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Executive summary

The EU is a multi-faceted, multi-method and multilevel foreign policy actor, trying to propagate its norms to other states and IOs. In an effort to make EU foreign policy more coherent and consistent, the Member States have replaced the rotating Council Presidency, as a foreign policy actor, with the EEAS and the position of High Representative of the Union for Foreign Affairs and Security Policy. Replacing the Council Presidency with the High Representative at the UN meant that the EU needed an enhanced mandate, which was passed in 2011. What remains unclear is what the adoption of the Lisbon Treaty and the enhanced UN mandate meant for the relationship between the EU and its Member States at the UN. This is what this thesis is investigating.

This thesis investigates the relationship between the EU and its Member States during the negotiations of the Millennium Development Goals (MDG) and the Sustainable Development goals (SDG) in order to compare their relationships at different points in time and thereby show how the Lisbon Treaty and the UN mandate change affected this relationship.

The change in the relationship is investigated as a structured, focused controlled case comparison, based on semi-structured interviews. The thesis will be structured by asking the same questions of each case and focused by deriving the questions from the theory. It is a controlled comparison study as choosing the MDG and SDGs as cases holds the policy- arena and content somewhat constant.

Principal-agent theory (PA) is the basis for the theory-derived questions and is applied to interpret the data generated by the semi-structured interviews. The applied theoretical concepts are: moral hazard - specifically, drifting, shirking, and slippage - as well as ex ante and ex post control mechanisms. The case specific analysis, regarding the relationship between the EU and its Member States during the MDG and SDG negotiations, found that:

The EU was involved in laying the foundation for the MDGs as the EU had a coordination role in the UN conferences in the 1990s and in the OECD DAC's work to turn the results from the conferences into development goals. The EU was, however, not involved in the actual negotiation of the goals. The EU was subject to extensive control mechanisms, that limited its possibilities for slipping, drifting, and shirking since the Member States were present in all the relevant arenas in the process. This

meant that the Commission was almost certain to lose trust if it drifted or shirked and did not follow the wishes of the Member States.

The first part of the analysis also shows that the EU had the mandate to coordinate the Member States, in order to develop common positions that the EU presented at the UN. This mandate changed with the institutional setting. In the Open Working Group (OWG) the EU would present the common positions, but the OWG structure made their coordinating task more difficult. The institutional structures changed in the intergovernmental negotiations causing the Member States to accept stronger EU coordination. Direct oversight procedures were the main control mechanisms, which prevented the EU from drifting and shirking. When the EU proposed a negotiation tactic the Member States disagreed with, they would discard that proposal and have the EU follow their preferred negotiation strategy. The EU had to report back to the Member States when it had informal meetings, which further limited their moral hazards.

The comparative analysis shows that the EU were less involved in the MDG process compared to the SDG process, for several reasons. The Commission was disorganised during the MDG process and the Member States did, therefore, not completely trust the EU in development matters. Whereas, in the SDG process the Commission and the EEAS did not have to go through the Council Presidency and the Member States also wanted the EU to have a stronger coordinating role, which enabled the EU to be more involved. The Lisbon Treaty gave the EU a coordination role in international organisations (IOs), which gave them a legitimacy they did not have prior to the Treaty. Furthermore, the analysis also identified three motives for the EU to take a stronger role in the SDGs. The policy content in the SDGs suited the EU better, as it had a broader perspective than the MDGs. Secondly, the EU Member States also have to fulfil the SDGs, causing EU coordination to become more relevant. Finally, the policy content is more similar to EU policies in the SDGs than it was in the MDGs.

The second part of the comparative chapter compares the findings with the insights from the theoretical preconceptions. The findings are primarily consistent with the theoretical preconceptions. Strong control mechanisms reduce the risk of moral hazard, but we have also found that strong control mechanisms are not necessarily expensive or established for economic reasons.

However, three of the findings in the chapter could not be explained within the PA theoretical framework but nevertheless influenced the EU-Member States relationship. The EU stayed out of the MDGs since its the development policy was disorganised and distrusted by the Member States. Secondly, appointing a former Member State's UN ambassador to be the EU's representative at the UN, meant that the EU could act more effectively as the Member States' representative. Finally, the EU's motivations in the process seems to be based on increasing trust and legitimacy, rather than material gain.

The discussion considers the findings from the analysis in relation to findings made by other researchers. It concluded that the thesis' findings lends support to some of the conclusions drawn by other researchers and are at odds with others. Chiefly regarding autonomy in bargaining and arguing negotiations, and the level of EU cohesion at the UN.

The conclusion summaries these findings and recommends that PA theory is adjusted to take into account immaterial rewards and sanctions. Such an adjustment would somewhat alter how the principal-agent relationship is viewed, especially considering that the core assumption involves differences in preferences.

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1. Introduction

This thesis investigates the European Union (EU) in international organisations (IOs) and will examine EU coordination at the United Nations (UN) by investigating how involved the EU was in the development of the Millennium Development Goals (MDGs) and the Sustainable Development Goals (SDGs). The first part of this introductory chapter will present considerations regarding the EU as a foreign policy actor, the chapter will then proceed to discuss the changes to EU foreign policy aspects in the Lisbon Treaty. The third section will focus on the enhanced UN mandate the EU got in 2011, while a fourth section will be on the Millennium- and the Sustainable Development Goals. The final part of the introduction reviews academic literature that focus on the EU in IOs.

1.1 EU as a foreign policy actor

EU policies are numerous and diverse, but none are probably unaffected by outside influence, whether it be policies on the environment, social policy or trade. The EU has implemented policies and measures that give it a presence outside its borders; it has delegations in a majority of third countries (Keukeleire & Delreux, 2014: 2), it is the world's largest donor of development aid, the world's biggest trader, and has conducted about 30 civilian and military missions on 3 continents since 2003 (europa.eu visited 15.02.16).

It can also be argued that European integration is foreign policy at its core and was so from the beginning; the ECSC and EEC were meant to foster better relations between the European states (Keukeleire & Delreux, 2014: 2), but it is no longer simply a result of foreign policy it now also has a foreign policy (ibid: 3). This means that the EU is a complex foreign actor because of its 'multifaceted' (diverse policy fields), multi-method' (using different methods) and 'multilevel' (both European and national level) approach to foreign policy (ibid 1). EU foreign policy is therefore not only conducted at multiple levels, by Member States and the Commission, the executed policy is also developed in a bargain between the Commission and the Council.

The EU's foreign policy is according to Manners (2002) guided by its norms. The EU is a civilian power that is able to propagate its norms through various forms of interaction with other actors. This is why the EU can be considered a normative power (Manners, 2002). The EU propagates its norms in various ways: One of the processes is the institutionalisation of its relationship with other IOs such as the UN and WTO. This is illustrated by the presence of EU delegations in other countries or in IOs (Ibid). Critics of this approach to EU foreign policy argue it has inherent weaknesses: It is reductionist,

it neglects power, and it inherently is normative, which limits its potential for a critical perspective (Hyde-Price, 2006: 218).

But which norms are the EU trying to spread? According to Manners (2002) the EU is trying to spread norms regarding peace, liberty, democracy, rule of law, and human rights. As well as less obvious norms such as: social solidarity, anti-discrimination, sustainable development and good governance (Manners, 2002: 243).

1.1.1 Treaty change

A significant development in the EU's efforts to spread its norms was the adoption of the Lisbon Treaty. The Lisbon Treaty was signed the 13th of December 2007 and entered into force the 1st of December 2009. It created a new role of High Representative of the Union for Foreign Affairs and Security Policy (HRUFASP), which replaced the role of High Representative. The former High Representative would "only" assist the Foreign Affairs Council, whereas the new HRUFASP is president of that council as well as vice president in the European Commission. The idea is that the HRUFASP is able to span the boundaries between the EU institutions and the different dimensions of the EU's foreign affairs. In order to fulfil this task, the Lisbon Treaty created a European External Action Service (EEAS), which consists of a central administration and representations in third countries and IOs. This was seen as an attempt to strengthen the coherence and consistency of the EU's foreign policy, which was a main objective of the treaty (Reynaert, 2012: 207-208). It can, however, be questioned whether these organisational changes in the EU's foreign policy actually makes it more coherent and consistent. This is not the case according to Reynaert (2012). She argues that the creation of even more EU foreign policy actors such as the EEAS and the HRUFASP will make it even harder to coordinate the EU foreign policy, causing it to be more incoherent and inconsistent (ibid: 224-226).

1.1.2 UN mandate change

The European Economic Community was invited to be an observer in the UN in 1974 (UNGA Resolution: 3208). As an observer to the UNGA you have free access to most meetings and to relevant documentation (un.org 1, visited 15.02.16). In 2011 the EU was invited to take part in the work of the UN and had its status at the UN upgraded. This allows the EU to speak at the UN meetings and to make proposals, but not to put forward candidates for UN positions or to vote in the UNGA. The adoption of the Lisbon Treaty seems to have motivated the change of the EU's status at the UN. It is

argued in the resolution that this upgrade of the EU's status is necessary, because the EU is no longer represented by the Member State that has the European Council Presidency (after the adoption of the Lisbon Treaty). The EU is instead represented by the HRUFASP, the Commission and the EU delegation (UNGA A/65/L.64). According to Guimarães (2015) "... it marked clearly the evolution of the EU at the UN, realising the vision in the Lisbon Treaty and recognising the unique nature of the Union." (Guimarães, 2015: 88). The initial observation is that the resolution does not provide the EU with sufficient rights to fulfil the mandate in the Lisbon Treaty and it still functions as a supportive actor for the EU Member States rather than their combined voice (Wouters, Odermatt, & Ramopoulos, 2011: 4). However, the effect of the resolution remains unclear and it depends on how it will be used in practice (ibid: 8).

1.1.3 Millennium Development Goals and Sustainable Development Goals

Two other significant developments within the UN has been the adoption of the Millennium- and the Sustainable Development Goals. The Millennium Summit was held in 2000 as part of the 55th General Assembly of the UN. The summit brought 149 Heads of State and Government and high-ranking officials from over 40 countries together and unanimously adopted the Millennium Declaration. The declaration consisted of eight goals that have been dubbed the Millennium Development Goals and they consist of issues such as climate, education, equality, healthcare, and poverty (un.org 2 visited 15.02.16). "The Millennium Summit was the largest gathering of Heads of State and Government the world had ever seen and launched a new vision for the future for the UN" (Huéhenno, 2002: 72) and has shaped UN policies in the following 15 years.

A new agenda on sustainable development with seventeen goals for the next fifteen years was made in September 2015 at the UN Sustainable Development Summit (un.org 3 visited: 15.02.16) with more than 150 world leaders participating (un.org 4, visited: 15.02.16). The goals encompass the earlier MDGs, and also additional issues such as energy and resources. Though the goals are not legally binding, they rather uniquely apply to all countries, rich and poor, and the UN expect countries to take ownership and establish frameworks to achieve the goals, but the results, ultimately, rely on the participating countries. After having presented considerations on the main issues in this thesis we will now proceed to review literature on the subject of the EU in IOs, in order to identify a research gap.

