

Division of labour and specialization in EU foreign policy-making

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— *this is a draft paper, please do not quote* —

1. Introduction

Foreign policy-making in the European Union (EU) often deviates from the formal rules and is largely characterized by processes of informal division of labour between member states and European institutions. Such informal processes, which result in foreign policy-making driven by specialization, have largely escaped the radar of EU foreign policy scholars, but are important for fully understanding how the EU functions in many foreign policy dossiers. This paper presents a framework for mapping the different manifestations of informal division of labour and for understanding its consequences for EU foreign policy.

Our starting point is that the political steering and operational action on EU foreign policy are regularly provided by an informally selected group of actors who take the lead in EU policy-making towards specific issues or in the EU's relations with specific countries or regions. In other words, various aspects of the policy-making process are divided between multiple actors. The guiding principles of such division of labour are not based on formal rules, but on informal practices. This leads to specialization between actors and to partial segmentation of EU foreign policy-making, with some member states – in conjunction with the Commission and/or High Representative – being in the driver's seat of specific EU foreign policy issues. Such processes of informal division of labour and

specialization are not only important because they can to a large extent affect the actual foreign policy outcomes of the EU, but also because they have an effect on broader phenomena such as the EU's effectiveness and the legitimacy in the field of foreign policy.

The paper is rooted in a range of empirical observations resulting from different research projects we conducted on EU foreign policy-making. Our empirical data finds its origins in various sources, including participatory and non-participatory observation in national, European and international decision-making processes and the study of semi-confidential documents collected through our field work. Despite the focus of these projects on an array of different policy domains and institutional settings (mainly CFSP and external environmental policies), these projects recurrently revealed that EU foreign policy-making is characterized by delicate processes whereby various actors take the lead within or on behalf of the EU. This persistently takes place below the surface of the visible policy-making procedures. Informal division of labour and specialization thus seem to be around in many domains of EU foreign policy-making, but it is hard to make sense of the phenomenon as an analytical framework to grasp it better is lacking. This paper aims to fill that gap by presenting a framework that enables scholars to study more in-depth the various manifestations of informality in EU foreign policy-making as well as its consequences.

The paper is structured as follows. We first embed our observations in the existing literature (section 2). Applying an inductive approach, the paper then presents a number of empirical observations from the fields of CFSP and external climate change policy, which illustrate the occurrence of informal division of labour and specialization in EU foreign policy-making (section 3). On the basis of this variety of empirical observations we then provide a framework that help us to map the key dimensions of the different manifestations of this phenomenon (section 4) as well as the possible consequences for EU foreign policy-making (section 5). This mapping of the manifestations and the consequences is aimed to provide the necessary input and structure for further empirical research on informal division of labour in other areas of EU foreign policy as well as for further theorization and hypotheses testing (section 6).

2. Informal arrangements in EU foreign policy-making

We define the field of EU foreign policy, where multiple instances of informal division of labour and specialization can be observed, in a broad way (Keukeleire and Delreux 2014: 11-25). First, we consider it as the entirety of activities developed by the EU and directed towards the external environment. It not only comprises the Common Foreign and Security Policy (CFSP) and Common Security and Defense Policy (CSDP) but also the EU's external action (e.g. trade and development

policies) and the external dimension of the EU's internal policies (e.g. external environmental policy). Second, EU foreign policy is not limited to such activities developed by EU level actors (such as the Commission the High Representative of the EEAS), but the member states are inherently part of it. Third, EU foreign policy not only serves an external objective (i.e. influencing the external environment to which the foreign policy is targeted), but also internal objectives. Two of these internal objectives are important for understanding the informal processes of division of labour in EU foreign policy-making. On the one hand, through EU foreign policy member states also manage their mutual relations by giving each other the opportunity to take the lead and to play above their formal weight on issues that might be, for different reasons, important to them. On the other hand, by to a higher or lower extent including supranational actors in the informal division of labour, member states also employ informality as a means to pursue their objectives regarding the degree of integration they want to achieve in a foreign policy field.

Much more than treaty provisions, competence distributions or formal rules, informality is often the key driver of how EU foreign policy is prepared, formulated and executed. In other words, the formal procedures do not provide the full story of how EU foreign policy is actually conducted as they are often not reflected in the actual practices. The observation mirrors the emerging literature that focuses on informal policy-making practices, which has led to a 'practice turn' in the study of international organizations (Adler and Pouliot 2011; Stone 2011) and to an increasing attention for 'informal governance' in the study of the EU (Christiansen and Neuhold, 2013; Kleine 2014).

The importance of informal arrangements in the EU has been largely recognized in the current literature. The political system of the EU provides fertile ground for bypassing the formal provisions by informal networks of policy-makers in order to make that the EU actually works (Christiansen and Piattoni 2003; Christiansen and Neuhold 2013). For instance, informal politics is the main driver for institutional change in the EU, as the main EU institutions conclude informal inter-institutional deals that deviate from the formal Treaty procedures but that later on codified in future Treaty revisions (Stacey 2010). 'Going informal' has also become the main modus operandi in day-to-day policy-making, as 'first reading agreements', concluded between representatives of the Council and the Parliament in trialogues, today count for the lion's share of adopted legislation (Héritier 2007; Reh et al. 2013). This points to a shift from the formal, inclusive policy-making procedures towards informal, secluded policy-making practices.

