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MULTIPLE PRACTICES AND STYLES:
ANALYSING VARIATION IN EU FOREIGN
POLICY NEGOTIATIONS

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Multiple Practices and Styles: Analysing Variation in EU Foreign Policy Negotiations

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Introduction

A quick look at the calendar of meetings of the Council of the European Union (EU) (hereafter: Council) reveals that every day dozens and dozens of committees gather in the premises of the Council to discuss, sign joint declarations, legislate, and launch projects and initiatives. The EU has indeed been regularly referred to as a “negotiated order” (M. Smith 2006), whose policy process “has been peculiarly dependent on negotiation as a predominant mode of reaching agreements on policy” (Wallace 1996: 32). This is particularly true for the area of the Common Foreign and Security Policy (CFSP), and its defence dimension, the Common Security and Defence Policy (CSDP). On the one hand, the around 30 working groups plus more senior committees such as the Political and Security Committee (PSC), the Military Committee (EUMC) or the Committee for Civilian Aspects of Crisis Management (CIVCOM), have formed a highly institutionalised and dense network of negotiations. Of the ten Council configurations, Foreign Affairs holds the higher number of meetings (Chelotti 2014). On the other hand, even after the Lisbon treaty, unanimity is still the largely prevailing rule in CFSP/CSDP. This means, *inter alia*, that disputes cannot be settled by voting, but only by (usually complex and difficult) negotiations. All decisions are made by consensus: negotiations are ubiquitous in EU foreign policy.

Far from being a uniform and homogeneous policy field, CFSP/CSDP negotiations involve different tactics, instruments and practices. Four tactics are identified in this paper. Veto threats and non-cooperative styles; issue-linkages and conciliatory mechanisms; institutional cooperation; argumentation and persuasion, all coexist – albeit with different accents and incidence – in EU foreign policy. This paper investigates the factors that explain the variation in these negotiation styles and practices. Under what circumstances, and by what actors, are veto threats, integrative bargaining, arguments more frequently employed?

Using an original database of 138 questionnaires compiled by national officials participating in CFSP/CSDP committees, it explores, in particular, whether contextual factors and/or state characteristics influence the negotiation practices in the Council. In this vein, it also introduces a new set of explanatory variables – largely ignored by the literature on negotiations – and argues that negotiation styles are (mainly) affected by individual characteristics of the single decision-makers. More in particular, it reveals that states' power, degree of Europeanism and models of democracy appear as too distant factors and are not significant and relevant variables to explain the negotiation practices of national diplomats. Similarly, belonging to the CFSP or CSDP, as well as participating in the working groups or in the PSC/EUMC does not affect the choice of negotiating styles. Contextual and state factors are instead mediated and filtrated by the personal and professional experiences of CFSP/CSDP diplomats. The amount of leeway single diplomats enjoy vis-a-vis the national capital; the number of years they spend in Brussels; and (to a certain extent) their personal appreciation of the CFSP/CSDP are significantly related to institutional cooperation and argumentative styles. In this vein, another finding of the paper is that the four negotiating practices are not necessarily captured by the same variables. Rather, different styles imply, or refer to, different logics and motivations.

The paper is organised as follows. After briefly presenting the database of the research (section 1), it describes the negotiation practices and styles of the CFSP/CSDP. Original data is used to show how different instruments and styles are used to eventually solve conflicts in the Council. In addition, the creation of four indexes is presented and explained: the aim is to use these indexes as outcome variables in the following analysis (section 2). Next, section 3 introduces the explanatory variables of the research: in order to explain the variation in negotiating styles, three sets of variables (at the institutional, state, and single diplomat level) are discussed. Section 4 presents the results of the empirical analysis. It shows that the institutional context and state characteristics are often mediated by the individual experiences of the single decision-maker. A concluding section summarises the main findings of the paper.

1. Database

The paper relies on an original database of 138 questionnaires that have been filled out, between May and July 2008, by national officials – of 27 member states – participating in CFSP/CSDP committees. The questionnaire had been sent to *all* (with the – partial –

exception of the COREPER II and the Antici group) the national diplomats with a foreign and security portfolio, who were based in the (national) Permanent Representations (PR) in Brussels at that time. This embraces the PSC, EUMC, CIVCOM and the around 30 working groups active in the CFSP/CSDP. These officials are involved in all the decision-making phases of EU foreign policy: they play a key role in preparing and negotiating the national position, with a certain degree of leeway from the national capitals (Chelotti 2013a), and often make the final decisions – which are then rubber-stamped by the national ministers in the Foreign Affairs Council (FAC). Although the numbers may vary, it is safe to say that ministers deal with only one-third of all the items on the FAC agenda (Juncos and Pomorska 2011). Brussels diplomats are therefore the key negotiators in EU foreign policy, or, as Ben Tonra (2001: 12) has argued, the main “policy arbiters” of this policy field. The response rate was about 36%: 114 replied to the postal questionnaire, whereas 24 compiled it online. In this vein, this database is a welcome addition to the literature on negotiations. Despite its potential, so far few empirical data have been produced about, and few studies have thoroughly investigated, negotiation styles and practices (Warntjen 2010) – let alone the causes of their variation, or their application to EU foreign policy (Bicchi 2011; Thomas 2009).

This focus on the single diplomat as unit of analysis has two main implications for the empirical analysis. On the one hand, it does not investigate one of the possible explanations for variation in negotiating styles: the characteristics of the issue under consideration. Different negotiation practices can indeed be influenced by factors such as salience, high/low politics, zero- or positive-sum game; linkages of issues (McKibben 2010). All these elements are held constant in this analysis: it could be reasonably assumed that in their activities national diplomats have managed files with a wide range of different features. On the other hand, it allows going beyond the institutional and state levels, and analysing whether, and to what extent, the negotiation sites (i.e., Council committees) and the member states can really be considered as unitary bodies. Including the experiences, working habits and characteristics of individual policy-makers does permit the generation of a more specific, flexible and accurate set of hypotheses, and a more fine-grained analysis of international (and EU) negotiations.

