.1 The EU delegation’s status at the organisation

First of all, there is a distinct difference between the OSCE and the Council of Europe with regard to the participation form of the EU delegation: While at the OSCE, the EU delegation is *“in principle, treated as an individual OSCE participating State”*¹⁴³, in principle speaking on behalf of the EU member states when there is EU competence,¹⁴⁴ the EU delegation in Strasbourg seems to have a more limited role. One interviewee describe the EU role during the meetings in Strasbourg as follows:

¹³⁹ Interviewee n° 1.

¹⁴⁰ Interviewee n° 9.

¹⁴¹ Interviewees n° 6, 9.

¹⁴² Interviewee n° 1.

¹⁴³ OSCE 3; EEAS 2.

¹⁴⁴ Interviewees n° 7, 8.

“[Their role] is relatively limited [...] and it has to be because of their status. They don’t have any voting rights.” “So they tend to act in the way that some more hands-off member states do, that they will deliver statements related to themselves, and they will deliver the common statements, once agreed upon by the member states. [...] but when it comes into actual debate [...] they don’t tend to get into negotiation, or textual negotiation if it is about a decision. And they don’t tend to respond toward a member state. So, if Russia says something critical, they will rarely raise voice.”¹⁴⁵

According to an EU official, this is because the formal role of the EU at the Council of Europe *“has not been legally resolved. [...] It is less than a member, more than an observer. [...] What it means in practice in the Committee of Ministers is that of course it is mostly member states who speak and present their position.”¹⁴⁶*

This strongly contrasts to the EU delegation’s role at the OSCE, where the EU delegation *“speaks on behalf of the member states.” “[T]he EU delegation talks, and not the member states.”¹⁴⁷* Furthermore, in many cases they *“are the only ones participating in informal meetings. [...] So the EU delegation is together with the American and the Russian delegation part of the three key actors in the OSCE.”* This gives the EU delegation a unique role in informal negotiations, since, as the official argues, *“[t]hey are in the room”*, often without EU member states present, thereby *“more effectively than at the Council of Europe and the UN, it is represented to the outside in a very unified way”¹⁴⁸*.

There is one severe limitation to the EU delegation’s capacity to act during the deputies’ meeting. Even if the EU delegation in Vienna is often speaking on the behalf of the EU member states, just as in Strasbourg, they are not able to participate in spontaneous debate. If *“the EU doesn’t have a clear line, the EU delegation cannot respond. [...] [S]ometimes a member state will take the floor”*, but *“often then we don’t respond at all.”¹⁴⁹*

¹⁴⁵ Interviewee n° 2.

¹⁴⁶ Interviewee n° 8.

¹⁴⁷ Quote from interviewee n° 6, confirmed by 4 & 9.

¹⁴⁸ Interviewee n° 6.

¹⁴⁹ Interviewee n° 6.

One national delegation expresses deep regrets over this since *“we would like to see that the EU delegation jumped into the discussion because we think that they have a mandate [...] but they don’t really dare to [...] because they know that it could be turned against them [...] so they probably think that it is better to keep to what has been agreed.”*¹⁵⁰ This analysis is shared by the EU official, who underlines that *“the EU will of course make sure that what they are doing is in line with the mandate they got from the member states. Because member states would make it very clear if they thought that they over-stepped its mandate.”* The official agrees that it *“is a clear restraint on our ability to act or carry out foreign policy”*, but then, *“that is a political question. Do you want to give the EU more leeway? There are member states who do, there are those who think it must remain a member state policy.”*¹⁵¹

Even though the EU role has been much more institutionalized in Vienna, the static form of participation and the inability to engage in spontaneous debate is a common institutional limitation in Strasbourg and Vienna.