The notion of 'network governance' emphasizes the informal dynamics of coordination, negotiation and continuous interaction between actors in the policy-making process (Jordan and Schout 2006;

Peterson 2009). Networks are formed among actors 'who take an interest in the making of a certain policy and who dispose of resources (material and immaterial) required for the formulation, decision or implementation of the policy' (Börzel, 1998: 259). This is surely to be seen in the informal division of labour and specialization in EU foreign policy-making, with member states having an interest in an issue, material resources (such as financial means), immaterial resources (such as expertise or privileged diplomatic links with or within a third country) and – we can add – also a willingness to commit these sources in function of finding a solution. Remarkably, the literature on network governance has paid little attention to (EU) foreign policy, and vice-versa, there has been little attention in (EU) foreign policy literature for networks and other informal dynamics. On foreign policy more broadly, only some publications pay attention to informal governance (e.g. Kohler-Koch 1996; Justaert and Keukeleire 2013). However, these studies primarily analysed the nature of the networks in the EU and between member state actors (e.g. Krahmman 2003; Elgström and Jönsson 2005; Mérand et al. 2011), focus mainly on interactions between member state representatives on a sub-systemic level such as working groups in the Council (e.g. Peterson and Bomberg 1999; Smith 2004a), or refer rather briefly to 'minilateralism' and 'core groups' (e.g. Jørgensen 2006: 36) and 'concert' approaches (Smith 2004b: 261).

3. The elephant in the room: lead negotiators in climate negotiations and core groups in CFSP

This section presents two exploratory case studies, from the domains of external climate policy and CFSP, to inductively analyse how informal division of labour in EU foreign policy-making occurs. These case studies demonstrate that the phenomenon actually exists and that the formal rules are often sidelined by informal practices of informal division of labour. They give us an idea about the nature of the division of labour we witness in EU foreign policy-making.

Informal division of labour in the EU's external climate change policy

In the area of climate change negotiations, the formal rules suggest that the EU should be represented jointly by the European Commission and the member state holding the rotating Presidency of the Environment Council, thereby reflecting the shared nature of environmental competences in the EU (Damro 2006; Delreux 2014). In practice, such a system of 'dual representation' is only used for delivering the formal EU statements and for making EU interventions at the plenary meetings. For the actual negotiations, where the texts are drafted and the 'real' talks are going on, the Presidency has established an informal negotiation arrangement where the other member states can also be active. Also the Commission goes along with such a burden-sharing system since it is able to play a major role in this system.

Informal division of labour in the climate change domain has been introduced in 2004, when the Irish Presidency opted for burden-sharing with other member state as it was confronted with a lack of sufficient capacities to deal with all issues of the climate change negotiations on its own (Oberthür and Roche Kelly 2008; Delreux and Van den Brande 2013). Since then, the system has continued to exist under the subsequent Presidencies, although some operational details have evolved. Today, in the run-up to the 2015 Paris climate change conference, the EU is represented in these negotiations by three lead negotiators. They are well-experienced negotiators who each conduct the negotiations during a couple of years (without a formal end at their mandate) for a particular set of issues on behalf of the EU. A first lead negotiator, from the UK, represents the EU in the negotiations on mitigation and finance; a second one, from Germany, conducts the negotiations on mitigation, accounting, MRV (measuring, reporting and verification), compliance and land sector; and a third one, from the European Commission, speaks on behalf of the EU when markets, adaptation, loss & damage, the Kyoto Protocol or response measures are addressed. They work under the umbrella of the rotating Presidency and also enable the EU to overcome the discontinuity problem related to the six-monthly rotation of the Presidency.

A recent tendency in the climate change domain is the increasing importance of the so-called 'EU Negotiating Team', which gathers the key EU actors during the international climate change negotiations and which more and more becomes the centre of gravity in the policy-making process on the spot. Next to the three main *lead negotiators*, the EU Negotiating Team is composed of five *track coordinators* (who dispatch the agenda items for the different negotiating fora of the UNFCCC climate change regime to the relevant actors in the EU), the permanent *co-chairs of the four expert groups* (who technically prepare the Council Working Party on International Environmental Issues, WPIEI), 18 *cluster coordinators* (who coordinate a handful of *issue leads* taking the lead on a particular set of issues such as market mechanisms, post-2020 mitigation or markets, and who are mostly holding the pen when EU positions are developed). The three lead negotiators, the five track coordinators (two from the Commission, two from the Presidency and one from Germany) and the 18 track coordinators (four from the Commission; two from Spain, Germany, UK, Belgium and Sweden; and one from Portugal, Austria, France and Finland) make up a core group within the EU Negotiating Team.