2. CFSP/CSDP: a multifaceted regime, many negotiating styles

Although negotiations in foreign and security policy are traditionally considered the realm of intense exchanges of veto threats, lower common denominator logics, declaratory and ineffective policy-making, the CFSP/CSDP is probably as diverse and multifaceted as most policy areas in the EU. It is a complex and large regime: the national officials in the 30-35 committees negotiate on different topics, with different instructions, on the basis of different political cultures and administrative structures. They employ a wide range of instruments to (attempt to) achieve consensus. EU foreign and defence policy is generally certainly consensual: the atmosphere is clearly collaborative, diplomats see each other as colleagues, the environment is highly institutionalised, and the (formal and informal) contacts between the various actors are frequent and intense. The exchange of information is equally high. National officials do not try to maximise their negotiation strategies in each occasion, while having a good understanding of each other's position, and often reaching a similar reading of many foreign policy issues. Nonetheless, when member states have diverging interests, intergovernmental practices and outputs usually prevail (Chelotti 2011). In this vein, the culture of consensus of the CFSP/CSDP hides and implies different features and types of negotiation (Chelotti 2013b).

In the rest of this section, four main negotiating practices are identified, presented and discussed. In addition, the construction of four indexes for the next explanatory analysis is briefly clarified. By negotiation practices (or styles) it is here meant the tactics through which negotiations are conducted and disputes eventually solved (Dür and Mateo 2010a, 2010b). The focus is on the concrete instruments that delegates use in negotiations, and not on the logics or motivations behind their moves.¹ With different frequency and relevance, non-cooperative and cooperative bargaining, institutional cooperation and argumentation are all present in the CFSP/CSDP negotiation process (Chelotti 2013b).

a) *Non-cooperative bargaining*. One of the main defining features of EU foreign and defence policy is the existence of veto: at (almost) any moment, on (almost) each and every item on the agenda, one of the 28 member states can block its decision-making process. The long and dark shadow of the veto is widely considered one of the biggest causes of the very few successes and many ineffective policies of the CFSP/CSDP. However, not only is its use very rare, but the overall system does not operate under the constant threat of member states

¹ For the distinction between instruments and logics, cf., for instance, Müller (2004) and Risse (2004). For a discussion in the context of EU foreign policy, and a more extensive analysis of CFSP/CSDP negotiations, and the different dimensions of its culture of consensus, cf. Chelotti (2013b).

vetoing proposals, actions and declarations. Only less than 15% of the delegates (options 1+2 on a four-level Likert item) report that veto threats are a recurrent tactic in Council committees, whereas the remaining 85% do not share this view. In addition, also reaffirming and presenting the national position again when states hold conflicting interests denotes a non-cooperative negotiating style. This is a frequent negotiating style for 61.5% of the diplomats (options 1+2 on a four-level Likert item). These two queries are merged together to produce a seven-point index (0 to 6).

b) *Cooperative bargaining*. EU diplomats report that the CFSP/CSDP is a largely cooperative regime: not only is the atmosphere cordial and friendly, but the search for consensus is persistent and relentless in almost every policy dossier. In this context, cooperative instruments are frequently used to come to an agreement. The scope of the decisions is often expanded to accommodate the preferences of other delegates, in order to strike a deal which is favourable to as many actors as possible. In case of different interests, or different intensity across policy issues, states (can) rationally exchange concessions to make agreements more likely. Issue-linkages – where multiple items are combined into a single agreement – and, to a smaller extent, side-payments – where one-off compensations are offered in the form of direct monetary payments or material concessions on other issues – regularly occur in Council committees to settle disputes and foster consensus, according to 63% and 32% of the interviewees, respectively (options 1+2 on a four-level Likert item). This confirms, *inter alia*, that issue-linkages are generally more acceptable than side-payments. These two instruments of cooperative bargaining are merged to generate a seven-point index (0 to 6).

c) *Institutional cooperation*. In order to foster consensus and negotiate effectively, national representatives may rely on EU institutions as focal point of CFSP/CSDP negotiations. These bodies may supply information, reduce the transaction costs and increase transparency, and help in finding compromises. In EU foreign policy, the two key institutional actors are the Commission and the High Representative for Common Foreign and Security Policy (HR) and his/her staff.² They are active and frequent participants of negotiations and contribute to give shape to the CFSP/CSDP. The cooperation with the Commission and the HR suggests a different negotiating style, where divergences are settled, and decisions are made, through the

² The research has been carried out before the Lisbon treaty came into effect, when the position of HR was merged with that of the External Relations Commissioner (and this post has been rebranded as High Representative of the Union for Foreign Affairs and Security Policy) and before the European External Action Service was created. The HR's staff here refers to the Council Secretariat.

assistance and expertise of EU institutions. The interviewees confirm that these actors play a relevant role in CFSP/CSDP committees: 69% and 74% of the national officials, respectively, seek the collaboration of the Commission and of the High Representative (options 1+2 on a four-level Likert item). Only 7% and 6% replied, instead, that the activities of these actors are insignificant (option 4). The two sources of data are again combined into a seven-point index (0 to 6).

d) *Argumentation*. The fourth negotiation practice involves the use of arguments and persuasion as a way to conduct negotiations and as a means to make decisions. The decision-making process is essentially discursive, and the system may operate through constant attempts to convince the other policy-makers. To varying degrees, argumentation and persuasion play a role in the CFSP/CSDP.³ It does happen, on the one hand, that national representatives in Council committees, disagreeing with the instructions of the national capitals, act as to convince them to change the original position. Almost 40% of Brussels delegates report that this practice occurs frequently, whereas a further 46% claim that it is an occasional weapon of the Council committees' diplomatic armoury (options 1 and 2, respectively, on a three-level Likert item). On the other hand, the extensive use of arguments and the continuous attempts to persuade are the prevailing negotiation style for 18% of the diplomats, and a frequent practice for a further 66% (options 1 and 2, respectively, on a four-level Likert item). The two measures are merged together to produce a six-point index (0 to 5).

3. Explaining variation in CFSP/CSDP negotiation practices

Far from being just a hard bargaining arena, the CFSP/CSDP decision-making process is therefore characterised by different negotiation styles. Identifying just one way of negotiating and resolving disputes does not make justice to the complexities of this policy field. Veto threats are present, although rarely used. Issue-linkages, more than side-payments, are a recurrent item of national diplomats' toolkit. The institutional cooperation of the Commission and the HR is frequently sought during negotiations. And finally, arguments – to be

³ True motivations behind the attempts of persuasion or the use of arguments are left out of this analysis. Arguments are here understood as *speech acts* (see also footnote n. 1). Qualitative research reveals indeed that different logics (consequentialism, appropriateness, arguing) can be found in the argumentative decision-making process of EU foreign policy (Chelotti 2013b).

understood as speech acts – are a defining feature of Council committees’ policy-making. But, how do we explain this variation? Under what circumstances is it more likely to observe non-cooperative bargaining, cooperative bargaining, institutional cooperation and/or argumentation? As mentioned before, issue characteristics – policy type, salience, level of politicisation, linkages, which can all influence negotiation practices – are here held constant. The unit of analysis is the single diplomat, who has very likely experienced, or handled, different kinds of policy items. Similarly, the decision-making rule does not vary, since (almost) all the decisions in the CFSP/CSDP are made (implicitly or explicitly) by unanimity. In the following, sets of hypotheses relating to three different – institutional, state and individual – levels are presented and discussed.