5.2.2 The strong ‘local factor’ at the Council of Europe

The local factor here refers to specific factors at the Council of Europe or the OSCE that affects the role conceptions, factors that are not transferable to other contexts. The EU delegation’s role at the deputies’ meeting is much more limited in Strasbourg than in Vienna. Several interviewees point to the organisational structure and composition of the Council of Europe as a reason for this:

*“I think that it differs from the EU at other multilateral organisations, given the nature of the Council of Europe. That the EU has, almost have, effectively an automatic majority. So [...] it wouldn’t be beneficial either to the members of the EU or the Council of Europe, if the EU was to be seen to act on block in the same way as in the OSCE, for example.”*¹⁵²

This is being re-iterated by several national representatives in Strasbourg.¹⁵³ One representative underlines that the Council of Europe is a *“norm-based organisation [...] built on peer pressure”*, and that *“if the EU would go into the debate [about the execution of the European Court of Human Rights judgements], then this organisation would loose its raison*

¹⁵⁰ Interviewee n° 1.

¹⁵¹ Interviewee n° 6.

¹⁵² Interviewee n° 2.

¹⁵³ Interviewees n° 2, 4, 5.

d'être.”¹⁵⁴ Another respondent claims that it “*would de-motivate non-EU members to be vocal and active participants.*”¹⁵⁵ But as one interviewee said with reference to the limited role of the EU delegation: “*I don't think it is necessarily a limitation. And it is because of the particular nature of the Council of Europe that I mentioned.*”¹⁵⁶ In other words, the EU “*has to be visible but not over-bearing*” at the Council of Europe.¹⁵⁷

An EEAS official confirms this pattern, adding that “[b]asically I think that the member state delegations here are often quite detached from their roles in Brussels. So we encounter this very much that the member states here are not aware of what has been agreed on for example on the EU level in Brussels. [T]he local flavour is important and you have to [...] give [the Council of Europe] importance if you represent your country here in Strasbourg. At the same time, you have to do this being fully aware of your entire national position, which include to a hundred per cent extent, the EU agreed position. And this is not working quite so well.”¹⁵⁸

The perfect demonstration of this position is the UK delegation, as cited earlier in the text. The UK does not agree to coordination or that the EU should speak with one voice. Thereby, even if the Lisbon Treaty and the European Security Strategy impose the obligation to coordinate in multilateral fora, and reinforce the EU common foreign policy, there are still member states that are reluctant to employ this policy.

The argument that we should not act as EU countries in this context is to some extent echoed in Vienna. One national representative claims that “*there are countries that think that, Brussels is one thing, and the OSCE is another.*” The respondents refer to group dynamics, arguing that the mere presence of Russia and Ukraine in the room affects the internal EU debate. “*In Brussels the member states discuss [...] in a vacuum, whereas in Vienna [...] the multilateral context is much more present. [Y]ou are defining your policy [...] more in a direct relation to what others do.*”¹⁵⁹ This last comment is in direct relation to Russia. It is one thing to decide on sanctions towards Russia in the realms of the European Council in Brussels, another thing to discuss the Ukraine issue with Russia in the room. This has been

¹⁵⁴ Interviewee n° 4.

¹⁵⁵ Interviewee n° 5.

¹⁵⁶ Interviewee n° 2.

¹⁵⁷ Interviewee n° 5.

¹⁵⁸ Interviewee n° 8.

¹⁵⁹ Interviewee n° 6.

the largest divide between the EU member states during the Ukraine crisis, namely how to treat Russia.¹⁶⁰ According to the respondents, some member states push for a harder line towards Russia, trying to impose EU language into the decisions in Strasbourg or Vienna, whereas others emphasize the importance of maintaining a dialogue with Russia, since, as one interviewee in Strasbourg says: *“There are not many other occasions where we have the opportunity to discuss human right’s issues with the Russians!”*¹⁶¹ The importance of keeping a dialogue with Russia is emphasized also by those member states that normally push for a hard line towards Russia.