1.2 Literature review

We will in this section briefly review the recent academic literature on the EU within IOs with impetus from the book "EU with(in) international organisation" edited by Armandine Orsini (2014). This is done in order to get

an overview of the theoretical framework, methods and findings in the present academic literature on the subject. In the first section of the literature review, articles that studied EU in IOs in a general way will be reviewed. In the second section articles focusing on the relationship between the EU and the ILO will be reviewed. Research regarding the EU and the WTO is reviewed in the third section. The fourth section reviews EU coordination efforts in the G8. The fifth section proceeds to review research on the EU at the UN, while the sixth section summaries the insights gained from this literature review. This should help us identify research gaps, so we will be able to design the research in this thesis in order to help close some of these gaps.

Both Debaere, De Ville, Orbie, Saenen & Verschaeve (2014) as well as Gehring, Oberthur & Mühleck (2013) studied the EU's participation and recognition in IOs at an overall level. Debaere, De Ville, Orbie, Saenen & Verschaeve investigated how EU participation can develop from five different statuses of varying degree of institutionalisation: member, participant, observer, attendant and absent. The study shows that both political and legal factors are important when determining the EU's participation in an IO. The authors show, drawing on historical institutionalism, that IOs are affecting the EU as well as the EU is affecting the IOs. The study also shows that the EU's influence in certain IOs (like the WTO) are on the rise. This inclusion of the EU in IOs can change over time, but it is rather constant and hard to change (Debaere, De Ville, Orbie, Saenen & Verschaeve, 2014). Gehring, Oberthur & Mühleck investigated under which conditions the EU is being recognized as a relevant actor in IOs. They used theories on actorness, international institutions, and corporate action, studying six cases including the IMF, WTO, FAO and WHO. They found that formal status takes a backseat to action capabilities in the governance area meaning that the EU's formal status has little effect whether the EU is being considered a relevant actor. What does have an effect on whether the EU is being considered a relevant actor, is to what degree the EU controls the governance mechanisms within a given area. The stronger governance mechanisms the EU has the more the EU will be considered a relevant actor (Gehring, Oberthur & Mühleck, 2013).

Several researchers have studied the relationship between the EU and the ILO. Drawing on documents from the European Commission, the European Court of Justice (ECJ), the European Parliament, and the ILO, Kissack investigated labour standards at the ILO and the EU's past participation in the organisation from 1956 to 1991 using a mix of intergovernmental and neofunctionalist theory. He studied how the consistency between the EU and the ILO had developed over time. He found that the consistency has developed through three stages. The first stage is institutional consistency, followed by institutional and vertical consistency and finally reaching

institutional, vertical, and horizontal consistency. The Member States reacted as expected by intergovernmental theory and took the Commission to the ECJ, in cases where they felt it had overstepped its boundaries. He also found that the EU used the ILO strategically to pursue a harmonization of Member State policies. The EU downloaded ILO policy in the beginning while it later has been able to upload policy as well (Kissack, 2014).

Xiarchogiannopoulou and Tsarouhas (2014) also studied the EU's relationship with the ILO. Instead of drawing on intergovernmentalism and neofunctionalism as Kissack (2014) did, Xiarchogiannopoulou and Tsarouhas used discursive institutionalism and Europeanisation. They looked at whether the actorness of the EU in the ILO had been successful, when it comes to diffusing its policy regarding flexicurity preferences, to the ILO. Drawing on interviews they found that the EU is strategically trying to upload flexicurity as a policy to the ILO, by emulating ILO discourse. The EU is successful in uploading the flexicurity model, but the ILO is also successful in adapting that model to its own goals and interests. The EU is also downloading policy from the ILO. However, the EU has strengthened its voice within in the ILO, due to being a member for a long time (Xiarchogiannopoulou & Tsarouhas, 2014).

Both studies found that the EU had downloaded ILO policy, as well as been successful in uploading its own policy preferences to the ILO.

Another relationship between the EU and an IO that has been investigated by several researchers is the relationship between the EU and the WTO. Crespy (2014) looked at EU consistency using a multi-level governance approach to study the position of DG Trade, the Member States, and civil society organisation when it comes to liberalising public services in the WTO. She found that the Commission does not only experience institutional constraints but also political constraints when conducting policy in the name of the EU Member States in this area. This is because there is a disconnect between the position of several EU Member States and DG Trade, which has long-term reputation costs for the EU. The downloading effect of the WTO-rules into EU law has been lowered as the Commission tries to find a common ground between the free trade preferences in DG Trade and the preference for protecting the EU's social model in some Member States (ibid).

Damro (2007) is another researcher that has studied the EU's relationship with the WTO. He did a comparative analysis of the EU's participation in the International Competition Network (ICN) and the World Trade Organisation (WTO) from 2001 to 2006 using principal-agent (PA) theory, in order to understand, who makes the decisions for the EU in trade negotiations and whether it is the EU or

certain Member States whose interests are being promoted in the negotiations. Damro found that the EU Member States had stronger control mechanism in the area of trade policy as it was perceived to be distributive, while competition policy was seen as being less important and thus the Member States had less control mechanisms in place (Damro, 2007). Billiet (2009) also looked at the EU in the WTO studying the Commission's autonomy and influence in intellectual property rights disputes in the WTO using PA theory and drawing on qualitative interviews. Billiet focused on the discussion of this issue, as there was significant difference between some Member States and the Commission. Billet found that the Commission was able to drift away from the mandate it was given because of a strengthened position in the WTO (Billiet, 2009).

Niemann and Huigens (2011), like Billet (2009), drew on PA theory, but unlike Billet they studied the EU's involvement in the G8 from 1977 and onwards. They found that the admission of the Commission into the G8 was supported by the non-G8 EU members and opposed by the EU G8 members. The non-G8 EU members won that fight and the EU was allowed to participate in the G8 meetings. Niemann and Huigens found that two oversight mechanisms were put in place, and they were mainly used by the countries in favour of EU participation in the G8. The Commission had to report to the bodies of the Council on G8 aims and results, and EU co-ordination was arranged on the Council meeting before a summit. As the non-G8 EU members subsequently have lost interest in the G8 meetings as their decisions are non-binding, they have become less interested in controlling what the EU does at the G8 meetings (Niemann & Huigens, 2011).

Nedergaard and Jensen (2014) also used PA theory to study EU coordination at the UN before and after the Lisbon Treaty. Using interviews with key actors the authors showed that strategic considerations as well as commitment has improved EU coordination at the UN. This is especially true for the institutional coordination, where the Presidency and the Commission usually work well together. This also applies to the coordination between the Member States and the Commission. However, the UK was opposing a greater role for the EU at the UN and took steps to limit EU coordination. The authors concluded that the Lisbon Treaty had increased EU consistency within the UN, improving both coordination and participation (Nedergaard & Jensen, 2014).

Molnar (2012) is another researcher who analysed how the Lisbon Treaty has caused changes in the way the EU acts in the UN General Assembly (UNGA). Molnar investigated whether the changes to the Lisbon Treaty regarding foreign policy had indeed led to stronger coordination between the EU

Member States in the UNGA. He compared the voting records of the EU Member States in the UNGA before and after the enactment Lisbon Treaty as well as interviewed diplomats involved in the coordination. He found that there has been no real change and European foreign policy should still be seen through a state-centric lens (Molnar, 2012).

Debaere (2015) also studied EU coordination in IOs. Instead of studying EU coordination in the UNGA, Debaere studied EU coordination at the G20 meetings in the areas of finance and development. He found that the level of coordination varied between the two policy fields. The coordination was strongest in the area of finance where the Member States were able to systematically share information and discuss negotiation strategies with the Commission as facilitator. In the area of development policy, the EU position was developed as “a result of consultation between the several services within the European Commission without the active involvement of EU member countries” (Debaere, 2015).

As this brief literature review shows, quite a lot of attention has been given to researching the EU within IOs. Investigating whether the aim to strengthen the foreign policy coordination between the EU’s Member States with the Lisbon Treaty has gotten a lot of scholarly attention. The WTO followed by the ILO seems to be the IOs where the EU’s involvement has been given most attention. Whereas, less attention has been given to the EU’s involvement at the UN. Principal-Agent theory seems to be the most commonly used theoretical framework and document analysis and interviews seem to be the most commonly used methodological frameworks. Nedergaard & Jensen (2014) studied the EU coordination in the UNGA using PA theory at a general level and Molnar (2012) studied voting records in the UNGA using IR theory. Based on the studies examined in this literature review, we have identified a research gap as none of these studies investigated the effects of the Lisbon Treaty on the relationship between the EU Member States and the EU at the UN using case studies. By using case studies to investigate the relationship between the EU and its Member States, it should help us be more precise and specific about the nature of this relationship as there are some concepts like relationships that are difficult to quantify (George and Bennett, 2005: 70). Using case studies to investigate the EU’s relationship with its Member States also gives the possibility of bringing new insights into the field, as case studies allows one to discover new variables (ibid: 74).

1.3 Puzzle

In the previous section we have shown that the EU is a multi-faceted, multi-method and multilevel foreign policy actor, trying to propagate its norms to other states and IOs.

The Member States have, in an effort to make the EU become more consistent and coherent in the area of foreign policy, changed the treaties. The treaty change created the position of High Representative of the Union for Foreign Affairs and Security Policy and a diplomatic service to assist the High Representative. Subsequently the EU was invited to play an enhanced part in the UNGA. These changes to both EU foreign policy institutions (2009) and the subsequent change in the EU's mandate and involvement in the UNGA (2011) were adopted after the MDGs (2000) and before the SDGs (2015). What remains unclear is the effect on the relationship between Member States and the EU when the EU is acting at the UNGA. These considerations have led us to ask the following research question.

1.4 Research question

What factors of the relationship between the EU and the Member States determine EU involvement in the UN development goals and how was the involvement affected by the Lisbon Treaty and Resolution A/65/L.64?

The aim of this research question is to investigate how (A) the Lisbon Treaty and the subsequent Resolution A/65/L.64 in the UNGA affected (B) the relationship between the EU and the Member States, when they developed the EU's foreign policy regarding the MDGs and the SDGs. This is done in order to discover which opportunities the EU had for pursuing its own agenda and which mechanisms the Member States had to control the EU in the area of foreign policy. We seek to understand and open the 'black-box' of EU foreign policy creation and the decision-making process behind it.

The research question, the PA theory and the methodology serve as the foundation for the working questions. The working questions will be presented in the end of the methodology chapter and provide the structure for the analysis as well as the discussion.

2. Cases

The previous chapter identified a research gap and presented the research question. Now we will present the fundamental information about the cases we are going to analyse, before we can begin the analysis in earnest. This chapter will, therefore, be a rather short description of the processes, as we know them, that led to the Millennium Development Goals and the Sustainable Development Goals. This knowledge, combined with insights from our theory, will be the foundation for the interviews.