3.1 Institutional level

The first set of explanation involves contextual variables. In EU foreign policy, for instance, Cross (2010) shows that different cultural and professional backgrounds and characteristics of the network have markedly different impacts on the cohesiveness of the CIVCOM and EUMC as decision-making sites. Chelotti (2013a) finds evidence of a greater oversight of the national capital in the case of working groups officials compared to PSC ambassadors. In this vein, the institutional environment in which negotiations take place may create norms and expectations that facilitate or hinder the construction of consensus, and affect the likelihood of the use of certain negotiation strategies. Elgström and Jönsson (2000) sustain that international negotiations vary, *inter alia*, depending on the phase of the negotiation, the level at which negotiations are carried out, and characteristics of the decision-making network. Developing these insights further, Lewis (2010) argues that a higher degree of insulation, of the scope of issue coverage, of negotiators’ interaction intensity, and of normative density leads to more cooperative and consensual negotiation strategies (and outcomes).

In the CFSP/CSDP decision-making process, these features broadly reflect the divide between working groups on the one hand, and PSC, its collaborators and EUMC on the other. Generally, the latter are more insulated (and senior) bodies, whose negotiations are less transparent and contain franker discussions, and also possibly more common definitions, of EU foreign policy issues. In-camera settings are able, among other things, to build thick trust among the participants and to restrain the overt pursuit of national interests.⁴ In addition, they

⁴ Not everybody agrees that the degree of insulation is conducive to more cooperative negotiations. It may be indeed argued that publicity helps to prevent unjust, selfish, illegitimate or simply private decisions, and thus

meet more frequently – the PSC is the actor with the highest number of meetings in the CFSP/CSDP architecture (Chelotti 2014) – and deal with a more comprehensive policy agenda. These actors, for instance, negotiate with a broader horizon in mind, and are also able to link different issues into a single package to reach a common decision. In many aspects, they share a wider range of thick norms and rules, which include a sense of common responsibility, continuous reflexes of coordination, a consensual negotiating style, and which form a distinct ‘culture’ of collective decision-making (Cross 2010). As a result, we should expect that the PSC, its collaborators and the EUMC use more cooperative tactics than diplomats in working groups: a higher use of integrative bargaining, and arguments, a closer cooperation with EU institutions, and fewer veto threats (*H1: Committee*). For this purpose, a dummy variable is created assigning the value of 0 if the respondent belongs either to the PSC, EUMC, Nicolaidis group, and 1 otherwise.⁵

On similar lines, it could be argued that the CFSP and CSDP are two different policy regimes, demand different logics and lead to different negotiation practices. The EU consensus on the use of force is most of the time feeble, as the cases of Libya (2011) and Mali (2013), for instance, show. It might be argued that national priorities, geographic and political interests, as well as normative systems are even more divergent in the case of the CSDP. Member states are even more cautious and suspicious when it comes to launching civilian or (especially) military missions. Cooperative agreements are more difficult to achieve, and the field remains under national (and NATO sometimes) auspices. What is more, defence – since it concerns the use of force and may involve sending national troops in combat zones – can be considered even closer to the heart of national sovereignty: cooperation and cooperative tactics are thus less likely, whereas more strictly intergovernmental dynamics (including the presence of veto) will more likely apply (*H2: Defence*). Another dummy variable captures this distinction – the value of 0 is given to the CFSP, and 1 to the CSDP.

Contextual differences may exist not only between different regimes (CFSP and CSDP) or different levels of the Council hierarchy (PSC/EUMC versus working groups), but also within these categories. For instance, the frequency of the meetings, and the negotiators’ interaction intensity, widely vary indeed from one committee to another, from one working

contributes to a more legitimate process, whilst also producing policy outcomes that are closer to the collective good.

⁵ The Nicolaidis Group, which meets twice per week, is in charge of the preparations for the meetings of the PSC. Whereas a diplomat is a member of both the Nicolaidis group and one of the working groups, his/her values have been excluded from the analysis. The same applies for H2, for those delegates who participate both in the CFSP and CSDP.

group to another. The working groups on Western Balkans or on Eastern Europe met almost twice per week in the first semester of 2011, for instance, whereas the parties on Public International Law or on Conventional Arms Exports gathered around once per month (Chelotti 2014). In addition, individual diplomats are often associated to more than one committee: it occurs frequently that the same official deals, for instance, with Latin America and United Nations, or with Eastern Europe, Central Asia and OSCE/Council of Europe. Assuming that an intense participation in CFSP/CSDP affairs contributes to enhance trust, solidarity and empathy among diplomats, it can be hypothesised that the higher the exposure to negotiations the higher the chances to use collaborative tactics (*H3: Contact*). Exposure is operationalized through the frequency of CFSP/CSDP formal meetings, and the amount of time diplomats spend working on EU foreign policy issues – a proxy which aims to capture the more elusive informality of negotiations. The two five-point measures are combined to produce a 9-point index (0 to 8).⁶

3.2 State level

Variation in styles may instead depend on national characteristics: certain national elements may directly or indirectly affect national representatives' negotiation strategies. Having being educated in domestic contexts, CFSP/CSDP delegates are likely to reproduce national templates, insights or guidelines. This may be intentional – national representatives (have to) consciously follow certain negotiating styles coherently advocated and propagated by domestic structures – or unintentional – though devoid of directives coming from the national administration on how to negotiate, national diplomats nonetheless unconsciously pursue the same negotiating practices, which are a reflection of (the internalisation of) wider characteristics of their country. Dür and Mateo (2010a) argue that differences in power resources, preferences and cultures best explain the practices within Council committees. Power resources are widely considered as a key currency in international politics, and in any international setting. Most powerful states have fewer incentives in participating in the workings of international institutions and in engaging in international negotiations. Their commitment to them is limited: the CFSP/CSDP is just one of the options (and the forums) they can use to influence international politics. Under these conditions, we expect that, on average, national diplomats from the EU most powerful countries (*H4: Power*) are more