All of these different functions within the EU Negotiating Team are the result of a process of informal division of labour between the member states and the Commission – whereby the Commission is acting like a kind of (big) '29th member state'. They also demonstrate that multiple tasks are informally divided: external representation (by the lead negotiators), chairing sub-working party

bodies in the Council architecture (by the co-chairs of the expert groups), dispatching the work to various policy-making fora (by the track coordinators), and preparing and drafting EU positions (by the cluster coordinators and the issue leads). Hence, looking at the political practices in the EU in the context of international climate change negotiations reveals various instances of informal burden-sharing, resulting in a shift of power from the inclusive WPIEI to the core group of the EU Negotiating Team where only 10 of the 28 member states are present (when looking at the EU Negotiating Team by large, i.e. including the issue leads and the co-chairs of the expert groups, officials from 18 member states are present).

Informal division of labour in the CFSP

In the area of CFSP, the Council unanimously takes the decisions for defining and implementing the CFSP on the basis of the general guidelines defined by the European Council. The HR/VP, the EEAS and systematic cooperation between member states put the CFSP into effect, using national and European resources (Keukeleire and Delreux 2014: 61-115). Formally speaking, all member states are thus involved in policy-making and implementation, providing support to the idea of a 'common' foreign and security policy. However, in practice, we observe that on several foreign policy issues small groups of EU actors take the lead in the operationalization of EU foreign policy. One of the best-known examples is the 'directorate'-type activity of France, the UK and Germany in the context of the EU3 negotiations with Iran (together with the HR/VP) (Delpech 2004; Posch 2013). Less visible informal groups, which include smaller member states, are for instance the informal Contact Group on Afghanistan established after the military operation in Afghanistan in 2001 (with then the UK, Germany, the Netherlands, France, Italy, Spain, the Council Secretariat and the Commission – with the first three being its key members) and the informal contact group on the DR Congo in the mid-2000s (including France, the UK, Belgium as key members) (Justaert and Keukeleire 2012).

The specific case of the EU Core Group on Somalia, established early 2004 in the margins of the Working Group on Sub-Saharan Africa and operating until the end of 2006, provides us some deeper insights in the processes of informal division of labour in the CFSP. The creation of this Core Group was a reaction on what was perceived by some member states as the too limited interest of most other member states in Somalia and the resulting inability of the EU to move from a mainly declaratory foreign policy to an active operational policy (at a moment that there was a window of opportunity for a negotiated solution in the Somalia crisis). The key members of the Core Group were the UK, Italy, Sweden and the Commission. This composition was rather remarkable, as it included three member states that had at that time a clear preference for an intergovernmental approach to EU foreign policy, but that in this specific case were willing to work closely together with

the Commission, as the latter could offer expertise, budgets, a presence on the ground and a commitment towards the issue (in contrast to most other members states).

France, Germany and Finland initially participated in the Core Group meetings, but France and Germany refrained from further participation when asked to 'deliver' and to move towards a larger diplomatic and financial commitment. In the second half of 2004, the (Dutch) Presidency and the Council Secretariat General also became involved in the Core Group's activities. This guaranteed a link with the institutional framework of the EU, but also raised tensions when the Dutch Presidency (in vain) wanted to take the lead, without being able to offer any added-value in operational terms. Interestingly, whereas other EU member states were in general rather indifferent towards Somalia, some of them became concerned when the Commission committed financial resources to Somalia from the 'African Peace Facility', diminishing the availability of funding for other policy initiatives (such as in Sudan or DR Congo). Following progress in the international mediation efforts in Nairobi, the Core Group was though recognized by the Council in March 2006 when the latter 'welcomed the establishment of an EU contact group on Somalia in Nairobi to engage on behalf of the EU and in consultation with EU Heads of Mission in direct dialogue with the Transitional Federal Government' (Council 2006: 7-9).

The purpose of this EU Core Group was twofold. First, its members aimed to raise the Somali conflict on the CFSP agenda (e.g. by feeding the Presidency of the Council with draft texts on Somalia as an input for discussions in the Council). Second, the Core Group provided a platform for intensive consultation, coordination and joint action (mainly in Africa and in the UN context) between Sweden, Italy, the UK and the Commission as well as between these European actors, other international stakeholders and Somali interlocutors. The Core Group was successful in 2004-2006 in stimulating a more active EU foreign policy towards Somalia, in coordinating and enhancing the national efforts of the interested EU member states and other international actors such as the World Bank and the UN, and in conducting negotiations with the various actors in Somalia. However, this process was brought to a halt in December 2006 as a result of a military intervention of Ethiopia in Somalia and divisions between the various Somali factions (leading to a radicalisation of some of these factions, which created al-Shabaab) (see Barnes and Hassan 2007).

The two examples from the climate change and the CFSP domains illustrate the more general phenomenon in EU foreign policy-making where an informally selected group of actors take the lead towards specific issues. Recent analyses suggest that the practice of informal division of labour goes well beyond the environmental and CFSP domains and that it characterizes, albeit in different

manifestations, EU foreign policy-making in general. In the area of development cooperation for instance, ‘lead member states’ sometimes play a role in the EU negotiation arrangement (Carbone 2013). Likewise, the EU Delegation in New York, which is responsible for the EU’s external representation in the UN General Assembly (UNGA) since the entry into force of the Lisbon Treaty and the EU’s upgraded status in the UN, largely relies on burden-sharing of the workload. A number of negotiations in the UNGA and its main committees are conducted in an ad hoc way by member states assisting the EU Delegation (Laatikainen forthcoming).