2.1 Millennium Development Goals

This section will briefly present the process that led to the development of the MDG goals. It is important to highlight the most important inputs that influenced the process as it is somewhat disorganised process.

Cursory investigation indicate the MDGs are a UN creation and has it roots in the Millennium Summit in September 2000 and *We the Peoples: The Role of the United Nations in the 21st Century* by UN Secretary General Kofi Annan in April 2000. However, the exact origins of the goals are hard to define and it requires a longer time horizon. A more thorough investigation shows the MDGs were not created by the UN alone, but also involved the OECD, World Bank and the IMF (Hulme & Scott, 2010: 294). Furthermore, the origins of the MDGs are widely accepted to be “the series of UN conferences that took place in the 1990s” (ibid: 294). The process that led to the creation of the goals was not even premeditated or structured and has “no clear start or end” (ibid: 297).

The UN was, if not the most influential organisation then the primary forum in which the goals were discussed. It was the UN conferences in the 90s that proved to be the foundation for the goals that were agreed upon (ibid: 294). It was also Kofi Annan who tenaciously worked to make the first UN assembly of the new millennia a success, which led to the Millennium Declaration signed by 189 countries (ibid: 296). Although it was not the goals in this declaration that had the largest influence on the eventual MDGs, it created the necessary momentum that resulted in their creation in 2001 (Hulme & Scott, 2010).

If the UN provided the momentum, the OECD provided the substance. The MDGs have less in common with the goals in the Millennium Declaration and more in common with the International Development Goals made by the OECD’s Development Assistance Committee in their 1995 report *Shaping the 21st Century* (ibid: 296, 297).

Having two sets of development goals was however a problem going into the new millennia and representatives from the OECD, UN, IMF, and the World Bank met in 2001 and decided the UN should control the MDG process, although the MDGs that were agreed upon at the meeting, and published in the *Road Map Towards the Implementation of the United Nations Millennium Declaration*, were primarily the IDGs (ibid: 297).

2.2 Sustainable Development Goals

Whereas the MDG process was quite unorganised and unfocused, the SDG process has been more thoroughly planned and executed. This section will briefly summarise the process leading to the development of the SDGs. We are aware the SDGs undoubtedly have their roots in the MDGs, but we view the decision to set up a working group to develop the SDGs as the starting point for this case in order to make the cases distinct and to be able to analyse them separately.

2.2.1 Setting up the Open Working Group

One of the central results of the United Nations Conference on Sustainable development in June 2012 was an agreement amongst the United Nations Member States to start a process that would develop a set of sustainable development goals. The results from the conference did not state any specific goals but instead clarified that the SDGs “should be limited in number, aspirational and easy to communicate” (sustainabledevelopment.un.org, visited 01.04.16). The goals should address all the three dimensions of sustainable development and be coherent with the UN development agenda beyond 2015.

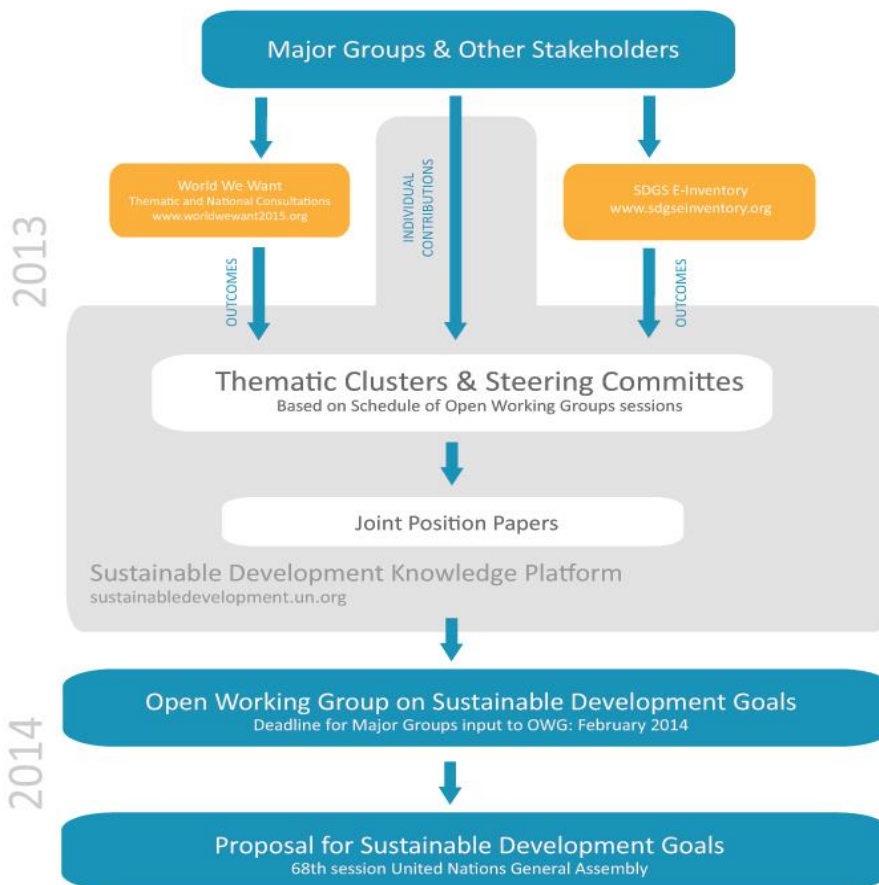
A 30 seat group were formed to prepare a proposal for the SDGs called the Open Working Group (OWG). The OWG were created on 22nd of January 2013 with resolution 67/555 of the General Assembly. The UN Member States decided to employ a constituency-based system of representation. This meant that most of the seats in the OWG were shared between several countries (sustainabledevelopment.un.org, visited 01.04.16).

2.2.2 The Work of the OWG

The OWG met and discussed different sustainable development issues for eight thematic sessions lasting from two to five days between march 2013 and February 2014. Mr. Macharia Kamau of Kenya and Mr. Csaba Kőrösi of Hungary were elected co-chairs of the OWG. The Co-chairs met with “major groups and other stakeholders the morning before each OWG session”

(sustainabledevelopment.un.org 1, visited 01-04-16). The steering committees were responsible for engaging stakeholders and major groups and for developing position papers (ibid) so their input could feed into the process. A website was launched in order to collect inputs from other non-state actors who were not part of the steering committees. The website made it possible for other groups to upload their analysis, proposals and opinions, that would also feed into the work of the OWG. Figure 2.1 is an illustration of how the work of the OWG was structured.

Figure 2.1

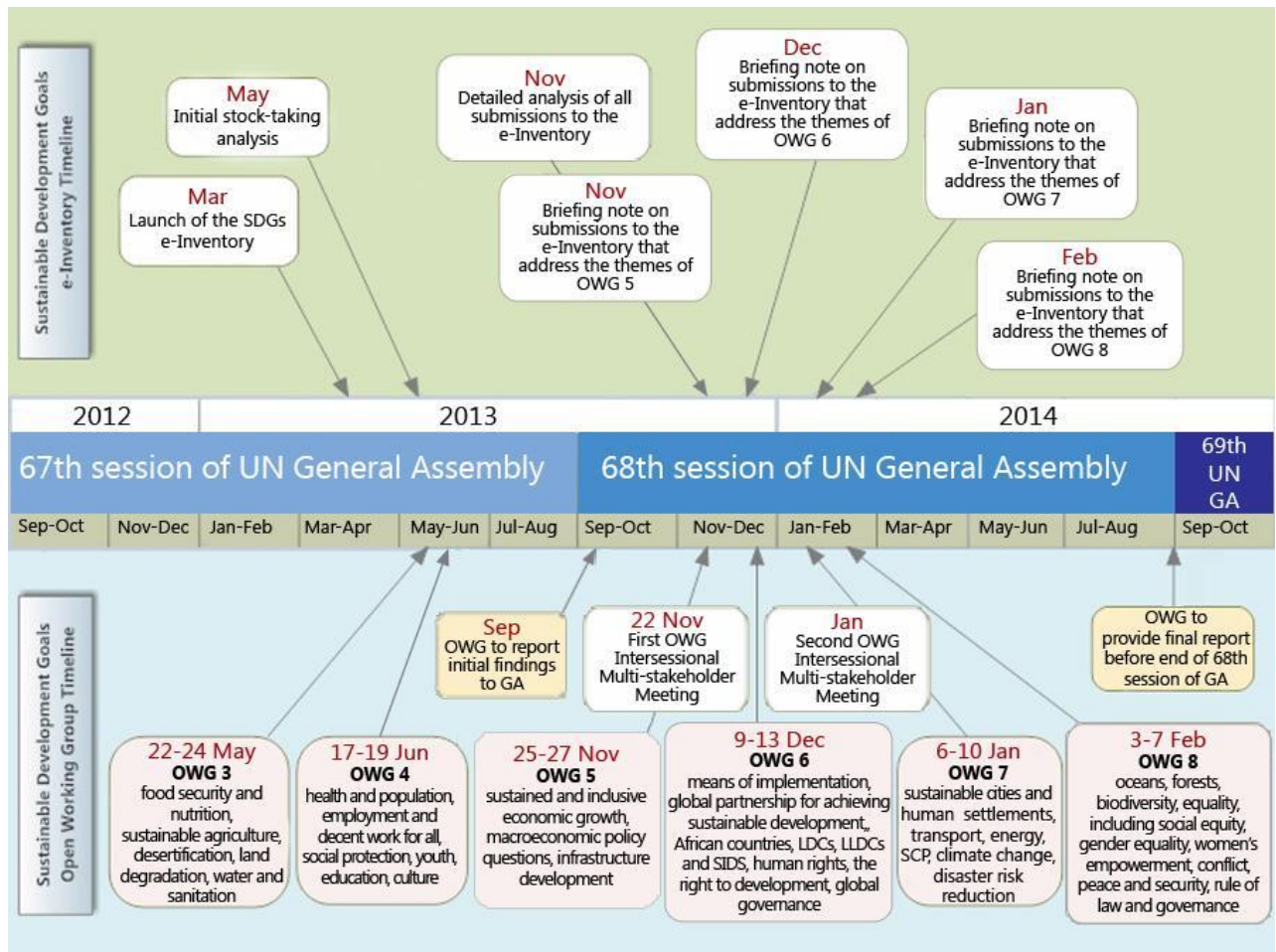


(Source: sustainabledevelopment.un.org 2, visited 15.02.16)

From March to August 2014 the OWG developed and wrote the proposal for the SDGs to the 68th session of the UNGA on the basis of the inputs from the stakeholders and major groups (Programme

of Work March - August). Figure 2.2 is a timeline that illustrate this process. The process concerning the inputs from the website established to get input from civil society is illustrated above the timeline, while the OWG process is illustrated below the timeline.