⁶ The two Likert answer sets are as follows: in relation to the time spent on CFSP/CSDP matters, a) Less than 25% of the time; b) From 25 to 50% of the time; c) From 51 to 75% of the time; d) From 76 to 99% of the time; e) 100% of the time. As to the frequency of the meetings, a) Once-twice a week; b) More than once a month; c) Once a month; d) A few times during the year; e) Once a year.

inclined to use non-cooperative tactics, because a blockage of the system would less affect their preferences and strategies. At the same time, they have fewer incentives to engage in discursive practices, and to cooperate with international/EU institutions. Opposite expectations on the behaviour of smaller states' officials can be derived. The consequences of power on the use of integrative bargaining are less clear-cut. Again, most powerful states might be less disposed to take into account other states' positions and employ cooperative styles (for some of the reasons mentioned above); at the same time, however, their greater amount of material resources may convince them to use issue-linkages and (probably even more) side-payments to convince reluctant partners to accept a certain deal. Power is here operationalized in terms of GDP size (*Data: World Bank*). The year of reference is 2008 (which is when the questionnaires had been sent).

Negotiating styles may depend on, or mirror, certain cultural characteristics of a country. How states, and their representatives, negotiate is culturally and domestically constructed. The level of Euroscepticism inside a country is one of these characteristics. The argument is built on the insight that states that are lukewarm (at best) towards the EU and its foreign policy system are less favourable of constructively forging a common EU policy. They accept only those policy proposals that fit into their foreign policy strategies, and block the decision-making process. As a result, it can be expected that Eurosceptic countries tend to use veto threats more often, whilst engaging in compromising activities, institutional cooperation and argumentation less frequently. Vice versa, representatives from more Europhile countries are ultimately more likely to use cooperative, institutional and argumentative practices. Eurobarometer n. 69 (published in November 2008 and developed between March and May 2008) provides the necessary information: the degree of support of national public opinion on EU foreign and defence policy (two separate questions, which are then averaged to produce a single score) constitutes the values of the fifth explanatory variable (*H5: Europeanism*).

Along similar lines, national delegates' choice of diplomatic instruments can be affected by the constitutional culture of a country. Arendt Lijphart (1999) famously argued that majoritarian and consensus democracies have different characteristics, understand the political process in profoundly different ways, and also have better performances in governing societies. Decisions are made, and disputes are settled, in very different ways. The majoritarian principle indicates that power is concentrated in the hands of few people: there are clear divisions between these people and those who are outside the power circle. The space for divergent views and opposition is extremely limited. On the other hand, the

consensus principle asserts that power is shared, and dispersed, among a plurality of actors: the decision-making process reflects, and takes into account, a broad array of positions and interests (including those of the minorities). The culture (value, mechanisms, practices) of compromise varies in these two patterns of democracy. In fact, it is possible to label these regimes as ‘bargaining’ and ‘negotiation’ democracies, respectively (Armingeon 2002). In the context of EU foreign policy, it can be hypothesised therefore national diplomats’ behaviours and attitudes in the Council decision-making process, as well as its policy outcomes, are shaped by different patterns of democracies (or political regimes) (*H6: Democracy*). This variable is operationalized through the two dimensions originally identified by Lijphart: the consensus versus majoritarian (which reveals the degree of power sharing in executives and legislatures) and federal versus decentralised divide (which reveals the division of power between institutions and levels). The values have been taken from the study by Hanspeter Kriesi and Daniel Bochsler (2013) on the varieties of democracy, which updates, further elaborates and extends to 50 democracies (including 26 members of the EU) Lijphart’s previous indicators. In particular, five indicators (effective number of parties; electoral proportionality; proportionality of the system; wage coordination; union density) form the majoritarian/consensus dimension; and other three (constitutional division of the territorial power; fiscal division of the territorial power; bicameralism) give substance to the second one (federalism/decentralisation). The values of the two dimensions are then merged to produce one single score for the *Democracy* variable.

3.3 Individual level

The institutional and state levels do not exhaust the possible explanations of the variation in negotiating styles. There is another dimension that so far – also for methodological reasons (and lack of specific databases) – has been largely neglected in the literature on negotiations. It is contention of this paper that characteristics of the single diplomats can affect practices and tactics in the Council decision-making process. Under certain conditions, national delegates can infuse negotiations with their insights and perspectives. In the EU policy process, the meetings in Brussels follow one another at a fast pace, and departments in the national capitals struggle to continuously instruct and control their representatives in Brussels. Most committees in the CFSP/CSDP are convened at least once per week, and interaction with Brussels partners is as frequent (if not more frequent) as the one with the national ministry. The number of these meetings is higher in foreign policy than in any other Council configuration (Chelotti 2014). Working documents are continuously produced and

amended, and often made available few days (or hours) before the meeting (Egeberg et al. 2003): in these conditions, there is not much time (let alone the personnel) for domestic administrations to fully control the policy process. The state has progressively become decentralised and disaggregated, and increasingly reliant on their representatives in Brussels. PRs have also structural and informational advantages that lead them to have a better overview of the negotiations. It is not surprising then that one CFSP/CSDP official out of two reports that, as a general rule, s/he enjoys sufficient freedom in the Council decision-making process (Chelotti 2013a). In other words, national diplomats in Brussels have a considerable say in the definition as well as in the negotiation of EU foreign and defence policy.

In this context, different attitudes of a diplomat (even idiosyncrasies) may influence the negotiations, its practices as well as its outcomes. The individual, with his/her multiple experiences and loyalties, is put back in the picture. The idea that is explored here is that the Council negotiation styles are defined by the interaction between the individual diplomats and the social contexts in which they are embedded in. Diplomats are not “simply the bearers of social roles and enactors of social norms; they also are artful and active interpreters of them” (Barnett 1998: 27). At a minimum, national representatives respond to pressures/imperatives coming from both the European context (their participation in Council committees) and the national context (their belonging to national administrative structures). These pressures/imperatives interact with each other, and may reinforce or weaken certain trends. More importantly, it is argued here that these institutional and state factors combine also with, and are mediated by, a wide range of individual experiences and features. The literature on socialisation in Europe has, for instance, widely demonstrated that EU socialisation processes are real, but more often than not filtrated by previous (mainly national) socialisations (Beyers 2005; Chelotti forthcoming; Hooghe 2005). At the same time, there is variation also among diplomats from the same country. Furthermore, EU and national institutions are complex organisations: they are not unitary actors, which deliver the same, single message. The pressures/imperatives coming from them may vary by intensity, frequency and degree.