When asked how this has affected the EU position on Ukraine, some say that it has lead to watered-down positions at some occasions,¹⁶² but that when it comes down to it, the member states stick together.¹⁶³ The EU *“ha[s] managed to keep up the Brussels position, there have been no local ‘inventions’”*.¹⁶⁴ A national representative in Strasbourg underlines that *“this factor could be very strong or it could be minimal. And the EU delegation’s role is to make sure that the factor is balanced. [...] I think that the EU delegation has managed very well.”*¹⁶⁵

5.2.2 a Home desks of the member states

Several interviewees have pointed to the member state home desk structure as a contributing reason for the local “flavour”.¹⁶⁶ *“It depends a lot on where the ‘home desks’ are placed. If they are on the human rights units in the capitals, the focus is very different from if it is on the politico-security policy desk.”*¹⁶⁷ An EU official emphasizes that *“usually the people who deal with the Council of Europe have never dealt with European issues [...] before. [...] I think that it makes sense in terms of how people think.”*¹⁶⁸

5.2.3 Big and small member states

Some respondents, when reasoning about the “local factor”, have claimed that even though there is a local factor, it is not the key factor. Instead, according to them, it goes back to how

¹⁶⁰ Interviewees n° 1, 2, 4, 6.

¹⁶¹ Interviewee n° 4.

¹⁶² Interviewees n° 1, 2,

¹⁶³ Interviewees n° 3, 5, 6,

¹⁶⁴ Interviewee n° 1, agreed by n° 6 & 9.

¹⁶⁵ Interviewee n° 5.

¹⁶⁶ Interviewees n° 2, 4, 8.

¹⁶⁷ Interviewee n° 4.

¹⁶⁸ Interviewee n° 8.

the member state sees the Lisbon Treaty and the EU cooperation in general.¹⁶⁹ “[I]t contains elements from both, but I think that, mostly the second one.”¹⁷⁰ “[I]t is very much attached to the extent to which CFSP – a common EU Foreign Policy – is important to [a country]. So, for Ireland it is vital, because we are tiny, we do not really have any influence, except influencing the CFSP, whereas Germany, France...”¹⁷¹

All the respondents that participated in the study have in fact pointed to the small versus big member state aspect, when discussing the roles that the member states take and the differing perceptions of the EU delegation’s role. “For [...] smaller member states in particular for whom a common foreign policy position among the states is a priority, then the EU is very important. [...] For [...] the larger member states that pursue their own policy agendas, it is less important. And you can see that here with the UK, the Germans, the French, the Italians to an extent.”¹⁷² “The big countries take their liberties to not really, wanting to coordinate. And add some or retract some, adjust it a little bit [...] either above or below the EU position.”¹⁷³ It was also directly demonstrated by the position taken by the UK delegation in Strasbourg. In other words, big member states can afford not to coordinate. In Vienna, on the contrary, an EEAS official claimed that “[the member states] are very disciplined and also the French and UK. If you get the UK at the UN for example they are much more of a difficult member state. It is not like this in Vienna. I don’t know if it is [...] just a tradition that member states are used to have this coordination for a longer time, they are more accepting it”.¹⁷⁴

Although the sample is not enough in order to make generalizations, this explorative effort has managed to generate some interesting findings in this respect that should be explored further in the context of the OSCE and the Council of Europe.

5.2.4 Importance of personal leadership

Several interviewees have pointed to personal qualities as an important factor shaping the EU delegation’s role. Respondent n° 1 claims that personal preferences can affect the outcome:

¹⁶⁹ Interviewees n° 1,2, 4.

¹⁷⁰ Interviewee n° 1.

¹⁷¹ Interviewee n° 2.

¹⁷² Interviewee n° 2.

¹⁷³ Interviewee n° 1.

¹⁷⁴ Interviewee n° 6.