Figure 2.2



(Source: <http://www.sdgeinventory.org>)

The intergovernmental negotiations started after the proposal was sent from the OWG to the UNGA for adoption. These negotiations took place from January to July 2015. The representative from the UN Member States as well as stakeholders and major groups met for ei <http://www.sdgeinventory.org/timeline.php> different series of meetings in that period. In these meetings the wording of the declaration, the nature of the goals, their implementation, the

development of indicators to measure the SDGs as well as the finance for the SDGs were among the issues discussed.

In July 2015 the “financing for development” conference took place in Addis Ababa where Heads of State as well as representatives from the EU met to discuss development finance. One of the issues on the agenda at the conference was the UN beyond 2015 agenda (un.org, visited 01.04.16) The development of the goals in the OWG and the final intergovernmental negotiations and the financing for development conference seems to be interlinked as the financial issues connected with the SDGs seems to have been discussed at both venues.

3. Theory

In the literature review we reviewed several studies that examined the EU's involvement in IOs, some of which applied the principal-agent theory. We will in this theory chapter examine the principal-agent theory in order to gain theoretical insights that will enable us to understand the relationship between the EU Member States and the European institutions, when the EU is acting at the UN. PA theory offers a good model for understanding this relationship, as the theory highlights critical aspects of such relationships and offers possible explanations as to how and why the relationship is the way it is. We will first give an overview of the aspects of PA theory, which are relevant for our thesis, followed by a short analysis of other studies that have used PA to investigate EU involvement in other IOs. We will then look at critique of the PA theory and rational choice theory, which is the foundation on which PA is built. At the end of the chapter is a conclusion that summarises the most important results.

Max Weber identified a relationship that is widespread within politics - an asymmetrical information relationship. In this Weberian relationship the authority is placed with one actor while the information advantage is placed with another actor (Miller, 2005:203-204). Like a newly elected politician that is head of a department of highly competent civil servants, who are experts within their fields. The politician will know less about cases in the department compared to the civil servants, but has the formal authority over the civil servants. Weber suggested that the power was in the hands of the expert, but is this always that case?

Principal-agent theory is a model that addresses these information asymmetries. It assumes like Weber a relationship in which an agent has an information advantage and is capable of making decisions that affect both the agent and the principal. The principal on the other hand has the authority to impose incentives on the agent, for example offering an economic incentive or threatening to remove privileges from the agent. This is where PA theory departs from Weber's idea about information asymmetries, as PA is focused on the leverage that the power to impose incentives gives the information disadvantaged principal. Especially, whether the principal can incentivise the agent to take the same actions as the principal would have taken if she had the same information (Miller, 2005: 203-204).

It is called "moral hazard" if the agent acts against the preferences of the principal (Eisenhart, 1987: 61, Miller, 2005: 205) to the detriment of the principal (Billiet, 2009: 439). Moral hazard can result in two different actions from the agent that will hurt the principal. These actions are called drifting and

shirking. Drifting is when the agent has the incentive and the ability to follow her own preferences to the detriment of the principal (Billiet, 2009: 439, Damro, 2007: 886, Pollack, 1997: 108). Shirking takes place when the agent does not put in the effort that the principal expects of her (Damro, 2007: 886, Eisenhart, 1987: 61). If an agent shirks or drifts, it can in some instances be a result of slippage.

Slippage can be defined as “a process when the structure of the delegation itself provides incentives for the agent to act against the preferences of the principals” (Billiet, 2009: 439).

By incentivising the agent to act as the principal would like, the principal aims to limit shirking and agency costs, which are the losses the principal faces when failing to align the actions of the agent with her preferences (Miller, 2005: 204). The incentives put in place change the risk calculations of the agents and her actions. The agent becomes disincentivised to either miss a reward or be subject to a sanction by the principal, which is why the agent’s actions when offered an incentive will be more in line with the wishes of the principal. If the actions of the agent can cause harm to the principal, one way of creating an incentive is to transfer some of the risk from the principal to the agent. This discourages the agent from acting to the detriment of the principal, as the agent now shares that risk and not only harm the principal, but also harms herself (ibid: 204-205).

Economists have developed six features that a relationship must have in order to be characterised as a PA-relationship (Miller, 2005: 205-206). These are:

1. Agent impact. The actions of the agent impact the payoff for the principal
2. Information asymmetry. The principal has knowledge about the outcome, but not of the agent’s concrete actions.
3. Asymmetry in preferences. The agent is assumed not to have the exact same preferences as the principal.
4. Initiative lies with a uniform principal. The principal is able to rationally offer incentives to the agent as a first move.
5. Backward induction, based on common knowledge. The principal and the agent has the same knowledge of how the game is structured, effort costs and possible outcomes.
6. Ultimatum bargaining. The principal is able to make a ‘take-it or leave-it’ offer.

These six conditions leave to possible outcomes, which are:

1. Outcome based incentive. The principal chooses an outcome based incentive, to transfer the risk to the risk-averse agent, and thereby keep it in line.
2. Efficiency trade-offs. The principal will have to add an extra incentive for the agent to accept the risk if an outcome based incentive is chosen.

These six conditions and two possible outcomes have been relaxed in various ways when the PA theory has been applied to political science. One of the assumptions that has been relaxed is that the principal has to be uniform. In some cases, several principals with conflicting interests employ an agent. This entails that the principals are able to compromise on which kind of outcome they are looking for (Miller, 2005: 211-212). This is a particular important aspect of our research considering there are currently 28 Member States in the EU and it is extremely unlikely they are in agreement on the issues in the MDGs (15 member states at that time) and the SDGs.

Another assumption that has been relaxed is the assumption of backwards induction. In the economic version of the PA theory the principal has full knowledge about how the game is structured and can therefore offer the agent an incentive only big enough to cover its opportunity costs. The assumption is relaxed so there is room for inefficiencies as several studies have shown that full knowledge about the structure of the game is not always present (Miller, 2005: 211-212). We consider it extremely unlikely that the Member States have full knowledge (Green & Shapiro, 1994: 19) about every single part of the two agreements including potential outcomes and the influence the EU can have. This means the Member States make their decisions with this uncertainty in mind and probably seek to minimise risk.

A further addition to the principal-agent theory is that the principal, like the agent, can be subject to moral hazards, which means that she cannot make efficient decisions on her own. This means that the principal might delegate authority and decision power to the agent in an area where the principal on her own could have made a decision, but still chose to delegate the decision to the agent (Miller, 2005: 220-223). Delegation of authority from a principal to an agent in order for the principal to escape her own moral hazard could for example be states that delegate authority to supranational institutions. This delegation of authority to supranational institutions has been studied by Pollack (1997).

3.1 Why delegate?

Pollack (1997) identifies four reasons why principals might want to delegates tasks to a supranational agent. The four reasons could become relevant for our analysis of the EU at the UN, when examining why Member States delegate to the EU, and we will, therefore, present Pollack's four reasons.

The first reason identified by Pollack (1997) is that principals that make an agreement with each other, all have imperfect information about the actions of the other parties in the agreement and whether they are honouring it or not. This is why it sometimes makes sense to delegate responsibilities to a supranational agent, and in our case could be the task of monitoring compliance and transgressions of the agreement. The agent will be able to name and shame any principal that is not honouring the agreement, thereby reducing the transaction costs of the other principals who are part of the contract (Pollack, 1997: 103). Delegating this responsibility to an agent means the principal does not have to allocate time and resources to check whether the other parties honour the agreement. A supranational agent that has the task of monitoring the principals can also be given the competence to take action against transgressors, as is the case in areas where the EU has exclusive competence and can initiate infringement cases against Member States that violate the treaties. However, this might not be directly applicable in our case studies considering they deal with external policy and are not in the category of exclusive EU competence, but the cases span a variety of policy fields and it could potentially become relevant for parts of the agreements.

A second reason for a principal to delegate authority to an agent is incomplete contracts/agreements. It is almost impossible and certainly very time consuming to spell out every obligation for all the parties, in all eventualities, in detail. This means situations might arise that are not specified in the contract, which poses the question: who is then going to decide the responsibilities of the parties if they are not clearly stated in the contract? This is why it makes sense to delegate the tasks of filling in the blanks in a contract to an independent agent, most likely a court (Pollack, 1997: 103). The responsibility to enforce the contracts or "fill in the gap" does not rest with the EU in our case studies, unless the EU makes separate legislation in order for the Union as a whole to uphold its part of the international agreement, but this would require the consent of the Member States.

A third reason for delegating authority to a supranational agent is to ensure independent regulation and to remove some of the complex regulatory issues from the principals. In this case the agent would

adopt regulations too complex “to be considered and debated in detail by the principals” (Pollack, 1997: 103). Authority might also be delegated to an agent if principals need a credible and independent actor that would have no incentive to be lenient on the parties under regulation (ibid: 104). Even though it is an important reason for delegating authority to an agent, we do not expect this to be present in our cases considering it is primarily relevant when studying internal EU policies and not external policies, where the EU has no authority over the non-EU countries.

A fourth reason for delegating authority to a supranational agent is to ensure continuity in policy making. If every member of a democratic parliament or organisation has the right to make proposals you risk that there will be many proposals that stand no chance of gaining a majority, but time and resources will, nevertheless, be spent debating such proposals.

If principals of the parliament or an organisation delegate the task of agenda setting to an agent, who seldom has an incentive to put proposals on the agenda that cannot be passed, it would make policy making more resource efficient. In this case the committees become the agents of the principal as is the case when a parliament delegates some of its authority to a committee. The members will strive to become part of the committee that deals with the issues that interests them the most. Membership of a committee gives people more power in the that area, while members of other committees in turn will have more power in their areas. The members of the committees will over time become experts in the policy area of the committee, while other members in other committees are developing other expertise (Pollack, 1997: 104-105). This can become relevant, as the EU might have the role of coordinating the actions of the EU Member States at the UN to ensure they use their time and resources more efficiently.

When a principal delegates authority to an agent it has several side effects. It is important to get an idea about the risks the Member States take when they delegate authority to the EU and what kind of actions we have to look for when analysing the effects of the delegation, which is why we present the possible side effects of delegation. According to Pollack “there is almost always some conflict between the interests of those who delegate authority (principals) and the agents to whom they delegate it” (Pollack, 1997: 108). This is because agents are opportunistic and pursue their own interests. This can lead to shirking, bureaucratic drifts and slippage, which can lead to a loss of agency for the principal. It is possible for the agent to, drift, shirks and slip because of an information asymmetry between the principal and the agent, favouring the latter. This makes it difficult for the principal to control and

evaluate the actions of the agent. However, the principal is not powerless to overcome these challenges. When delegating authority to an agent the principal can put in place administrative procedures to limit the scope for agent activity and to limit the possibilities for the agent to shirk (ibid). One example for how administrative procedures can limit shirking and drifting, would be having a contract when employ someone to wash stairs. You limit the agent's possibilities for shirking, by specifying in the contract how often and how many stars the cleaner are going to wash. This also limits the potential for drifting, as you can point to the contract if the cleaner decides to drift and wash more stairs than agreed and tries to charge you for it.