Individual experiences therefore are likely to matter in international negotiations. Contextual and state variables do not disappear, but are incorporated into, and mediated by, individual characteristics. In the following, three variables at the individual level are presented and discussed. The first variable is the years that diplomats have spent in Brussels, in the Council decision-making process. This is arguably the variable where purely individual attributes come into play. The logic behind is that a long permanence in, and contact with,

Brussels lead diplomats to adopt more cooperative, institutional and argumentative tactics. On the other hand, it is more likely that the newly appointed to EU positions will be more cautious, if not suspicious, towards the intentions of the other colleagues. On average, they can therefore be expected to engage in more adversarial and uncooperative behaviour. Time is often essential to build trust among participants, to forge a more consensual policy, and ultimately to *eventually* overcome the prudence/diffidence that national officials might have at the beginning of their European mandate (*H7: Length*). These dynamics occur independently from the features of diplomats' negotiation contexts or state attributes: they belong to the diplomats' sphere and personal experience. This variable is operationalised through a specific question on the questionnaire.⁷

The other two individual variables combine and merge context and/or state factors with individual elements. Negotiations are complex interactions conducted by human beings (diplomats): it might be that diplomats' identities and attitudes influence both the content and (especially) the styles of these diplomatic exchanges. The political level of the government might be aware of the broad negotiation strategies, and the domestic level of the national administration will be certainly involved in the negotiation process. However, given their position at the core of the negotiation process, as well as their accurate knowledge of the state of play and of the structure, context and actors of the negotiation, the actual delegates are likely to have a primary role in deciding how to approach the other states and how to run the negotiation.

In this vein, their view of the EU integration process and their evaluation of the merits of a common EU foreign policy may influence the choice of the member states' negotiation tactics. Clearly, national representatives who are pro-European will tend to adopt more conciliatory instruments, since they feel part of, and value, the overall CFSP/CSDP project. They might try to constantly find an accommodating solution (integrative bargaining), the cooperation of the EU institutional actors, or justify their positions with argumentative practices. Collaborative practices and positive dispositions may therefore be due to the fact that national officials see their negotiations as part of a bigger, on-going and collective project with the objective to strengthen EU foreign and defence policy. On the other hand, if national diplomats see EU foreign policy through mainly national and intergovernmental lenses, and its negotiations as zero-sum games, then they will pay less time, energy and resources to try to accommodate other states' positions, or to engage in long and extenuating

⁷ The question asked how many years the diplomat had spent in the EU decision-making process up to that time.

discussions with the Commission or the External Action Service or argumentative processes. National officials who are more lukewarm (or sceptic) towards the benefits and reasons of a EU foreign policy will therefore be more likely to adopt more intransigent and uncompromising tactics (*H8: Identity*).

This variable is operationalised through a factorial analysis of six statements aimed to unveil the role conceptions held by national diplomats during their negotiations in Council committees⁸. The factorial analysis has indeed revealed that these six statements reflect two different (European and national) role orientations (Chelotti forthcoming), whose factors scores are then added up to produce one single set of values for the variable.

Finally, the last variable refers to the amount of the leeway that national officials (in Brussels) have in their work (*H9: Leeway*). The idea is that the greater the diplomats' leeway the more cooperative, institutional and argumentative their negotiation tactics in the CFSP/CSDP will be. Two clarifications are needed at this stage. Firstly, it is tacitly assumed that Council committees are in general socialising forces. The friendly atmosphere and the thick normative environment of the CFSP/CSDP are considered naturally conducive (*per se*) to a more consensual and collective decision-making process. As a result, the assumption here is that, on average, diplomats who enjoy more discretion (are less controlled by the national government/administration) in their Brussels activities are likely to adopt more collaborative practices. Vice versa, whereas the national mandate for negotiating is stricter (for instance, more detailed, frequent and clear), delegates are expected to be more hard-line and inflexible. It follows also that the domestic level (the political layer as well as the officials working in the domestic ministries), which is less exposed to the norms, habits and reasons of the EU committee system, is considered to interpret the EU policy-making through more national lenses, and to pursue more competitive and assertive negotiation tactics. A gap between Brussels and national capitals is thus assumed to exist. Furthermore, the literature generally supports this claim (Chelotti 2013a; Cross 2011; Juncos and Pomorska 2006; Howorth 2012; Lewis 2005).

⁸ The six statements investigated, on a six-point scale, the following issues: a) “*In CFSP/CSDP committees we have to inform and defend our national position*”; b) “*Information on national positions in CFSP/CSDP committees is useful in order to be able to take into account interests of the other member states when setting out our national policy*”; c) “*The unanimity rule and the veto member states have at their disposal are highly valuable features of the CFSP/CSDP*”; d) “*As far as EU foreign and security policy is concerned, goal of member states should be to promote and strengthen the role of the EU*”; e) “*The main task of CFSP/CSDP committees is to look for common objectives and a common policy in collaboration with member states and EU institutions*”; f) “*In CFSP/CSDP committees national officials at the EU level and EU institutions should play a major role in drawing up guidelines for national foreign policies*”.

Secondly, the national administration’s control over their PRs is not a constant, but a variable: when negotiating, not every diplomat has the same amount of leeway. If this depends, to some extent, on the different characteristics of the national bureaucratic machineries – for instance, countries like the United Kingdom, Sweden and Denmark traditionally exert a tighter control on their civil servants, whereas more margin for manoeuvre exists for the representatives of Belgium and Italy (Beyers and Trondal 2004; Kassim and Peters 2001) – this correspondence is far from being perfect. Diplomats from the same country do enjoy varying degrees of discretion. What is more, individual characteristics (for instance, the time spent in the Council decision-making process) help to explain part of this variation: those who have accumulated over the years a wide knowledge of EU and domestic contexts, of their relative practices and mechanisms have been able, on average, to carve out a wider space for manoeuvre in their negotiating activities (Chelotti 2013a). An index has been created to operationalise this hypothesis. It contains and combines information – obtained by four queries of the questionnaire – on the clearness, detail (both on a six-level Likert item), and frequency of the mandate (on a four-level Likert item); and on the overall leeway that Brussels diplomats perceive they have in CFSP/CSDP negotiations (on a four-level Likert item). The index goes from 0 to 16.