4. The different manifestations of informal division of labour and specialization

Manifesting itself in different ways, informal division of labour takes different shapes and occurs in different appearances. This section highlights six dimensions of this variation: (1) the drivers; (2) starting point; (3) subject; (4) embeddedness in existing institutional frameworks; (5) exclusiveness; and (6) durability of the informal division of labour. The identification of these dimensions of informal division of labour is intended to form the basis for more conceptual and empirical work on this political practice in EU foreign policy-making. The dimensions, as well as their possible categories, are outlined in Table 1. We also present how the manifestations of informal division of labour in our two case studies (in the climate change and the CFSP field) fit within these dimensions.

Dimensions	Categories		climate case	CFSP case (Somalia)
1. Drivers	for leading actors	interests expertise capabilities	X X	X X X
	for others	lack of interest diffuse reciprocity	X	X X
2. Starting point	delegation decision self-selection sequential combination		X	X
3. Subject	policy preparation	agenda-setting policy formulation	X	X X
	policy execution	external representation policy implementation	X	X X
4. Institutional embeddedness	link with EU institutional framework	within outside	X	X
	link with international <i>ad hoc</i> groups	within outside	X	X
5. Exclusiveness	open and evolving participation closed and stable participation		X	X
6. Durability	‘one shot’ principal <i>modus operandi</i>		X	X

Table 1: dimensions of the different manifestations of informal division of labour in EU foreign policy-making

Dimension 1: drivers

The first dimension relates to the factors that drive the informal division of labour and that make that one set of actors takes up particular tasks and that another set of actors accept that the former punch

above their weight. Three types of driving factors explain why EU actors participate in systems of informal division of labour: interests, expertise and capabilities.

First, having a particular *interest* on the issue at stake can explain why actors are likely to take up certain tasks in an informal way. It not only enables them to promote or to put their interest at the agenda, but it also explains why they care about playing a major role in an informal way. The interests that drive informal division of labour can be specific, but also more structural. An example of the latter are historical (e.g. relations with former colonies, such as France's interest for some African countries) or geopolitical interests (e.g. relations with strategically located countries, such as Poland taking the lead in the EU vis-à-vis Russia).

Second, taking up a particular function in the system of informal division of labour can also be driven by particular *expertise and knowledge* that are present in national administrations or even with key individual officials within these administrations. For instance, in the case of the EU Core Group on Somalia, Italy and the UK had a unique knowledge about the region that was essential for crisis-management. During environmental negotiations in the second half of the 2000s, the negotiations on budgetary and financial issues of the secretariats of international agreements – which are to a large extent funded through national contributions of member states – were mainly conducted by an official of the European Commission who was considered as the main expert on that kind of issues. That expertise is not necessarily related to a clearly identifiable interest or to competences, but it equally finds its origins in pet topics that are considered to be important in bureaucratic (sub)cultures or even by influential individuals within bureaucratic units.

Third, some actors take the lead in performing a task because they have the *capabilities* – or more capabilities than other actors – to do so. These capabilities can be diplomatic (e.g. privileged relationships with third countries, diplomatic networks), administrative (e.g. staff and budget in bureaucratic units), financial (e.g. running projects or having funds available for a specific topic), material (e.g. military presence in a certain area) or immaterial (e.g. credibility or reputation).

Member states can use these interests, expertise and capabilities to pursue their own national foreign policy objectives, but they can also opt to put them at the disposal of the EU. Systems of informal division of labour enable member states to increase the leverage of these drivers as they can be backed by the EU instead of by a single member state. In other words, what drives actors to informally take the lead in EU foreign policy-making is an anticipated multiplier effect on their interests, expertise and capabilities. This seems only possible, however, when these are complementary – or at

least not contradictory – with the interests, expertise and capabilities that are already deployed at the EU level.

Why do the other actors then allow that some of their fellow member states take up certain tasks, as a result of which the former are likely to lose grip over EU foreign policy-making? A lack of interests and a logic based on diffuse reciprocity explain for their acceptance. First, in many cases, member states *lack interest* in the foreign policy priorities of other member states (Keukeleire and Delreux 2014: 125-126). The vast majority of member states are only interested in a limited range of topics, third countries or regions. They are largely indifferent towards the rest of the world or the rest of the issues. Consequently, they do not oppose a stronger role for other actors, even if this implies that the center of gravity of the policy-making process moves towards an informal forum in which they are not present.

Second, as the member states are aware that certain issues are more important for some of them than for others, they mutually tolerate that certain member states play above the weight on one issue as long as others can do the same thing on another issue. *Diffuse reciprocity* between member states indeed allows for such informal practices to emerge (Lewis 2000). A tacit understanding that all actors can be involved in systems of informal divisions of labour when they want to – and when they want to invest in specialization – indeed creates a situation where they allow one another to specialize in the issues they prefer. This ultimately leads to ‘national fiefdoms’ in the EU, which are informal spheres of control by member states on their preferred area of activities (Kleine 2013).