“A strong head of the EU delegation can, so to speak interpret the Lisbon Treaty and do as much as you can with the Lisbon Treaty and expand it and reinforce it.”¹⁷⁵

In Strasbourg, the EU ambassador changed during the Ukraine crisis, from a “bureaucrat from the Commission” to a “representative from the member state”, something that according to several respondents has led to enhanced leadership. One interviewee describes the development of the role of the EU delegation during the crisis:

“I would say that they have been very cautious initially, and this was because of the previous EU ambassador, [name] was too weak to take on this problem. And [she/he] didn’t have that background, so no one could demand that from (her/him). I mean, [she/he] comes from the Commission and works mainly with projects, and all of a sudden we have a politico-security crisis in Europe and then well... the person now in place has experience of government negotiations, [she/he] has a political intuition.”¹⁷⁶

On the other hand, the phenomenon described could be linked to the institutional context. Interviewee n° 4 continues:

“[I]n general, the Commission is not so good... they are not used to represent states and be in there and have that political intuition. And that is the biggest difference, I think, between diplomats from the capitals and those from Brussels.”

This could be connected to the quote from interviewee n° 8 above, stating that the institutional environment affects people’s mind-set and how they reflect on different matters. So rather than it being a personal quality, it could be linked to the institutional knowledge and experience of the person.

5.2.5 EEAS – a new institution

Several respondents in Strasbourg pointed to the fact that the EEAS is a relatively new institution and that the EU delegation in Strasbourg has not been in place for a very long time.

¹⁷⁵ Interviewee n° 1.

¹⁷⁶ Interviewee n° 4.

“I mean the EU delegation doesn’t have a long history here. And I think they are still trying to work out what their role is, and that we are all trying to work out what their role is.”¹⁷⁷

The role is not completely established formally within the Council of Europe, nor is it consolidated informally among the member states.

“[I]t is getting better and better and better, the EU in Strasbourg is becoming a much more important player where it is taken much more into account. [...] And it depends on very pragmatic and practical, but also very theoretical factors. The practical factors being that in order to make the EU delegation and thus the EU influential and present here, you have to have the people. [...] On the other side in the more of theoretical realm I think it also has to do a lot with how the Council of Europe sees its relationship with the EU in general. I mean, the more we get the point across to the Council of Europe sees that we are an important player and an important partner that has to be taken into account and respected on all sorts of levels by the Council of Europe the more the Council of Europe influence will be attributed to the EU delegation itself.”¹⁷⁸

In this way, the process of establishing a role is a process where both the EU member states, the non-EU participating states at the Council of Europe and the organisation itself participate. It is a process over time:

“But over time, we have seen that they weigh in the EU aspect more and more in each decision. [...] It is the daily procedure that matters, [...] that forms a common mind-set and reflection. It is a new culture that is developing [...] And this effect, I believe that it is a more important factor than the treaty itself, that and the day-to-day personal contact.”¹⁷⁹

¹⁷⁷ Interviewee n° 7.

¹⁷⁸ Interviewee n° 8.

¹⁷⁹ Interviewee n° 3.

5.3 Summarizing of roles and positioning

In the table below I have summarized the role perceptions of the interviewees into to the analysis scheme.

Table. Result of role perceptions of the EU delegation /level of Europeanization.				
Roles <i>Levels of Europeanization</i>	Role conceptions			
	Self-perception (EEAS)		Member State role prescriptions	
	<i>What expectations does the EU delegation have on its own role at the OSCE/Council of Europe?</i>	<i>How do the EEAS officials perceive the EU delegation's performance?</i>	<i>What do Member states expect from the EU delegation? (Role prescriptions)</i>	<i>How do the member states perceive the role taken by the EU (perceived performance)</i>
<i>The EU as the newcomer</i> - Low level of Europeanization - Absence of coherency			N° 7	
<i>The EU as the coordinator</i> - Bottom-up - Coherency		N° 3, 6, 8	N° 2.	N° 1, 2, 4, 7, 9.
<i>The EU as a leader</i> - High level of Europeanization - Top-down	N° 3, 6, 8		N° 1, 4, 5, 9	N° 5 (the EU del "is more trying to lead"). Possibly also n° 4 who points to an enhanced leadership.