The nine explanatory variables are summarised in table 1.

TABLE 1. NINE EXPLANATORY VARIABLES

	<i>Operationalisation</i>	<i>Level</i>
<i>H1: Committee</i>	Dichotomous variable (Questionnaire)	Institutional
<i>H2: Defence</i>	Dichotomous variable (Questionnaire)	Institutional
<i>H3: Contact</i>	Nine-point index (Questionnaire)	Institutional
<i>H4: Power</i>	GDP (2008, World Bank)	State
<i>H5: Europeanism</i>	Eurobarometer n. 69 (2008)	State
<i>H6: Democracy</i>	Kriesi and Bochsler (2013)	State
<i>H7: Length</i>	Continuous variable (Questionnaire)	Individual
<i>H8: Identity</i>	Factor scores (Questionnaire)	Individual
<i>H9: Leeway</i>	Seventeen-point index (Questionnaire)	Individual

4. Testing the models

This section explores the relationships between these predictor variables and the four negotiation styles (as outcome variables) that have been described in section 2: a) non-cooperative bargaining; b) cooperative bargaining; c) institutional cooperation; d) argumentation. The database consists of 138 cases (section 1). However, when performing the analysis (multiple regressions), only 92 cases are retained if listwise deletion is applied – only cases with available data on each variable would be considered and analysed in this case.⁹ This not only reduces the statistical power and representativeness of the model (with a potential loss of 46 cases), but can also lead to biased parameter estimates. As a result, the resulting missing data have been imputed, that is, they have been replaced with some other value (Little and Rubin 2002). Out of the several available methods (UCLA Statistical Consulting Group), multiple imputation has been performed. It generates several datasets (ten, in this case), each with different imputed values (having introduced random variation). The analysis is then performed within each dataset, and the various results pooled into a single set of estimates. This reduces the uncertainty in the missing data and leads to a more accurate variability, due to the multiple imputations for each missing value. In particular, the approach selected here is imputation by chained equations.¹⁰

Having clarified this methodological note, the rest of the section will present and discuss the results of the empirical analysis for each of the four outcome variables (table 2). The analysis reveals a complex and heterogeneous picture, with variegated tendencies and different effects in each case.

Non-cooperative bargaining. No variable exerts a statistically significant effect on the choice of non-cooperative styles in CFPS/CSDP settings. In addition, the size of the effect is small for the nine variables. Although most of the signs point to the expected direction (with the exceptions of Leeway and Contact), all these relationships are extremely weak and highly

⁹ Some values are indeed missing from the research database. The missing data are generally few – 1-3 in the case of the four outcome variables. However, following the operationalization of Committee and Defence, which has seen the exclusion of the diplomats participating in both categories of the two variables, the number of the missing data has increased.

¹⁰ It generates imputations by performing a series of univariate regressions. A second approach – multivariate normal approach – has also been performed, and has led to almost identical results. This strengthens the reliability and consistency of the imputation process. In addition, the results of the regressions performed using listwise deletion (with N=92) change only to a limited extent: they just concern some minor oscillations of the various parameters, whereas the overall significance and strength of the relationships are overall confirmed.

uncertain. One possible explanation lies in the extremely cordial nature of these negotiations. The CFSP/CSDP negotiating atmosphere has been defined as collaborative by 97% of the interviewees. Only in a clear minority of cases (15%), the threat of veto is considered a valuable approach, whereas for around 38% of the diplomats, it is not an option at all. In this vein, the use of non-cooperative tactics is a general feature of the CFSP/CSDP normative environment. All the diplomats participating in Council committees learn very soon their formal and informal codes of conduct. Framing the negotiating position in a non-cooperative and non-constructive way is not appropriate with the committees' rules and also not beneficial for the reputation and long-term objectives of any diplomatic team (Juncos and Pomorska 2006; Nuttall 2000; M.E. Smith 2000). In other words, threats or overtly unaccommodating stances are generally discouraged across all committees (Transatlantic working party may be a partial exception), both in foreign and defence policy, and this concerns all types of states, delegations, and individual negotiators.

Cooperative bargaining. A similar scenario emerges from an analysis of cooperative styles. Again, all the nine predictors are not statistically significant and have weak relationships with the outcome variable. Cooperative bargaining is not convincingly explained by the institutional, state and individual level as identified and operationalised in this research. In particular for the argument of this paper, individual variables are only loosely, non-significantly (and contradictorily in two cases) related to cooperative tactics. On the one hand, it may suggest (or confirm) that issue-linkages and side-payments have indeed a peculiar status within the family of negotiation styles. They certainly indicate that the various parties are committed to compromise and find a consensual solution (and therefore cooperate). At the same time, this happens in a usually strictly interest-based scheme, where positions are exchanged on the basis of pre-determined preferences and rationalist transactions. As a result, different, conflicting and even opposite logics inform cooperative bargaining – which can dispute, or at least, better qualify, the truly cooperative nature of this negotiation style. On the other hand (and more importantly), in many (but not necessarily all) cases concessions are made when a state has a clear position on a certain issue. In these situations, individual characteristics are less likely to play a prominent role: several individuals in the national administration (also in different units and departments) may be consulted and their consent may be required to finalise such a deal – especially when budgetary lines are concerned. For instance, a longer permanence in Brussels (Length in the regression model) “does not really have an impact on your decision of going for a

compromise” and on the choice of the compensatory mechanisms. “This is a normal component of the diplomatic job, and you understand very soon that it applies” also to EU foreign policy.¹¹ If we look indeed at the state variables, they are positively correlated with cooperative bargaining. More powerful, more pro-European and more majoritarian states appear to use issue-linkages and side-payments more often. However, other factors (and some further considerations)¹² may intervene and do strongly attenuate the relationships: the associations are weak and non-significant.