Dimension 2: starting point

How does the arrangement based on an informal division of labour start? How are the actors who take the lead appointed as for instance a member of a core group (in CFSP) or as a lead negotiator or cluster coordinator (in climate change negotiations)? The starting point of the informal division of labour can occur under three forms: through delegation by the Council, through self-selection or through a sequential combination of these two.

First, informal division of labour can have its origins in a *decision by the EU to delegate* a certain task to a particular (group of) actor(s). As it happens in the sphere of informal practices, such a decision is not a formal one, but usually takes the shape of an understanding among the member states in a working group or a committee of the Council. Hence, in this scenario, the 28 member states, the Commission and/or the EEAS (which attend the meetings in the Council) agree that some of them will informally take the lead in conducting a particular task. In practice, such a decision is taken by

agreeing upon a document, in most cases tabled by the Presidency and including the names of the actors (and often even the names of the individuals) to whom a task is informally delegated.

Second, instances of informal division of labour can be the result of a *self-selection process*, where actors with a particular interest, expertise or capability emerge or manifest themselves as the most natural ones to conduct a task on behalf of the EU. A subtle process of self-profiling seems to be at work here. When their candidacy remains uncontested, the actors take up a task without having been explicitly nominated by the other member states. The aforementioned lack of interest by the other member states to a large extent explains why self-selection processes are often not challenged and lead to EU foreign policy-making based on informal division of labour.

Third, the starting point of specialization is often the *combination* of a rather organic emergence of the most suited candidates for taking up the informally divided task (i.e. the self-selection dynamic) followed by an approval by the other member states (i.e. the delegation dynamic). Key players in the EU usually consult behind the scenes about who would be a good candidate for a particular task. They therefore rely on their own assessment of who would be qualified for such a function and on the profiling of certain member states or individuals who conduct subtle lobby campaigns towards the key players. The possible scenarios are then bilaterally checked with the other relevant actors to examine if there are no objections against a country or an individual taking up that task. Only when the field is cleared and no objections have been identified the candidate is proposed to the committee or the working group in the Council, which rubberstamps that arrangement. In any case, controversies and open debates in the Council on the informal appointment of actors are at all cost avoided.

Dimension 3: subject

What is the nature of the tasks that are informally divided between the actors in the EU? Two sets of tasks are subject to such informal processes: policy preparation and policy execution. First, *policy preparation* refers to the process through which an EU position or an EU approach is substantively shaped. It includes agenda-setting practices whereby a certain set of actors has a large influence on the issues and perspectives used by the EU in a particular foreign policy dossier. In many cases, it is only because of the actors that are part of the informal division of labour that a topic emerges on the EU's foreign policy agenda. The approach chosen to address that topic is frequently to a large extent influenced by the perspective of the actors taking the lead. The latter is important because it indicates that agenda-setting goes well beyond putting an issue at the EU agenda. It also includes the opportunity to frame an issue from a particular perspective, which might ultimately affect the substance of the EU's foreign policy choices. After the agenda is set and the issue is framed, informal

division of labour is also important in the actual formulation of foreign policy proposals. There are many examples of lead member states holding the pen when preparing draft EU position papers that are then approved by the relevant body in the Council. The role of the issue leads in climate change negotiations, who are each responsible for drafting EU positions on the technical issues at the agenda of the international climate change negotiations, illustrate this dynamic.

Second, the responsibility for *policy execution* is often informally divided. This includes, on the one hand, the external representation of the EU. Here, the subject of informal division of labour is thus speaking on behalf of the EU. An obvious example of this practice is the negotiation arrangement in international climate change negotiations, where lead negotiators play a key role. On the other hand, EU foreign policies can also be implemented on the field by specific member states without a formal mandate to do so. Particularly member states that can put a particular resource – such as the activation of their diplomatic network or the use of national funds and budgets in third countries – at the disposal of the implementation of EU policies are likely to take up a leading role here.

Dimension 4: institutional embeddedness

The group of actors that emerges from the informal division of labour can be embedded in existing institutional frameworks or they can function in isolation from the other formal or informal decision-making fora. First, informal division of labour can take place *within or outside the institutional structure of the EU*. On the one hand, meetings of working groups or committees in the Council can for instance be prepared by a subgroup of member states, possibly together with EU institutions such as the Commission or the EEAS. An inner circle of interested actors thus pre-cooks decisions in smaller circle before they are presented to the formal decision-making forum. Likewise, when lead negotiators go back and forth between the EU and the international negotiations, their work is still largely connected to the EU's institutional framework. On the other hand, once being established, informal division of labour can also evolve increasingly disconnected from the EU institutions. If that is the case, it becomes an arrangement that no longer puts its activities at the disposal of the Council and serves the EU as such, but it rather turns out to be an intergovernmental undertaking between countries that also happen to be EU member states but do not necessarily act in that capacity then.