The results of the analysis will be discussed more thoroughly in the next chapter. On the following page I have inserted another table lining out the respondents positions on potential factors to the role conceptions.

Table. EU and member state officials' view on factors affecting the EU delegation's role performance at the OSCE and the Council of Europe.

	Internal factors			External factors		
	<i>Pointing to personal leadership skills (informal)</i>	<i>Pointing to big versus small member states as a factor</i>	<i>Pointing to the EEAS as a new institution as a factor</i>	<i>Linking the EU delegation's role to the local organisational structure (formal)</i>	<i>Status of the EU delegation (formal)</i>	<i>Relationship with the OSCE/CoE (informal)</i>
Yes	Interviewees n° 1, 4, 5, 7	Interviewees n° 1, 2, 4, 7	Interviewees n° 1, 3, 4, 7, 8	Interviewees n° 2, 4, 5, 6, 7, 8	Interviewees n° 1, 2, 5, 6, 7, 8.	Interviewees n° 4, 8
No	Interviewee n° 2.	Interviewees n° 6, 9		Interviewees n° 1, 3, 9		
Did not mention/no opinion	Interviewees n° 3, 6, 8, 9	Interviewees n° 3, 5, 8	Interviewees n° 2, 5, 6, 9		Interviewees n° 3, 4, 9	Interviewees n° 1, 2, 3, 5, 6, 7, 9

6. Conclusive remarks

The analysis aimed to explore the role conceptions of the EU delegation in Strasbourg and Vienna, and it has indeed shed light over role conceptions and possible factors influencing the roles. We have seen that some of the expectations derived from previous literature have been confirmed in this study, whereas some new patterns have been revealed. There are differences and similarities between Strasbourg and Vienna. I will shortly discuss the results, before connecting it to the theoretical concepts.

The role taken by the EU delegation

The EU delegation seems to have assumed slightly different roles at the Council of Europe and the OSCE. In both organisations, most EU member states emphasize the importance of staying united as a group and speaking together. The difference is that in Vienna, the EU delegation is often speaking on behalf of the EU states and it participates in informal negotiations, sometimes as the only representative of the EU states, whereas in Strasbourg the role of the EU delegation is very limited during the deputies' meeting. Consequently, in Strasbourg, it is much more important to the member states to speak in their national capacity compared to in Vienna, where the EU role has been much more institutionalized. This well illustrates the interplay between formal and informal restraints; from a strictly legal point of view, the issue of the EU delegation's legal status is not resolved in Vienna either, however, there is a well developed practice within the OSCE that have made the EU delegation in principle a participating state.

A consolidation of the EU delegation's role during the Ukraine crisis?

According to several member state delegations, however, the EU delegation in Strasbourg has stepped up during the Ukraine crisis from being a mere mediator to a more active actor that is trying to push for its position and to increasingly lead the member states. The EU official that was interviewed pointed to the importance of an extended EU competence in these issues, which has allowed the EU delegation to assume a role leaning towards more top-down leadership at the Council of Europe. Regardless of any rate, it seems that the member states increasingly accept and see the benefits of a common EU policy in both organisations, although the practice is much more developed in Vienna compared to Strasbourg. Consequently, the acceptance of being steered by the EU delegation is higher in Vienna.

According to the respondents, even “difficult” countries such as the United Kingdom are accepting the common practice, which is why it is regrettable that it was not possible to include them in the sample in order to explore their position closer.

Importance of personal leadership or institutional learning?

Some respondents refer to the shift of leadership in Strasbourg as a factor to the enhanced leadership. Although they point to personal qualities as important for leadership and as a prerequisite for an influential EU delegation, when asked more closely about these qualities, they often point to their professional background and the difference between coming from the European Commission and from a member state ministerial. Regardless of whether this is a conscious choice made by the EEAS or not, we could at least argue that it is not primarily the personal assets per se, but rather institutional learning that matters in forming role performance.