TABLE 2. REGRESSION RESULTS

	Non-Cooperative	Cooperative	Institutions	Argumentation
<u>Institutional</u>				
1) <i>Committee</i>	.371 (.392)	-.238 (.521)	-.357 (.293)	-.363 (.432)
2) <i>Defence</i>	-.504 (.349)	.155 (.541)	-.084 (.361)	.018 (.328)
3) <i>Contact</i>	-.008 (.066)	.007 (.073)	.032 (.054)	.199* .076
<u>State</u>				
4) <i>Power</i>	-.000 (.000)	.000 (.000)	.000 (.000)	.000 (.000)
5) <i>Europeanism</i>	.015 (.011)	.013 (.015)	.014 (.011)	.007 (.006)
6) <i>Democracy</i>	.036 (.086)	.063 (.071)	.090 (.099)	.027 (.047)
<u>Individual</u>				
7) <i>Length</i>	.033 (.044)	-.009 (.068)	.106** .032	.149** .038
8) <i>Identity</i>	.104 (.087)	-.016 (.118)	.257*** .062	.084 (.085)
9) <i>Leeway</i>	-.002 (0.40)	.018 (.044)	.113** .036	.123** .033
N	138	138	138	138
<i>Notes.</i> Coefficients are unstandardised. Standard errors (adjusted for clusters in Nationality) are reported in parentheses. *p < .05; **p < .01; ***p < .001.				

Institutional cooperation. More promising and noteworthy is the analysis of institutional cooperation. Searching the cooperation of EU institutions is mostly explained by individual characteristics. Neither institutional nor state variables are, again, significantly and

¹¹ Interview(22), CIVCOM official, June 2013.

¹² For instance, Power has been here operationalised in terms of the state’s GDP size. However, in the case of several EU countries, there might be only a partial correspondence between the overall GDP numbers and the eventual financial capacity and availability during the negotiation (see, for instance, a comparison between Italy and Spain on the one hand, and Denmark and Sweden on the other).

substantially related to the third negotiation practice. These two sets of variables appear to be generic and all-encompassing to explain the complex, multi-layered and intense decision-making process of the CFSP/CSDP. The three individual variables identified by the research are instead all able to predict this outcome variable.¹³ Firstly, the longer the national diplomats' permanence in the PRs, the more likely they are to consult the Commission and the HR in the formulation of EU foreign policy. For each one year increase in the overall number of years spent in Brussels, we expect a 0.11-unit increase in the index of institutional cooperation. Adapting to a new environment, and, more importantly, building reliable contacts with, and reasonable trust in, EU actors may require indeed some time. At the beginning diplomats have to understand both the dynamics of the group (which includes the HR and the Commission) and the value that these actors may bring to the negotiations.

Secondly, when diplomats have a pro-European role orientation, their reliance on, and collaboration with, Brussels-based bodies, are overall higher and stronger. For each 1-unit increase in the scores of Identity, there is an increase in the institutional cooperation index of 0.26. In this vein, we have a partially positive answer to the question of whether officials' socialisation translates effectively into behavioural changes in states (Zürn and Checkel 2005). A more benign (personal) interpretation of EU foreign and defence policy leads therefore diplomats to more frequently and intensively exchange information, ideas or plans with the Commission and the HR. Pro-European role conceptions are partially related to the years spent in the EU decision-making process. If there is some evidence indeed that the CFSP/CSDP socialises its participants to a certain extent, a good number of national diplomats assume, however, pro-European attitudes before coming into contact with EU institutions, due to international or national socialisation, or simply personal idiosyncrasies. At the same time, there is only a partial correspondence between state variables and the diplomats' interpretation of their role (Chelotti forthcoming).

Thirdly, Brussels-based diplomats who are less controlled by the national capital appreciate more the work of EU institutions. When enjoying a relatively greater freedom during negotiations, they tend to take into account and evaluate the positions of the HR and the Commission to a greater extent. Institutional cooperation index is predicted to increase 0.11 when Leeway goes up by one. This might be in part due to the fact that absent a strong control of the national administration, officials are particularly induced (or socialised) to follow, prise and even align with, common institutions; and in part to the fact that diplomats

¹³ The standardised coefficients are .23, .28 and .25 for Length, Identity and Leeway, respectively.

with greater leeway have more incentives to seek the cooperation of these actors – since greater leeway can also indicate the possession of fewer resources and less information, and reveal fewer possibilities to influence the CFSP/CSDP decision-making process. Leeway is indeed explained by both the power that diplomats’ countries of origin have (more powerful states control their officials to a greater extent), and the length of permanence in Brussels, which allows national bureaucrats to accumulate a deeper knowledge of the dynamics between Brussels and their own department, and to carve out a wider negotiation freedom (Chelotti 2013a).

Argumentation. What can be said about argumentation as a negotiation practice? What explains the greater or lesser propensity to exchange arguments? It might be useful to remember that, as reported above, argumentation has been essentially understood here as a series of speech acts, leaving aside eventual logics of true persuasion. State variables show a very consistent trend throughout the various models: Power, Europeanism and Democracy are all positively associated also to Argumentation, even though the values are extremely weak and non-significant (see, for instance, also Cooperative bargaining and Institutional Cooperation, table 2).

With regard to institutional variables, once again belonging to either PSC versus working groups, or CFSP versus CSDP does not affect the likelihood of engaging in more argumentative processes. Contact instead is positively associated to argumentation: a long time spent on CFSP/CSDP issues, as well as a high frequency of meetings, lead national diplomats to frame their positions within a discursive framework. CFSP/CSDP diplomats, who permanently reside in Brussels, usually score rather high on the Contact variable (Chelotti 2014). A constant involvement in CFSP/CSDP meetings and affairs is not necessary for national officials to employ cooperative conciliatory mechanisms, or to seek the collaboration of the HR and Commission. However, it becomes important when a further step in the negotiation practices is taken, and argumentation and persuasion are pursued in Council committees. When the Contact index is increased by one unit, the predicted score of Argumentation increases by 0.2.¹⁴ This reveals that some forms of soft socialisation do occur: an intense involvement with the machinery of EU foreign and defence policy alters the behaviour of its participants, and predisposes them to more discursive negotiation styles.

The efficacy of soft socialisation for argumentative practices is confirmed also by the

¹⁴ The standardised coefficients are .26, .33 and .32 for Contact, Length and Leeway, respectively.

individual variables. Length is a statistically significant variable: for one year increase in its values, Argumentation goes up by 0.15. The data overall confirm that building trust is important for a more collective formulation of foreign policy. And trust often comes along with accumulating experience in Brussels, getting to know the people participating in Council meetings, as well as understanding the context, rationale and purposes surrounding the negotiations.