We expect the EU to have the least opportunities to drift, shirk, and slip in the case of the MDG process, where it had limited participation and influence at the UN, but this might be different in the case of the SDG process, which was after the Lisbon Treaty and the UN mandate change. The EU's autonomy is one of the issues we want to examine in this thesis, which is why we picked cases before and after institutional changes that could have affected the EU's ability to drift, shirk, and slip.

3.2 Control mechanisms

The principal has several control mechanisms that it can use to limit negative side-effects from delegation to an agent. We will now present these tools, as they present the possibilities the Member States have to limit the moral hazards for the EU, and what we might find in our analysis when examining the EU-Member States relationship.

Control mechanisms (Billiet, 2009: 440, Damro, 2007: 889, Niemann & Huigens, 2011: 438, Pollack, 1997: 108-109) are of two types. One type is ex-ante, which is the precautions the principal takes to limit the negative effects from delegation, the other type is ex-post mechanisms, which are the tools that let the principal interfere in the workings of the agent. Control mechanisms are, however, costly so the principal will only implement them if they cost less than the costs incurred by not having them (Pollack, 1997: 108-109).

We examine the ex-ante control mechanisms first. The ex-ante control mechanisms, the principal can use to limit the side-effects from delegation, are administrative procedures. These administrative procedures lay out the structure of delegation; scope of the agent's activities, and which legal instruments the agent can use, as well as which procedures the agent must follow (Pollack, 1997:108). In the analysis we will use the terms 'mandate' and 'rules' when we refer to what Pollack calls

administrative procedures. Differentiating between the different administrative procedures improves the accuracy of the analysis. The terms, mandate and rules, are more specific to the cases we are studying and further divide the concept into the agent's responsibilities and the confines of their actions.

We now proceed to examine the ex-post mechanisms available to the principal. One type of ex-post control mechanism is oversight procedures. Oversight procedures allow principals to monitor the behaviour of the agent, thereby minimising the informational asymmetry. This makes it possible for the principal to either punish or reward the agent based on behaviour. These sanctions can take many different forms and can also alter the structure of delegation, thereby, changing the ex-ante control mechanisms (Pollack, 1997: 109).

McCubbins and Schwartz (1984) have also discussed control mechanisms, with a focus on the US congress. They define two different forms of control mechanisms; "fire alarm" and "police patrol" oversight, which both being oversight methods fall into Pollack's (1997) category of ex-post control mechanisms.

Fire alarm oversight is decentralized and entails less activity, costs, and involvement on the part of the principal, compared to more classical forms of oversight. Instead the principal in the case of the US congress:

"Establishes a system of rules, procedures, and informal practices that enable individual citizens and organized interest groups to examine administrative decisions (sometimes in prospect), to charge executive agencies with violating congressional goals, and to seek remedies from agencies, courts, and Congress itself." (McCubbins & Schwartz, 1984: 166).

These rules and procedures are made to give outsiders, like citizens and interest groups, information about the agent's decision making processes. Making this information available is supposed to give interested parties the opportunity to discover misbehaviour and either challenge the agent themselves, or alert the principal of the misbehaviour of the agent (McCubbins & Schwartz, 1984: 166). This method is however criticized because many people might not be represented by an interest group, which means that nobody would be complaining if their rights were violated (ibid: 172). The process of developing the MDG were very top-down, whereas the process of developing the SDG

involved both NGOs and businesses, who could start the fire alarm if the process develops in a direction they do not like. We do not expect these outside actors to affect the EU-Member States relationship, but we will pursue this issue if it is mentioned during an interview.

Another ex-post tool the principal can use to limit the side-effects of delegating authority to an agent is “police patrol oversight” (McCubbins & Schwartz, 1984: 166). Like a real police patrol oversight, it is “centralized, active and direct: at its own initiative” (ibid). Using police patrol oversight means that the principal actively inspects the actions of the agent in order to discover misbehaviour and to deter the agent from misbehaving in the future. The police patrol method is however criticized for missing minor violations, as it is a very resource demanding method of exercising oversight (ibid: 172). This could be meetings with the Council to decide on a strategy, but as Niemann & Huigens (2011) found this can become ceremonial and irrelevant (Niemann & Huigens, 2011: 427). It could also be direct oversight in the form of Member State representatives being present when the EU performs its role as actor.

The third oversight tool the principal can establish is institutional checks. This entails establishing several agencies with different kinds of incentives or objectives. In this system of institutional checks an agency might be created to report on the behaviour of the agent to the principal or given the power to stop or block the activities of the agent (Pollack, 1997: 111-112). Both the EU Parliament and the Council serve this function, but the Council is to some extent not an agency separate from the Member States considering it contains their own representatives, though it can definitely limit the actions of the Commission. The EU Parliament has general oversight procedures in the form of budget control, approval of the Commissioners and numerous meetings with the Commission. However, given the intergovernmental nature of the UN negotiations, we do not expect the Parliament to be involved in the process, but we will examine their role if it is mentioned in the gathered empirical data.

Distinguishing between ex-ante and ex-post control mechanisms and additionally separating those concepts into lesser parts allow us to analyse the potential control mechanisms in greater detail. When examining the control mechanisms, we can then look for how the Member States established the mandate and rules as part of the delegation of authority. Fire-alarm and especially police-patrol oversight becomes relevant when looking for control mechanisms meant to control the EU during the

negotiations. How this affects the structure of the analysis is explained in the analytical strategy at the end of the chapter on methodology.

3.3 How has PA been applied in EU studies?

In this section we will zoom in on the theoretical insights created by applying the principal-agent theory to the EU in IOs. To gain insights that could contribute to the analysis we will compare and discuss texts from the literature review, which used PA theory to study the EU in IOs. The selected studies are from before as well as after the Lisbon Treaty and should therefore provide us with important insights when studying our chosen cases. The difference between this section and the literature review is that this section will focus entirely on the theoretical insights from the studies in order to determine if we can use some of these insights in our analysis.

Principal-agent theory was originally developed with the US political system in mind (Billiet, 2009: 435) it has been increasingly used in the studies of the EC/EU - Member States relationship in studies applying a rational choice institutional framework (Pollack 1997: 100). Damro (2007) is one the researchers, who applied the PA theory to study the EU. He did a comparative analysis of the EU's participation in the International Competition Network (ICN) and the World Trade Organisation (WTO) from 2001 to 2006, in order to evaluate the utility of PA in trade policy (Damro, 2007: 883). Damro sought to investigate who calls the shots for the EU in IOs and whether Member States or EU institutions are able to promote their interests in international negotiations (ibid).

The policy areas trade and competition were chosen as both are policies where the Member States "have delegated considerable sovereignty to the supranational level" (ibid: 884) and he therefore expected the PA dynamics to be most evident in these policy fields (ibid). Competition policy is a regulatory policy and trade policy is a distributive policy and Damro anticipated PA theory to apply differently for the two policy areas (ibid: 888). It was expected that the principal is more likely to delegate authority in the area less likely to be politicised, which is competition policy (ibid: 889). The two cases were quite different. Where the treaties provide control mechanisms regarding trade, there are no similar mechanisms for competition because the Member States did not anticipate the scenario where competition policy would be negotiated internationally. The only control mechanism that arose as a result of the increase in external effects created by competition policy, was the restriction that binding agreements could not be signed (ibid: 898).

The important difference in these findings is that PA theory seems less useful regarding trade (distributive) policy due to the effect of observational equivalence, whereas it is better suited to explain the development regarding competition (regulatory) policy, where the agent has more

authority to 'slack' (ibid: 900). Furthermore, we can expect to find differences in the PA relationship depending on how politicised an issue is. This difference did show up in some of the interviews and we pursued the subjects in later interviews to gain further insight.

Billiet (2009) also studied the PA theory's applicability to trade policy, more specifically the Commission's autonomy and influence in intellectual property rights disputes in the WTO (Billiet, 2009: 435). Billiet investigated trade policy because it combines both internal and external issues, and also competences that are exclusive to the EU institutions and those that are not (ibid: 437). The study focused on trade-related intellectual property rights (TRIPS).

Billiet expected the Commission to have a greater opportunity to 'slack' or shirk in cases with a high institutional setting. The strengthened institutional framework of the WTO enabled the Commission to be proactive in the TRIPS disputes and act outside the official mandate from the Member States (ibid: 450).

Billiet therefore recommended that studies using PA theory to analyse the EU's involvement in an external setting should incorporate the institutional framework of that setting, given the possibilities such a setting provides for the Commission to act autonomously (ibid: 451). It is, therefore, important that we examine how the institutional framework for the two cases shaped the EU's opportunity to drift or shirk. As shown in the previous chapter, both cases had different phases. The MDG process consisted of UN conferences, DAC meetings, a UN summit, and the SDG process consisted of OWG sessions, with Member States in troikas, and a more traditional intergovernmental phase.

Unlike the other two cases, which studied highly formalised/institutionalised settings, Niemann & Huigens (2011) studied EC/EU involvement in the informal and flexible G8¹ since the EU was granted authority to act on behalf of the Member States in 1977 (Niemann & Huigens, 2011: 420). The EC was represented by the Commission and the Council Presidency without replacing existing EC members in the G8, but a formal mandate was never given (Niemann & Huigens, 2011: 421). PA relationships usually involve a contract between the agent and the principal. However, it is not necessarily an explicit or legalised contract, which the EU involvement in the G8 is an example of (Niemann & Huigens, 2011: 421).

¹ The study spans many years and the G8 has had other names in that period, but we will only use the name G8 to avoid confusion

There were two oversight mechanisms in this case, that were mainly used by the countries in favour of EC participation in G8. The Commission had to report to the bodies of the Council on G8 aims and results and EC coordination was arranged on the Council meeting before a summit (Niemann & Huigens, 2011: 425). The European G8 members made sure they always had the Council Presidency when there was a summit and it was therefore not until 1982 that the Council was independently represented (ibid). Niemann and Huigens found that an increase in competences and a weakening of the control mechanisms made the Commission increasingly autonomous. The Commission's competences changed over time, which meant it could involve itself in more of the issues in the G8. Additionally, as the preferences of the Member States changed, they became disinterested in using the control mechanisms, which became ceremonial and irrelevant (ibid:427) This change occurred because the EU G8 members came to appreciate the EU contributions and expertise at the summits. Furthermore, the non-G8 EU Member States learned that the summits did not rival or undermine the European Union and since the agreements were not legally binding, became less interested in controlling EU participation (ibid: 428).