Second, informal division of labour in EU foreign policy-making can take place *within or outside ad hoc groups at the international level*. Indeed, the EU, European member states and/or third countries can also form international *ad hoc* groups or coalitions, such as contact groups or 'Friends' groups in the context of the UN. In the negotiations in the context of the Non Proliferation Treaty, for instance, several member states are involved in informal groups which promote different objectives in these negotiations. An example is the 'Non-Proliferation and Disarmament Initiative', aiming to

advance the nuclear disarmament agenda, where Germany, the Netherlands and Poland cooperate with Australia, Canada, Chile, Japan, Mexico, Nigeria, the Philippines, Turkey, and the United Arab Emirates (Dee 2012). It is possible that the specialization in the EU is embedded in such international groups.

Dimension 5: exclusiveness

To what extent is the informal arrangement open to all interested actors in the EU and, consequently, how stable is the dividing line between the insiders and the outsiders? First, participation can be *open and evolving*. Informal division of labour can indeed result in sub-groups of which the composition regularly changes and where member states (and the Commission and the EEAS) can join in case they are – or become – interested. In such cases, specialization does not necessarily result in secluded decision-making, but it is open for actors who want to join. However, joining an existing informal arrangement comes with a certain commitment. The actors who want to participate have to politically invest in the process by offering an asset (which can be diplomatic, material, cognitive or financial) that is considered relevant and valuable for what the leading actors are doing.

Second, participation to the informal division of labour can also be *closed and stable*. In some cases, the informally divided task is conducted by a group of actors that remains exclusively limited to the initially participating actors. As a result, some actors are then closer involved in EU policy-making than others who do not join the inner circle or who are not accepted by these inner circle actors. The EU3 format, used in the nuclear negotiations with Iran, is an example of such an exclusive arrangement. It is France, the UK and Germany, together with the HR/VP that have informally taken up the role of EU representatives. The other 25 member states are not – and are not likely to become – a member of that arrangement. Although it is probably less applicable in the EU3 example, such exclusive informal division of labour risks to be conceived as secluded ‘behind closed door’ decision-making among a number of privileged insiders. It has the potential to lead to a split in the EU between actors who are in the cockpit of policy-making and actors who are so dependent on them that they can only follow without having a real impact.

Dimension 6: durability

A final dimension on which cases of informal division of labour in the EU’s foreign policy-making vary is its degree of durability. First, when informally dividing the work serves as a practical solution for a single problem during a limited period of time, it is a ‘*one shot*’ phenomenon. When the problem at stake has been addressed or an international process has come to an end, the informal division of labour is then discontinued. In such cases, specialization is an ad hoc solution that is not common to the specific policy-making characteristics in a particular policy area or policy-making forum.

Second, in other cases, the phenomenon is more robust in nature as it is used as the *principal 'modus operandi'* to address a particular issue. If that is the case, it has become an uncontested political practice or a standard operating procedure in a particular policy area or in a particular EU decision-making forum (such as a Council working group). The example of the lead negotiators in the climate change domain is again illustrative here. Although every rotating Presidency since 2004 had the formal opportunity to terminate the informal division of labour towards lead negotiators and to go back to the formal rules which would return the external representation power to the Presidency, none of them has done so. This indicates that the political practice of informally dividing the work has been deeply institutionalized in the WPIEI, albeit not in a written or formal way yet as a political practice proper to that setting.

The dynamic nature of informal division of labour

As informal division of labour reflects a political practice in the EU's foreign policy-making, its exact manifestation and appearance can largely vary and evolve over time, even within the same policy field. Informal rules that structure the political practice can be modified rather swiftly as formal hurdles do not need to be taken. As a result, the way the six aforementioned dimensions characterize a particular instance of informal division of labour can vary over time.

For instance, it is possible that the subject of specialization (dimension 3) evolves from mere policy preparation towards policy execution. As a result of that evolution, it can become more embedded in the institutional structure of the EU (dimension 4) because the EU's institutions and the EU's policy instruments are needed for the implementation. It is plausible that such a shift coincides with the informal arrangement becoming less exclusive, for instance because the Commission, as the administrator of the EU budget starts to participate (dimension 5). Temporal shifts on one dimension can thus trigger shifts on other dimensions, resulting in changing manifestations of how informal division of labour appears. Informal division of labour in EU foreign policy-making is thus a dynamic phenomenon. A snapshot of a particular moment in time does not necessarily provide the entire picture of what is actually going on. It also explains why we have portrayed the different manifestations of the phenomenon through six 'dimensions', implying variation and change, and not through for instance six 'characteristics'.

5. The effects of informal division of labour and specialization

There are probably many effects of informal division of labour in EU foreign policy-making. Here we will pay attention to four effects: the strengthening of internal effectiveness, external effectiveness, internal legitimacy and external legitimacy. Whereas the effects relating to effectiveness reflect a

general understanding of the functions of informality in the literature, the effects on legitimacy can seem rather counterintuitive at first sight, but they should not be overlooked (Keukeleire 2001; 2006). Table 2 summarizes the four effects, which are then further elaborated below.