Leeway introduces some components of a logic of appropriateness. National representatives are more likely to follow group norms (which are assumed to be generally leading towards a consensual policy-making) when enjoying a significant discretion in their activities. In CFSP/CSDP committees, absent strong national directives, delegates' actions are not driven by a maximisation of national strategies but by what seems appropriate in the context of CFSP/CSDP committees: in these cases, they seem to fulfil the practices and expectations of the normative, consensual fabric of the CFSP/CSDP negotiating context. In other words, considering that the high intensity, density and frequency of Council committees' interactions generally lead to a more persuasive process, it seems indeed that diplomats are more inclined to follow (or accept or internalise) these pro-cooperation norms, and come to a joint definition of foreign policy issues, when they are relatively less controlled by their national administration. For each 1-unit increase in this index, Argumentation is predicted to increase by 0.12. In this vein, national officials appear to engage in argumentative practices when, on average, they enjoy a greater role in the formulation and negotiation of the national position. This on one hand indirectly confirms the solidity and strength of socialising pressures within EU foreign and defence policy. On the other hand however, it also reveals that these socialising pressures are felt by diplomats in different ways, and are mediated by several factors – in this case, the amount of leeway experienced by them. This evidence also suggests a third consideration.

Assuming a more pro-European role orientation (Identity) does not lead to a more argumentative negotiation style. If the sign of the Identity correlation coefficient in the regression analysis is positive (indicating a certain correspondence between national officials' degree of Europeanism and argumentation), these values remain weak and non-significant. National representatives in the CFSP/CSDP seem thus to be aware of the responsibilities and boundaries of diplomacy and their job. As seen above, a more positive attitude toward EU foreign policy leads diplomats to cooperate more with the Commission and the HR, get information from them on the various policy dossiers and the positions of the other members, eventually align and side with them. This remains, in a certain sense, within the borders – or

may be even considered a foundational part – of their diplomatic duties. Their personal identities instead do not immediately translate into a more discursive definition of foreign policy. In this sense, the effects of socialisation are certainly not complete: diplomats may have (or develop during their stay in the PRs) pro-European orientations, but these identities do not necessarily come out and play a role during negotiations. It might be that in some cases these identities do come out and Brussels-based diplomats contribute to “plot” against their own capital (Lewis 2005). Yet, national officials seem to know the limits between personal opinions (even on such a relevant dimension, such as Europeanism) and their job as state negotiators. It can be then hypothesised that delegates’ role conceptions, their eventual Europeanism, (only) matter when they enjoy a relatively wide space for manoeuvre – that is, Identity explains Argumentation when accounted for by Leeway. In this vein, they reflect upon their role, constantly interpret and re-elaborate it in light of the different diplomatic circumstances, and eventually reconcile the different components of their diplomatic identities.

Conclusion

EU foreign and defence policy is a dense institutional environment, where negotiations are very frequent and ubiquitous. This paper has analysed – through a dataset of 138 questionnaires – the CFSP/CSDP negotiation styles, and attempted to explain their variation. The focus was on the workings of the lower levels of the Council (that is, all the national diplomats involved, except the ministers), since they negotiate and finalise most policy dossiers. As a way of conclusion, the main findings can be summarised and a few remarks can be made. Firstly, intergovernmentalism and the culture of consensus conceal different negotiation practices: CFSP/CSDP diplomats use several tactics. Veto threats are only one of them (and arguably not a very frequent one), and coexist with conciliatory mechanisms (issue-linkages more than side-payments) as well as appeals to persuasion and better arguments. In addition, the cooperation with Brussels-based institutions is more or less pursued by the national representatives.

Secondly, the explanatory picture reveals that different negotiation modes denote different principles, features and logics. The four models identified by the research are associated to different variables, and two of them (non-cooperative bargaining; cooperative bargaining) are not associated to any variable. A generic cooperative-non cooperative divide – which would group the various negotiation practices under one dimension – may thus not be

able to grasp important and interesting differences within the panoply of negotiation instruments that diplomats have at their disposal. Thirdly, the state appears a too remote and distant factor and is not able to explain the negotiation practices of all its diplomats. The state has become substantially decentralised, and reliant on the European layer of its administration: the latter has been granted a substantial amount of discretion (although certainly far from complete). In this context, the interaction between the national political level, the domestic ministry, and the PRs in Brussels does not always produce constantly unitary styles. Fourthly, there are not major differences between the PSC (Nicolaidis group, EUMC) and the working parties, as well as between the CFSP and CSDP: there is probably as much variance inside these groups as there is among them. Contact (time spent working on CFSP/CSDP affairs and meetings) is usually very high for all the officials residing in the PRs. However, it becomes a significant factor to explain when diplomats are more likely to recur to arguments and persuasion: in order to engage in such practices, some 'extra' contact with the CFSP/CSDP machinery appears needed. Some forms of soft (or contextual) socialisation occur and influence the behaviour of national negotiators. Fifthly, that 'soft' socialisation and logic appropriateness play a role in CFSP/CSDP negotiations is further confirmed by the individual variables. The years spent in Brussels as well as the leeway enjoyed vis-a-vis the national capital both lead diplomats to seek the cooperation of the HR and the Commission more frequently, and to be more inclined to persuasive processes and listen to other people's opinions and positions. The context of the negotiations, EU norms and environments are therefore more likely to come into play and influence diplomats' negotiation styles when they have acquired a substantive knowledge of CFSP/CSDP politics and dynamics and when they have more freedom of manoeuvre in their working activities.

Sixthly, the national or European identities of the national delegates have a more ambiguous and complex role. If being pro-European increases the chances to take into account the workings and positions of EU bodies, this does not translate into a more discursive style of negotiation. In this vein, with regard to argumentation, it would seem that diplomats are subject to more general and soft socialisation processes (contact, leeway, length) but do not use their personal views (along the national-European scale) to necessarily enter an argumentative context. They are able to distinguish, to a certain extent, between personal opinions and diplomatic duties.

On a whole, the paper has shown that institutional and state factors are general pressures that need to be combined together, and also need to be mediated by individual characteristics to explain CFSP/CSDP negotiations. The state has partially lost its grip on

negotiators and negotiators' practices and styles: in this context, individual characteristics (may) play a role. This research has shown the potential of including some of them (and of better calibrating institutional and state characteristics) in the analysis of Council negotiations. One (arguably important) (pre)-condition is that the negotiation process is becoming less and less a traditionally diplomatic activity, and increasingly akin to a law-making system (Häge 2012).

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