Unlike the case of the G8, where the agreements did not rival or undermine the EU and the Member States, therefore, became disinterested, the impact of the policies we examine has increased over time. The MDGs had very little official or expected impact on EU wide policies and were only used to guide the EU's external development policy. Whereas, the SDGs are expected to affect both external EU policy and internal policy. This could lead to more control mechanisms limiting the EU's ability to act autonomously.

Nedergaard & Jensen (2014) analysed the coordination between the EU and its Member States at the UN, before and after the Lisbon Treaty entered into force, using PA theory. They studied five different explanations in order to determine their explanatory factor. The five factors were: 1) the homogeneity of Member States' preferences, 2) the nature of the issues, 3) the repartition of competences between agent and principal, 4) the nature of the agents, 5) IO rules and their effect on EU coordination. They found that the Commission got increasingly more room to manoeuvre after the Lisbon Treaty. This is interpreted as "a drift towards increasing actorness as well as exclusive competences given to the Commission" (ibid: 55). However, the UK worked towards keeping the power to control the Commission with the presidency (ibid: 55). This shows that despite some Member States' resistance the Lisbon Treaty has led to more EU actorness. We should therefore expect to see more EU autonomy although they had to represent the Member States, not themselves.

3.4 Critique of Principal-Agent Theory

We will in this section present some of the critiques raised against PA theory as well as the answers to these critical issues in order to gain insights into the vulnerabilities of the PA theory and be able to take these vulnerabilities into account when operationalising the theory. Pollack (2007) reviews the main critiques of PA theory when applied in international studies and finds that the critiques can be divided into three categories; one stemming from misinterpretations of PA theory, a theoretical critique and an empirical critique. We will in this section only examine the latter two categories as misinterpretations of the PA-theory does not invalidate the usefulness of the theory, but is rather a result of poor communication.

Pollack (2007) presents a theoretical critique of PA with impetus in an article by Majone (2001), in which Majone states that one should make a distinction between agents and what he calls trustees. The difference between an agent and a trustee is that the principal has completely and irrevocably transferred their “political property rights” (Majone, 2001: 113, cited in Pollack, 2007) to a trustee in a policy area. In a traditional PA relationship political property rights are transferred temporarily so the idea of a complete and irrevocable transfer of rights questions the explanatory power of the theory in those cases. The existence of trustees is an empirical and theoretical debate, that will not be dealt with in this thesis, as our cases do not show any signs of a complete and irrevocable transfer of political property rights. This means Majone’s criticism will not be accommodated in our operationalisation of the theory, as this thesis is concerned with EU-Member States relations at the UN, where the Member States’ political property rights are relatively intact, as the EU Member States still have their independent voice and are able to vote as they like in the UN.

Pollack (2007) also deals with the empirical critiques of PA theory. According to Pollack the critics argue that even though PA theory might be theoretically coherent and consistent internally, it fails to identify how and why states delegate powers to international agents and what kind of autonomy and influence these international agents have vis-à-vis their principals (Pollack, 2007: 13). The critics argue the PA hypothesis about delegation is impossible to test empirically or the attempts so far have been badly executed (ibid: 14). Pollack’s answer to the critique is that PA theory is not alone in having difficulties “measuring abstract theoretical concepts empirically” (ibid) and that these problems are also present in the field of constructivist research, from which most of the critics stem (ibid). This criticism will be accommodated in our choice of method. Doing a case study based on interviews enable us to identify how and why the Member States delegate, by enquiring Member State

representatives about their reasons for delegating. This means that these reasons for delegation will not be theoretical assumptions but reflected in the data. We will further elaborate on our methodology in the next chapter.

Finnemore (1993) and others put forward that principals may delegate authority for other reasons than efficiency, for instance they might feel that the delegation of authority is considered appropriate (Pollack, 2007: 15-16). Pollack (2007) concedes that principals might delegate because it is appropriate, in as long as the cost of delegation is negligible. According to Pollack it is difficult to distinguish empirically if a delegation of authority is made because it is the most appropriate or the most efficient thing to do (Pollack, 2007: 14-16). We agree with Pollack that it is difficult to determine when social norms and ideas about appropriateness is part of the reasons for delegating to an agent. This is why we are asking Member State representatives about their motivations for coordinating with the EU. This should allow us to learn if the coordination in our cases only takes place for efficiency reason or if there are other factors at play. This is why efficiency and material gain will not be our only possible explanations when we investigate the motives of the principals and agents to be part of this process. We will also be open to immaterial motivations like status and social norms as our interviewees might indicate that these factors were also part of their motivation.

A third empirical criticism of PA is that principals have other sources of power to influence agents, who also have their own idiosyncratic preferences and ways of influencing principals. PA critics such as Barnett and Finnemore (2004) claim that the agent (in this case an international institution) can have a moral authority, which makes that agent able to influence the principal. Pollack does not dismiss this critique and concedes that moral authority and persuasion might have marginal effects, and PA theorists should be aware of his possibility (Pollack, 2007: 16-20). We will, as with some of the previous mentioned critiques of PA theory, rely on our method to accommodate for this criticism. Our method will take moral authority into account, by allowing for the people involved in the process to explain the motivation for their actions, thus allowing us to discover if the moral authority of a principal or an agent have indeed been a motivation for action.

3.5 Critique of Rational Choice Theory

The previous section delved into the critique of the principal-agent theory itself, but the framework upon which it is built should not be ignored and raise a variety of questions and problems which need answering. Principal-agent theory is a rational choice theory and therefore uses some of the same assumptions in its framework. We will in this section review some of the critiques of rational choice theory in order to be able to adapt how we are operationalising the theory in our analysis in order to avoid or modify the most problematic elements of rational choice assumptions.

Rational choice theory makes a number of assumptions in order to explain individual behaviour. There is disagreement regarding the assumptions of rational choice, but the assumptions which most scholars would agree upon are: “utility maximisation, the structure of preferences, decision making under conditions of uncertainty and the centrality of individuals in the explanation of collective outcomes” (Green & Shapiro, 1994: 13). A quick explanation of these basic assumptions is that actors maximise the utility of their actions, by picking the options they think will give them the greatest benefit (ibid: 14). However, what an actor values most is a widely debated issue in the rational choice literature (ibid: 18) and it is a discussion we avoid, as our goal in this thesis is to apply the theory to gain insight into the relationship between the EU and the Member States in the area of EU foreign policy and not to test a rational choice hypothesis.

The “structure of preferences” assumption means that the actor must be able to determine which outcomes she prefer and to some extent rank possible outcomes in order to pursue the one that will produce the most preferable benefit (Green & Shapiro, 1994: 14). Those preferences are connected to the outcome, which is not necessarily known and actors therefore base their decision making on expected output in cases of uncertainty (ibid: 15). The idea that actors have perfect information is unrealistic (ibid: 19) and exactly the possession of information is an important aspect of a PA relationship (Pollack, 1997: 108). It is the information asymmetry that enables the agent to drift (Billiet, 2009: 439, Damro, 2007: 886, Pollack, 1997: 108), shirk (Damro, 2007: 886, Eisenhart, 1987: 61) or slip (Billet, 2009: 439) and therefore necessitates the creation of control mechanisms by the principal (Pollack, 1997: 108). This means that we will have to investigate what kind of information both the EU and the Member States possessed in the processes, as we cannot assume that they knew everything, when we are determining the agent’s moral hazard.

Another assumption is that actors are individuals, and it is maximising behaviour of individuals, which explain collective outcomes. This means the state is only a 'machine' that enable or foster cooperation between individuals and therefore cannot have its own preferences (Green & Shapiro, 1994: 16). We disagree with the last notion that rational choice only applies to individuals and not institutions. As explained earlier in the chapter, one of the core features of a PA relationship is asymmetry in preferences (Miller, 2005: 205-206) and if the EU institutions can act as the agent in such a relationship, then it must have preferences in order for it to have different preferences than the principals. This means an institution can have preferences and pursue those preferences the same way as an individual can.

Scharpf (2000) also argues that institutions matter. Institutions change the incentive structures for actors, thereby changing what kind of actions are in their interest (Scharpf, 2000: 770-771). You are able to detect the influence of institutions by developing numerous hypotheses of what kind of actions an actor would take in the institution if she was acting rationally and had full information. If these hypotheses are not confirmed, one has identified an area in which the actor's actions are constrained by the institution as she does not do what is objectively in her self-interest (ibid: 783-785). This deviation in the definition of a rational actor should not affect the other assumptions regarding the behaviour of an actor and the rational choice theory as a whole.

Perhaps the core assumption is that actors behave rationally and base their decisions on a cost-benefit analysis of the choices ahead (Scott, 2000: 136). However, this raises the issue of how actors react if they are unable to calculate the outcome of a decision or if they are uncertain of future risks. Exactly this problem of future risk or uncertainty could explain collective action, which is an issue rational choice struggles to explain. Collective action is a problematic issue for rational choice theory, which has no explanation for why actors join groups and associations (ibid), but it is exactly this problem that the principal-agent theory explains. If an individual can opt-out of collective action and pursue their own interest then it limits the incentive to participate in collective action (Green & Shapiro, 1994: 14) especially if the individual can receive the benefit of the collective action without contributing (Oppenheimer, 2012: 28). If all individuals acted rationally and only focused on their own needs, then the collective action would not be achieved (ibid: 30).

The liberal intergovernmentalists would argue that the problems connected to collective action explain why individuals would agree to delegate authority to a supranational actor, who can then ensure all individuals uphold their end of the bargain (Kassim & Menon, 2003: 126). Other solutions to the collective action problem involve social motivations and ethics (Oppenheimer, 2012: 48), which entail that the individual receives a benefit that is hard to quantify in the case of a social setting or that the individual is bound by ethical concerns. One example of the impact of a social setting is that: “add a little ability to communicate among participants to a prisoner dilemma game, and bingo: One gets lots of cooperation” (ibid: 58). However, this does not make rational choice invalid, it merely complicates the way an individual determines her interests (ibid: 59). We therefore have to be aware that agents and principals might seek rewards, which are immaterial and thereby harder to quantify.

3.7 Summary

The purpose of this chapter is not only to explore and discuss the different aspects of the Principal-agent theory, but also to explain the theoretical aspects that are the most important in our research. It is important that we are aware of what we can expect to find using this theory and if there are any possible pitfalls to avoid. This is why we reviewed the critiques of PA-theory and rational choice theory. There should of course be reasons for the principals to delegate authority to the agent, but this delegation comes at a price and the principal therefore constructs control mechanisms to maintain some level of control while giving the agent room to act. These control mechanisms are especially important in cases where the agent have preferences that differ substantially from the interests of the principals or in cases where the principals have strong interests. Given previous studies we expect to find stronger control mechanisms or increased usage of the mechanisms on issues of distributive policy and weaker mechanisms in cases of regulatory policy. The control mechanisms available to the principals can be divided into two categories, ex-ante and ex-post.