A local factor or just a matter of big versus small member states?

Likewise, there are different understandings of *why* member states have different views of the role of the EU delegation. While some argue that it is the local organisational context, others maintain that the big versus smaller member states factor is more decisive. In Strasbourg, the local factor is very present since the EU has almost effectively an automatic majority. Because of this, the EU group does not want to be seen to act as a block, and is therefore trying to act in a united way, without seeming too united. It is still important for most member states to stay united. Those who are critical towards carrying out Brussels conclusions in Strasbourg and Vienna are the same that are critical towards the EU position in Brussels; the bigger member states want to be seen as international actors in their own capacity.

The finding that big and small member states factor matter is neither new, nor controversial. But it is remarkable that even though the EU has found a compromise in Brussels, a position that in principle should be implemented in Vienna and Strasbourg, some member states still oppose coordination in these fora arguing that the context is another, that the premises are different. But, as some interviewees pointed out, maybe this is the role of the EU delegation – to weigh in the voices from both big and small member states, member states favourable to EU coordination and those who are more reluctant, and all in all, minimize the “local” factor. In this way, the EU delegation still seems to have more of a facilitating or moderating role. Despite the claims of malfunctioning coordination, many respondents claim that the EU still

has managed to keep up a minimum level of common position, even if it has at some points been a lowest common denominator. It has been most successful in Vienna, where member states have a longer tradition of common practice and are used to coordinate. This might indicate that time will have an impact on the role of the EU delegation, and even though time does not automatically develop leadership, the direction that the EU delegation has taken and the development of their role in Strasbourg during the Ukraine crisis show that the EU countries increasingly see the benefits of speaking with one voice and that the EU is increasingly taking a leading role and pushing for agendas. And the member states increasingly think that they should, even in times of crisis.

Towards a Europeanization of EU politics?

Connecting the analysis to role theory, several member states attribute the EU delegation an important role, although few express the word leader. The small and medium states express frustration with the limited performed role of the EU delegation, whereas the big member state in the sample expresses frustration over the increasingly influential role of the EU delegation in these fora, a pattern that according to the other member states applies to the whole EU group. Although it is a very small sample, it corresponds perfectly to the role theory expectations: the conflicting role expectations that have developed within the EU group pose a problem for the EU delegation in terms of role performance. Likewise, a gap between role expectations and perceived performance cause frustration among the member states and what is more, it poses possible limitations to the EU delegation's ability to carry out leadership in terms of setting the agenda and pushing for positions.

Connecting then to the concept of Europeanization, we can see that the pattern is more complex than simply a higher or lower level of Europeanization. It could not be reduced to a linear development. Aggestam (2014) and Verlin Laatikainen (2010) argue that we could have a high level of EU leadership without being able to carry out effective foreign policy. I argue that we can have a high level of common action, but without a strong leadership from the EU delegation. This could be illustrated instead by the concepts of top-down or bottom-up leadership as presented by Wong.¹ In these terms, what we see today is a higher level of Europeanization of EU foreign policy with increased coherency, but the leadership is not only top-down but rather, it is the member states that negotiate with the EU delegation as a

¹ In Hill & Smith (ed) (2011).

facilitator, moderator. The results of this study indicate a trend towards more top-down leadership in the EU group, which has been stronger traditionally in Vienna and re-enforced in Strasbourg during the Ukraine crisis. This does not necessarily mean that the Ukraine issue itself has facilitated a leading role for the EU delegation in Strasbourg, but at least it shows that there has not been a step-down at times of crisis. In the end, it might be that with time, the member state delegations simply get used to the EU delegation speaking for them and setting the agenda. The cases of the role of the EU delegation at the OSCE and the Council of Europe indicate such a development. The EU delegation in Vienna has a much more institutionalized role, which arguably has made the EU member states more compliant. At the Council of Europe, the EU delegation is newer and does not enjoy the same level of institutionalization. Furthermore, they have not had the same traditional practice as at the OSCE, where the informal practice of EU coordination goes back to the Helsinki act, which at the time of writing this essay celebrates its 40th anniversary.²