	Effectiveness	Legitimacy
Internal	overcoming policy-making hurdles	increasing the attractiveness of the EU as foreign policy forum for member states
External	mobilizing the necessary resources	increasing the attractiveness of the EU as foreign policy actor for third players

Table 2: effects of informal division of labour in EU foreign policy-making

Internal effectiveness

‘Going informal’ enables the EU to overcome the hurdles of its formal institutional framework in foreign policy-making. This mirrors the functionalist view of EU informal governance: actors engage in practices based on informal division of labour because it makes policy-making more efficient (Héritier and Lehmkuhl 2011). In that sense, our observations on informality in EU foreign-policy making mirror a general trend in the EU that ‘to overcome the decision-making impasses [...] numerous forms of informal decision-making have emerged’ (Farrell and Héritier 2004: 1187). The need for more flexible policy-making mechanisms to overcome problems of deadlock on policy-making is also reinforced by the multitude of issues on the foreign policy agenda (Pfetsch 1998: 311) and by the growing complexity of policy implementation. In brief, informal division of labour often makes that the EU is able to formulate a foreign policy.

There is, however, an important caveat. Informal division of labour only seems to lead to more internal effectiveness until a certain critical point of politicization. For instance, during the first days of the Copenhagen climate change conference, when the negotiations were conducted at the level of officials and diplomats, the EU used a relatively well-functioning system of lead negotiators. But when negotiations were taken over by ministers and ultimately even by heads of state and government – and when, consequently, the level of politicization raised – the informality disappeared and the internal effectiveness evaporated. Hence, the logic seems to be that the more the policy-making process becomes politicized, the more the actors in the EU fall back on their formal rights (such as veto power or the right to participate in international negotiations as a sovereign state). The more there is at stake for the member states (i.e. the higher the level of politicization), the more they want to keep control over the policy-making process and the less they accept that powers are exercised by actors to whom they did not formally delegate these powers.

External effectiveness

The EU is in many cases able to act at the international scene because of the processes of informal division of labour and specialization. In other words, it not only enables the EU to overcome internal institutional obstacles and to generate policy outputs (i.e. internal effectiveness), but also to be a more significant international actor than the EU would have been in the absence of informal division of labour (i.e. external effectiveness).

Informal division of labour implies that the most relevant stakeholders in the EU are brought together and that the EU can immediately and in flexible way mobilize those interests, expertise and (diplomatic, financial, material, immaterial or military) capabilities that are needed to increase its effectiveness with regard to influencing the external environment. This accounts for the realities of international negotiations and crises, where the often swiftly changing negotiation or crisis dynamics make it imperative that the EU is able to (re)act quickly. Having only a limited number of relevant actors involved allows for such flexibility. Such a quick (re)action is often impossible when 28 member states are directly involved or when the Commission, the EEAS or the Presidency have to spend most of their energy and time into internal consultation and coordination to the detriment of interaction with external actors. Informal division of labour also contributes to overcome the reluctance among a number of relevant actors to commit the necessary but often also costly or scarce resources, which can strengthen their general commitment and ‘activism’ to obtain the desired outcomes.

Internal legitimacy

The internal legitimacy of the EU’s foreign policy-making refers to the legitimacy of foreign policy activities by the EU for the member states. EU’s foreign policy often suffers from problems with regard both input and output legitimacy. Informal division of labour can offer a solution that reinforces that internal legitimacy. In terms of internal ‘input legitimacy’, member states representatives often feel irrelevant in EU foreign policy-making. They experience that it is difficult to have an impact in meetings where 28 ministers, diplomats or civil servants sit around the table (together with representatives of the EU institutions). Likewise, when only the HR/VP, the Commission, the Presidency or an EEAS representative can formally take the floor, the role of member state representatives is limited to silent observers. The internal legitimacy can also be undermined when member states have the (often correct) impression that some of their major policy priorities or concerns are not seen as important by the majority of other member states who do not really care and who thus also do not want to commit resources to tackle that policy issue. In these cases, it is not the existence of conflicting interests among member states, but rather the lack of

interest in other member states which can lead to EU inaction – and thus to frustration in those countries which had expected more operational action (Keukeleire and Delreux 2014: 125-6).

Informal division of labour can contribute to tackle some of these internal legitimacy problems by enhancing the feeling of ownership among a number of relevant actors. It allows member states to be relevant players on specific issues and to have a real impact on the negotiations in smaller settings. As the Core Group on Somalia demonstrated, it also allows them to move the EU towards operational action on issues which they consider as important, making the EU an attractive forum to conduct their foreign policy. Two caveats have to be formulated here. First, informal division of labour can only increase the internal legitimacy when a lack of interest (and not conflicting interests) is at the basis of EU inaction. Second, when informal division of labour leads to secluded decision-making because it is too exclusive (see above), it can also undermine internal legitimacy. However, the latter can be compensated if informal division of labour leads to a stronger output legitimacy, for instance by making EU action more effective or visible. For instance, successes of the EU3 negotiations with Iran are likely to mirror positively on the EU as a whole, which positively affects the EU's output legitimacy for the member states.