Observational equivalence is possibly the largest pitfall when studying the PA relationship. It is the situation where it is difficult to determine if an agent behaves exactly like the principal wants it to because it has the same interests or because the control mechanisms prevent it from doing something else. However, Damro (2007) believes this can be mitigated by using expert interviews (Damro, 2007: 900). We have also found different behavioural patterns, drifting, shirking and slippage, which can describe agent behaviour that deviates from the behaviour desired by the principal.

We have identified a couple of reasons for this behavioural deviation in the literature. In the case of the G8 the Commission influenced the preferences of the principals over time and they then stopped

using the control mechanisms, which became ceremonial. The EU can also take advantage of a highly informal setting, where its mandate is less restrictive (Niemann & Huigens, 2011: 429).

We have identified some relevant critiques of PA-theory and rational choice assumptions that we will mitigate, by doing a case study based on interviews, which allow us to understand why Member States delegate. The assumptions for why principals delegate has been relaxed in a number of ways in order to include social norms and status. We have also relaxed the assumption that all actors have perfect information, which means that we will have to establish who knew what and when.

4.0 Methods

This chapter will focus on the methods we use to conduct our research and how we can effectively use the theoretical foundation, from the previous chapter, to analyse the EU-Member States relationship. First is our considerations on employing semi-structured interviews, which we use to gather most of the data used for the analysis. Next we consider the application of case studies, which we use in order to systematically analyse changes in the relationship. Following the two methodological tools we use is a section that explain how we maintain reliability, replicability and validity. At the end we explain our analytical strategy for the analysis and the discussion.

4.1 Interview theme

This subchapter contains an examination the qualitative interviews that provide the main empirical data used in the thesis. In the first section we will examine and clarify how the subject of the thesis translates into aims for the interviews. The next section will explain our reasoning for using semi-structured interviews, after which we will be explaining why we are employing an interview guide. There will also be a section with specific emphasis on the usage of different types of questions especially with regard to interviewing highly educated elites.

In this section we will be expound on some of the preparation of conducting an interview. In the pre-interview phase, it is important to thematise the study. This entails developing research questions and theoretical clarifications (Kvale, 2007: 37-38). Another step when thematising an interview, is clarifying what the purpose of the interview is. Qualitative research interviews can be conducted for many purposes. Some use them to gain knowledge of a social situation or a life story, and others use qualitative interviews to develop and test hypotheses (Kvale, 2007: 38). We presented our research question in chapter one and our theoretical clarifications in chapter three. The aim of the interviews will be to (A) obtain knowledge about the EU Commission and its Member States, in the process of formulating the MDGs and the SDGs, in order to (B) assess how the Lisbon Treaty and the EU's changed status at the UNGA have changed the relationship. We use the concepts of *control mechanisms* (Billiet, 2009: 440, Damro, 2007: 889, Niemann & Huigens, 2011: 438, Pollack, 1997: 108-109) and *moral hazards* (Eisenhart, 1987: 61, Miller, 2005: 205) from PA theory to analyse the EU-Member State relationship, by examining ex-ante (Pollack, 1997: 108) and ex-post (Miller, 2005: 211, Niemann & Huigens, 2011: 432, Pollack, 1997: 108-109) control mechanisms and the EU's possibility to drift (Billiet, 2009: 439, Damro, 2007: 886, Pollack, 1997: 108), shirk (Damro, 2007: 886, Eisenhart, 1987: 61), and slip (Billet, 2009: 439). This is very similar to hypothesis testing, as the PA theory offers hypotheses on how

the principal and the actors can act and what the outcome of these actions will be. When investigating this relationship between the Member States and the EU through the interviews, we will at the same time test the hypotheses from PA theory. Interviews used for hypothesis testing are often more structured, and use a standardized wording and a standardized sequence of questions in order to compare the answers (Kvale 2007: 38). In order to gain some of that structure into our interviews we have, therefore, developed an interview guide (Appendix 1) for both cases to ensure we ask the same questions in each case.

4.1.1 The semi-structured interview

We will use semi-structured interviews for our thesis, because it offers an open, yet structured form. The form will allow us to adapt our questions to the responses that the interviewee gives, prompting the interviewee to give more precise answers as well as offering us a quite structured approach, which will ensure we cover all the relevant themes. The aim of a semi-structured interview is to obtain insights into the perspective of the interviewee, regarding the meaning of a phenomenon. A semi-structured interview has several areas of interest to be covered during the interview as well as suggested questions. The interview guide should, however, also be open to changes in the order and wording of the questions in order to be able to follow up on the interviewee's answers (Kvale, 2007: 51). The interview is therefore divided into four themes consisting of questions covering the 1.) the interviewee's background, 2.) policy goals, 3.) EU Commission and the MDGs/SDGs, 4.) control mechanisms. Some of the questions also have follow-up questions that could become relevant depending on the interviewee's answers, but there is also room to follow relevant unsuspected issues mentioned by the interviewee. When conducting the interviews we will set the stage for the interview at the beginning, by briefing the interviewee about the purpose of the interview and allow the interviewee to ask questions before starting the interview. The interviewee will also at the end of the interview get the opportunity to ask questions and clarify answers in order to give the interviewee an opportunity to correct or expand on an answer given during the interview.

As mentioned previously, we will be using an interview guide to structure the interviews. The interview guide consists of two columns and several sections. The first column contains the questions, while the second column contains the kind of knowledge we seek to obtain by asking the question. This outline of questions and desired pieces of information ensures that we cover all the relevant themes and asks all the relevant question. The outline also lets us know which questions and themes

are the most central to the thesis which makes it easier for us to prioritize these question, if we should run out of time. This structured outline of the interview guide makes sure that we will ask the same theory derived question of the interviewees, thereby making their answers more comparable.

As noted earlier, we have interviewed elite persons for the thesis, which pose advantages and disadvantages that Kvale's (2007) method does not account for. This is particularly relevant for the type of questions that can be used for an interview; open and close-ended questions. It is important when we decide, which kind of questions should be asked in an interview that we take into account how much we already know. Close-ended questions are preferable if you have previously studied the field extensively or already have a lot of information from other kinds of sources or previous interviews. Using closed-ended questions makes it easier to make "an elegant analytical product" (Aberbach & Rockman, 2002: 674) especially if you are using statistical analysis. However, we will employ open-ended questions when we conduct the interviews for this thesis, because all of our interviewees will be highly educated elites, who will not respond well to closed-ended questions. Highly educated people and elites do not like "being put in the straightjacket of closed-ended questions" (ibid).

Instead they would like to be able to explain how and why they act and think the way they do. Closed-ended questions also have the drawback that they sometime inspire counter question to the framing of a question or its response categories (ibid). Open-ended questions help maximise validity. This is because open-ended questions give the respondents the possibility to "organize their answers within their own framework" (ibid). Using open-ended questions is best for doing in-depth and explorative work, but also makes the coding and analysis more difficult. We are, however, in agreement with Aberbach and Rockman that doing the interviews in "the most reliable way is more valuable than an analytical rigorous treatment of less reliable and informative data" (ibid). We therefore mainly use open-ended questions to collect the best data possible.

Having the advantages and disadvantages in mind we can expand on the different kinds of questions we will use and what situations they will be appropriate for. We will be employing a variety of different types of questions in order to cover all aspects of the interview theme and in order to secure as rich information as possible. When starting the interview, and when moving from one interview theme to another, an open question will be asked. An open question may prompt the interviewee to give "spontaneous, rich descriptions where the subjects themselves provide what they experience as

the main aspects of the phenomenon investigated.” (Kvale, 2007: 60). This could for instance be asking the interviewee how they got involved in the MDGs or SDGs: “So just to begin with could you briefly outline how you got involved in the SDG process” (Interview C, 13). Our first open question will usually be followed by a follow-up- or a probing question in order to get the interviewee to elaborate on the issue raised in their answer:

“so the negotiations could change in unanticipated ways during these negotiations because you couldn't plan for everything so the did the commission ever our stray off let's say the year the agreed path when something new came up the they take a position you didn't agree with or that other members that agree with?” (Interview C, 1 253-256).

If the interviewee in her answer touch upon something central, we will ask a specifying question or interpreting question in order to get a more detailed and specific answer of how the interviewee interpreted the situation. This could for instance be when the interviewee touch upon something that could be interpreted as a control mechanism. Here it would be relevant to ask both a specifying question about the nature of the control mechanism and an interpreting question about how the interviewee interpreted the effect of that control mechanism: “but you would be able to you and other members were able to make them correct the mistake sort of immediately?” (Interview C, 1 329-330). When a follow-up or probing question fails to deliver a desired piece of information, we will ask a direct question regarding the desired piece of information. This could for example be asking more directly if there were any control mechanisms in place. We will be using indirect questions when we feel that asking a direct question might insult or bring the interviewee in a defensive position. This is done in order to make sure the interviewee is not offended. Structured question will be used to make sure that we cover all the themes in our interview guide within the time set aside for the interview. As mentioned above we interview elites that have limited time and they sometimes have what Kvale calls “talking tracks” where they have a certain point or story they try to promote in the interview (Kvale, 2007: 70). In this case a structuring question might be in order, which could begin with: “going back to the informal meetings you said they were part of...” (Interview C, 1 506).

4.1.2 The interviewees

We have conducted 8 oral semi-structured interviews (Appendix 3, Interview A-H) and one written interview via e-mail (Y) with people directly involved in either the MDG or the SDG process.

Interview H was cut short, but we sent some follow-up questions by e-mail, which the interviewee answered and it has been put in the bottom of the transcribed interview. The interviewees who supplied the interview data for the thesis are anonymous. However, we will elaborate on the kind of people we interviewed. Our interviewees are “elite” diplomats and can be divided into two groups, Member State representatives and EU officials. We have only interviewed Member State representatives from the northern European countries, which could mean some aspects of the EU-Member States relationship are unexplored. Nonetheless, we do not expect those representatives to have particularly different views on EU participation in IOs. Our interviews focus on factual aspects of the EU-Member States relationship and how the EU’s actions aligned with the given mandate. We will, however, ask if they think their interpretation of the events are shared by the other Member State representatives. Through the interviews we did uncover differences regarding the interests of the Member States and what this meant for the EU’s role in the negotiations. This indicates the types of questions asked allowed us to discover the central differences between the Member States.

4.1.3 Interview Form

Knowing the kinds of questions, we will ask, and when to ask them, we can now clarify the form of our interviews. Our interviews consist of a mixture of the factual and conceptual forms. In factual interviews the focus is on “Obtaining valid factual information” (Kvale, 2007: 71) for example when we ask “What would you say was the main goals for the commission in the SGD process in policy wise content of the the goals?” (Interview A, l 67-68). In a conceptual interview the main goal is to obtain a conceptual clarification from the interviewee (Kvale, 2007: 71) for example when we ask “did it surprise you in any way, how the commission acted in this process? did any of its actions statement or initiatives surprise you in any way?” (Interview B, l 263-264). Our interviews will mainly have a factual form as we aim at discovering the nature of the relationship between the Member States and the EU in the development of the MDGs and SDGs. In order to do that, we need to establish facts about that relationship, which are not present in the documents produced in developing these goals, this could for instance be which control mechanisms were in place and how they were used. However, we also need to obtain knowledge about how the actors interpreted different aspects of these facts, such as how they interpreted the effects of the control mechanisms in place. In order to obtain this kind of knowledge we have to ask conceptual questions on for example the control mechanisms in place or how they interpreted actions by other actors. Obtaining knowledge about how the different

actors interpreted each other's actions is important for our analysis, as triangulation of the data will increase validity.