The consolidated role of the EU delegation in Vienna could be a demonstration how the socialization process has managed to affect the way in which the member states think about foreign policy, creating a “common mind-set and reflexion”. It has even prevented normally “difficult” member states such as the UK from deriving too much from the common EU position. It is however difficult to establish if this is due to a socialization process or if it could rather be explained by a rational institutionalist approach, according to which an institution (the EU delegation) is facilitating the collective action dilemma, by affecting the range of alternatives on the choice-agenda or by providing enforced mechanisms that reduce the risks of collective action.³

It might be that acceptance of the EU’s role will increase over time, let it be because of a socialization process or because the re-enforced CFSP has reduced the options for the member states to act unilaterally. This said, it is much up to the EU delegation to assume its role and push it in a desirable direction. Heretofore, the EU delegation has not considered a leading position suitable at the Council of Europe, but recent development during the Ukraine crisis shows that they increasingly take a leading role. With a combination of a pro-active EU delegation and increasing acceptance from the member states, this might well produce a stronger top-down EU leadership.

² OSCE 5.

³ Hall & Taylor (1996), p. 945.

Policy implications

Apart from exploring the complex process of negotiations of roles, this study has also shed light over some very practical institutional constraints in the process of producing a common EU policy within the Council of Europe and the OSCE. Due to the nature of issues treated at the Council of Europe, the home desks of the member countries as well as many representatives in Strasbourg are often not well acquainted with EU issues. Consequently, many national delegations are somewhat detached from the EU context, and do not assume their entire national position, which should include the EU position. The outcome is of course different if the instructions come from a human rights expert rather than an officer from the foreign ministry.

More importantly, the EU delegation's status is not the same in Strasbourg as in Vienna, which has produced different outcomes in terms of capacity to carry out leadership. Although the EU is not a full participating member of the OSCE either, the practice of participation is much more enhanced as compared to the Council of Europe, making it, in principle, equal to a participating state. The different levels of consolidation of role positions have to do with the EU's relationship with the respective organisations. The issue of the status of the delegation in Strasbourg should be solved in order for it to function more efficiently. The introduced legal personality of the EU and the on-going negotiations on the EU's accession to the European convention might lead to an enhanced institutionalization of its role at the Council of Europe. Risks are that the non-EU member states might be reluctant to this, due to the EU's near majority in the organisation and to the unclear consequences of an EU admission for e.g. voting rights at the Committee of Ministers. Consequently, the EU member states as well might be reluctant to a too advanced position at the Council of Europe, since they seem to be very keen on their relationship with this organisation.

The EU member states might have to discuss on an overall level what implications the Lisbon treaty should have on the EU's engagement in multilateral organisations and the role of the EEAS in this context, since it is clear that this is a yet-to-be solved issue.

Future research

The approach to explore role conceptions and leadership through interviews turned out to be fruitful. Despite a limited sample, the study managed to shed light over role perceptions and role prescriptions, and it suggested factors influencing roles emergence and what implications these roles might have for a common EU foreign policy. This is a highly interesting result in a field of the foreign policy that has rarely been explored before. In the future, the study should be expanded to include a larger sample representing more member states, and a larger variation of member states, including so called big member states and also southern member states. This could help to further explore and categorize role prescriptions and possible role conflicts. The understanding of roles is a crucial first step towards the understanding and explaining of the EU as a foreign policy actor in these contexts. The sociological-institutionalist based assumptions including a wide definition of institutions as informal rules and norms has helped us exploring the process of role negotiation, although we could also draw on rational institutionalist assumptions on institutions functioning as a restraint on member state choices of action.

Since the working hypothesis of this thesis was that role conceptions affect actual performance, in a future step, studies should aim to look at actual performance, in order to see if/how it corresponds/correlates to the role conceptions. Due to the limited access to relevant documents, it might be useful to instead make an observational study in this respect.