External legitimacy

The external legitimacy refers to the EU's legitimacy as foreign policy actors in the eyes of external stakeholders (i.e. third countries or international institutions targeted by EU foreign policy and particularly other major international players such as the US). This external legitimacy can be fostered too as a result of informal division of labour. The EU's formal arrangements, for instance on external representation in foreign policy matters, do not always correspond the expectations and needs of external actors, which often prefer that the relevant member states and EU institutionals are directly involved. The rationale is that the EU is often only taken seriously when they key actors are involved. Within the EU, they are the actors who can make a difference through their expertise or capabilities, as a result of their historical link with a region or because of their track-record in a specific international negotiation. Likewise, when the EU's external representation is subject to informal division of labour, it also guarantees continuity in the way the EU represented at the international level (Delreux and Van den Brande 2013).

For instance, in the case of the EU Core Group on Somalia, the EU's external legitimacy was strengthened as this core group guaranteed the involvement of the two countries with clear historical links, expertise and resources that were relevant for the conflict (the UK and Italy), a country with a both a high credibility and a considerable budget for mediation and conflict management (Sweden) and an institutional actor with both expertise and budgetary resources (the Commission). Pushing

this argument even further, it can be argued that not having these actors involved would have raised questions about the EU's legitimacy as foreign policy actors because it would not be clear whether the EU's formal representatives were sufficiently backed by the relevant EU member states.

6. Conclusions: the way forward

Underneath the visible and formal 'common' foreign policy of the EU, more segmented policy-making appears, based on informal division of labour and specialisation. This paper provided a framework for better understanding this increasingly important phenomenon. The framework aims to serve as a starting point for further work on this topic in order to achieve a more comprehensive understanding.

Given the lack of empirical knowledge of where and how informal division of labour occurs in EU foreign policy-making, it is clear that more *empirical* studies are needed. They should pursue four objectives. First, other areas of EU foreign policy-making where the informal division of labour is an important feature should be identified. The mere identification of informal practices is already a major issue (Helmke and Levitsky 2004). The framework presented in this paper is based on observations in two particular subfields of EU foreign policy – CFSP and external climate change policy – and there are indications that such dynamics also occur in other contexts (Carbone 2013; Laatikainen forthcoming). However, we need a more comprehensive picture of where and how informal division of labour is employed in EU foreign policy-making. Second, the manifestations of informal division of labour in other areas should be mapped against the dimensions and the effects we identified. In that sense, adding columns to our Table 1 (see above) and filling them with empirical findings will allow us to construct a more comprehensive picture of the phenomenon. Such an exercise could also reveal the need to refine our framework in the light of the new empirical findings. Indeed, it might well be the case that there are additional dimensions at work which could not be identified on the basis of our observations. Third, more empirical work should be done on how the various dimensions interact. Do certain dimensions recurrently occur in the same combinations? If patterns of such interactions can indeed be found, our framework can be used as the basis for building a typology of informal division of labour in EU foreign policy-making. Fourth, the link and the causal mechanisms between the six dimensions of how informal division of labour manifests itself and the effects of the phenomenon is a promising venue for future research. This is likely to strengthen our understanding how the institutional design of policy-making affects the substance of policy outcomes.

Empirical research on such informal practices implies *methodological* challenges. As long as scholars are not sufficiently aware that rather invisible, informal practices occur, they are likely to overlook its importance. One of the main problems in such research is indeed tracing informal practices

empirically (Kleine 2013). We therefore argue that future research should explicitly explore indications of informal division of labour. In that sense, participatory or non-participatory observation might be revealing starting points for empirical research. Our experiences suggest that this was a necessary step to become aware that the phenomenon exists. It has increased our awareness and it has pointed us to political dynamics that we would probably not have found without such direct observations. Moreover, it enabled us to construct an interview protocol with the relevant questions that we subsequently used to collect qualitative data on the phenomenon through semi-structured interviews with closely involved policy-makers. Immediately starting with empirical data collection by only conducting interviews entails that risks that researchers do not ask the pertinent questions and that interviewees do not spontaneously mention the occurrence of such processes as they could fear to be accused of secluded or illegitimate political practices.

Starting from methodologically sound, empirical research, informal division of labour in EU foreign policy-making should then be *theorized*. We see two particularly fruitful avenues for embedding these empirical insights theoretically. First, whereas in our previous analysis we portrayed EU foreign policy as multi-faceted, multi-method and multi-level (Keukeleire and Delreux 2014: 11-18), it seems promising to conceptualize EU foreign policy as multi-network. Echoing the observation that the EU can be seen 'as a system of multiple networks' (Kohler-Koch 2005: 36), our observations on informal division of labour could be further conceptualized in terms of network governance. This literature is likely to provide useful insights on the driving factors and on the nature of informal division of labour and specialization in EU foreign policy-making. Second, one particularly fruitful avenue is theoretically informed research on the conditions under which a particular manifestation or a particular effect of the phenomenon is more likely. Small-N comparative analyses are well suited for identifying such patterns of conditions. Doing so, the inductive approach of this paper is intended as a first and necessary step for more deductive analyses that could contribute to the literature on informal governance in the EU and to a sharper understanding on the effects of informal governance for the nature, functioning, legitimacy and effectiveness of the EU as such.

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