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Appendix

List of Interviews

- Interview n. 1 on the 27th of April, 2015, by phone.
- Interview n. 2 on the 5th of May, 2015, by Skype. 50 minutes.
- Interview n. 3 on the 8th of May, 2015, in Brussels. 25 minutes.
- Interview n. 4 on the 29th of May, 2015, by phone. 30 minutes.
- Interview n. 5 on the 1st of June, 2015, by phone. 25 minutes.
- Interview n. 6 on the 4th of June, by phone. 30 minutes.
- Interview n. 7 on the 9th of June, by phone. 20 minutes.
- Interview n. 8 on the 19th of June, by phone. 25 minutes.
- Interview n. 9 on the 3rd of July, by phone. 30 minutes.

Interview guide (English)

Theme 1: The role of the EU delegation

- 1) To start with a general question - how would you describe the role of the EU delegation at the OSCE/Council of Europe?
- 2) What do you think that the EU delegation wants to achieve at the OSCE/Council of Europe?
- 3) What role would you say that the EU delegation has taken during the EU coordination meetings in regards to the Ukraine crisis?
→ Active role? Passive? Mediating?

Theme 2: The role taken by the member States

- 4) Are there member States that have been taking the lead in the Ukraine discussions at the EU coordination meeting?
- 5) Are there member States that have taken an active part in coordinating the EU member States in regards to the Ukraine crisis?

(Theme 1)

- 6) How would you describe the role of the EU delegation during the deputies' meeting?
- 7) How do you think that the EU member states perceive the participation of the EU delegation at the meeting?

(Theme 2)

- 8) Do you think that it is important for member States to speak in their national capacity during the deputies' meeting?

9) How important is it for the member States to show unity towards the non-EU member States in the Ukraine question?

Other

10) How would you describe the EU coordination during the Ukraine crisis?

→ Biggest obstruction?

→ Is there a local factor in Vienna/Strasbourg in comparison to Brussels?

11) Would you describe the Ukraine crisis as a “typical case” of EU coordination? Explain.

12) How do you think that the EU member States view their memberships at the EU and OSCE/CoE respectively?

→ How does the member state relate to its EU membership when in the context of the OSCE/CoE?

13) What is the difference between the OSCE and the Council of Europe?

→ Role during the crisis

→ Related to EU coordination

Interview guide (Swedish)

Tema 1: EU-delegationens roll

1) Hur skulle du beskriva EU-delegationens roll i OSSE?

2) Hur tror du att EU-delegationen ser på sin roll? Vad tror du att de har för mål med sin närvaro?

3) Vilken roll tycker du att EU-delegationen har tagit under EU-samordningsmöten under Ukrainakrisen? Aktiv/passiv/medlande?

Tema 2: Medlemsstaternas roll

4) Finns det medlemsstater som är tongivande i debatten under EU-samordning?

5) Finns det medlemsstater som tar på sig en stor roll i att koordinera EU-länderna?

(Tema 1)

6) Hur skulle du beskriva EU-delegationens roll under ställföreträdamötena?

7) Hur ser EU-medlemsstaterna på EU-delegationens deltagande i ställföreträdamötena?

(Tema 2)

8) Tror du att det är viktigt för medlemsstater att tala i nationell kapacitet? Föredrar MS att uttala sig själva under ställföreträdamötena?

9) Hur viktigt är det för MS att EU visar sig enade utåt?

Övrigt

10) Hur har EU-samordningen fungerat överlag under Ukrainakrisen? Möjliga hinder? Lokala faktorer?

11) Skulle du beskriva Ukrainakrisen som ett typexempel på hur EU brukar agera/samordna i OSSE/Europarådet?

12) Hur tror du att medlemsstaterna ser på sitt EU-medlemskap vs sitt OSSE-medlemskap och förpliktelser?

13) Vad är skillnaden mellan OSSE och Europarådet?