4.1.4 Quality control of the interviews

Quality control is important for the analysis, verification and reporting of the interviews (Kvale, 2007: 80) and we, therefore, examine some of the criteria applicable to qualitative interviews and how we design our interviews to fulfil these criteria.

In order to accommodate Kvale's six quality criteria we will, as explained previously, start the discussion of every theme in the interviews by asking an open question. If the question is well phrased it should prompt "spontaneous, rich, specific and relevant answers" (ibid). Accommodating the second criteria of short questions and long answers (ibid) again comes down to the phrasing of the question. We will strive to construct short questions that prompt detailed answers. We will seek to accommodate the third criterion of clarification (ibid) by asking specifying and follow-up questions during the interview, when the interviewee talks about a central theme for this thesis. This could for instance be the effect of a control mechanism. We will strive to accommodate the fourth and fifth criterion regarding interpretation (ibid), by asking interpretive follow-up questions, thereby making sure that the interview is interpreted while it takes place. The sixth criteria (ibid) will be accommodated by sticking to the themes in our interview guide, and only moving on from one theme to another, when the topic has been adequately covered. This should make the interview more of a story that progresses rather than a conversation that quickly and often jumps between themes (Ibid). It occurred that the interviewees answered several of our questions or directed the conversation onto themes, which were planned for later in the interview and in these cases we redirected the conversation to earlier themes that were not fully explored. For example, we asked one interviewee: "you talk about that you maintain the coordination between the member states would you say that was on the EU's initiative or was of the member states who were still wanting to coordinate even though it was more a loosely..." (Interview E, 1 174-176) when we had not got the desired piece of information from the previous answers.

4.2 Case Studies

This subchapter presents our considerations regarding the use of case studies. We present a definition of case studies, our reasons for using case studies by discussing the advantages and disadvantages in doing case studies. We then present our arguments for selecting the MDG and SDG processes as cases.

As mentioned earlier, the analysis in the thesis is focused on two cases, the MDG and the SDG. For the purpose of this study we will be using George and Bennett's (2005) definition of a case. They define a case as "an instance of a class of events" (George & Bennett, 2005: 17-19). The term class of events refers to the phenomenon that has the researcher's interest, which for instance could be revolutions, government regimes or, as in our case, the agreements on the MDGs and SDGs.

When selecting a case you have to specify what the episodes that you have selected to study are a class of event of (ibid). The episodes in our thesis are the meetings in international organisations and intergovernmental negotiations that led to the agreements on the MDGs and SDGs. The class of events this thesis is aimed at studying is the relationship between the EU and the EU Member States with a focus on the changes in this relationship between the two agreements.

George and Bennett (2005) define case studies to include both "within-case analysis of single cases and comparisons of a small number of cases" (ibid). This is because there is a growing consensus that using both within-case analysis in a single case as well as cross-case comparison is fruitful for theory testing and development (ibid). We agree with George and Bennett and we, therefore, use the label case study even though our study also could be described as a comparison study with a small number of cases (ibid). So even though we analyse differences between two cases and therefore make a comparison, it qualifies as a case study according to the definition proposed by George & Bennett (2005).

We conduct a structured focused comparison case study. We structure our study by asking the same theory derived general questions to both cases in an effort to make it easier to compare them (George & Bennett, 2005: 67). We focus our study by only including the relevant parts from the two cases we are examining in order to exclude the parts of the cases that do not represent the phenomenon we are studying (ibid: 68). Thus we will only analyse events that can tell us something about the relationship between the EU and its Member States in terms of the control mechanisms ex-ante (Pollack, 1997: 108) and ex-post (Miller, 2005: 211, Niemann & Huigens, 2011: 432, Pollack, 1997: 108-109) and the moral hazards drifting (Billiet, 2009: 439, Damro, 2007: 886, Pollack, 1997: 108), shirking (Damro, 2007: 886, Eisenhart, 1987: 61), and slippage (Billet, 2009: 439).

Our case study will be a controlled comparison case study. This means that we will be investigating two cases. One before the enactment of the Lisbon treaty (Our independent variable) and one after the

enactment of the treaty. The case study is controlled in the sense that we are seeking to keep all other variable constant. We will discuss our selection of cases later in the chapter.

4.2.1 Advantages of case studies

We have chosen to do a case study because it offers advantages in terms of validity. The use of case studies allows us to obtain a great degree of conceptual validity and to identify and measure the indicators which correspond with the theoretical concepts that we intend to measure (Bryman, 2012:74). This is because a lot of the phenomena that social scientists are interested in, such as democracy or power, are very difficult to measure and quantify. In statistical studies there is a risk of concept stretching if dissimilar cases are lumped together in order to reach an acceptable sample size. Case studies on the other hand allow for greater validity over a small number of cases as you do not have to lump dissimilar cases together (George and Bennett, 2005: 19). It is for this reason that we have selected two cases that are both UN development policies.

Case studies allow for the discovery of new variables and hypotheses, which is another reason why we chose a case study. By interviewing people instead of sending them a questionnaire you open up for the interviewee bringing up new variables or hypotheses that we, as researchers, had not thought of. If we ask an interviewee what she thought of control mechanism A, B and C and she answered that these control mechanisms were not that significant but control mechanism Z was very significant, we have discovered a variable that we would not have discovered using statistical methods. Using only statistical methods we would have no way of knowing if there are other variables at play than the ones that are part of the dataset (George and Bennett, 2005: 20-23). This is another reason for using semi-structured interviews, which allow us to direct the interviews in the direction of the subjects and factors we investigate, while allowing for the interviewees to answer in depth and thereby potentially unearthing unexpected factors.

Another advantage of using case studies is that we can take the context of the cases we are studying into account when determining under which conditions the causal mechanism is active (Bryman, 2012:74). This ability to take the context into account is very important for our study because the cases we compare are more than 10 years apart and the series of events that constitute these cases have been very different. This means that identifying the effect of the context on the causal mechanism we are

trying to discover is very important. This as well as other general issues resulting from the time span between the cases is discussed later in the chapter.

4.2.2 Common critiques

A common challenge for case studies is that they are good at determining whether and how something mattered but have problems determining how much it matters (George & Bennett, 2005: 25). However, this challenge is less important in our research design of this thesis, as we want to discover, whether and how the Lisbon Treaty and the UN mandate change had an effect on the relationship between the EU and the Member States and not how much it mattered compared to other factors.

We will have to touch upon another common criticism of case studies because of our chosen research design: Case studies are not representative of diverse population and they should, therefore, not make claims that findings can be transferred beyond the narrow confinements of the studied case (George & Bennett, 2005: 30-32). This criticism would be absolutely relevant if the aim of this thesis was to confirm a grand hypothesis in all aspects of foreign policy about the relationship between the Commission and the Member States. This is however not the ambition of this thesis. Instead, the ambition is to gain insight on the development of the relationship over time between the EU and the Member States when it comes to acting in the UNGA. It is on this basis that the processes and negotiation leading to the agreement on the MDGs and SDG are strong case choices. The policy arena (the UN) and the policy issues (development) are similar in both case, the main variance between the cases is the EU's institutional position at the UN and the process that developed the goals.

4.2.3 Case Selection

The selection of cases is one of the choices in our research design that will affect the analysis in the thesis the most. In this section we will present our reasons for selecting the processes leading to the agreements on the MDGs and the SDGs. According to George & Bennett (2005) the decision to study a case should be based on the fact that the case is relevant to the research objectives (George & Bennett (2005: 83). Below we will argue, for why the cases selected are particularly relevant for our research objective.

We have selected cases that would qualify as before and after cases. The events that separates the MDG and the SDG cases into before and after cases are the enactment of the Lisbon Treaty December 1st 2009 (and the change of the EU's mandate at the UN in 2011). The MDG process ended in 2001

eight years before the Lisbon Treaty entered into force in 2009 and the SDG process began in 2012, three years after the Lisbon Treaty and one year after the 2011 UN mandate change. This longitudinal element provides us with a useful method to study changes in the relationship between the EU and its Member States, since we can analyse the same policy subject at different points in time (Bryman, 2012:72). Furthermore, we want to keep as many variables constant as possible. This meant we picked cases with similar policy focus and policy arena, in order to conduct a controlled case comparison. The MDG and SDG cases were chosen because they were both discussed (and voted on) in the UNGA, which holds the policy arena constant. The issues dealt with, in both the MDGs and the SDGs, are developmental issues, holding the policy issues somewhat constant, although there is a greater environmental focus in the SDGs compared to the MDGs.

The cases selected cannot be classified as *most likely* cases. The MDG process was very unstructured and many actors were not intentionally working towards creating development goals in the beginning of the process (Hulme & Scott, 2007). For the SDG process the Member States were organised in troikas with other countries sharing a seat in the OWG, which is quite unusual in the UN. These unusual circumstances mean that we will not qualify our cases as most-likely cases, but rather place them somewhere in the middle of continuum between most and least likely. This is because there are other cases where EU-Member States coordination is more unlikely, for example the issue of going to war.

Another reason for selecting the two cases was the chance of finding factors that reflect the EU-Member States relationship during the processes. By looking at previous studies in the *literature review* we found that the explanatory power of PA theory varied across policy areas (Damro, 2007). We therefore selected two cases that dealt with many policy areas (development, trade and environmental issues) in order to be able to avoid the possible bias when applying PA theory to a case dealing with just one policy field. This is important because we want to analyse the EU-Member States relationship in relation to the UN generally, otherwise we should have picked a policy specific case.

The first class of events that led to the agreement on the MDGs allow us to learn the nature of the relationship between the EU Commission and the Member States in negotiations in IOs prior to the enactment of the Lisbon Treaty. This case is relevant because we expect both the EU and the Member States to be relevant in these negotiations, which allow us to map out the relationship between them.

The second class of events that led to the agreement on the SDGs also allow us to learn the nature of the relationship between the EU and the Member States, as they were involved in the process. The

SDG process took place after the Lisbon Treaty was enacted and the UN mandate expanded. Analysing the SDG process, therefore, enable us to examine the consequences for the EU-Member States relationship.

4.2.4 Time perspective

As mentioned we want to analyse a change in the relationship between the EU and the EU Member States and we have therefore picked cases before and after the Lisbon Treaty and the UN mandate change. The result is that we have selected cases with about 15 years between them, which raises a couple of issues for the data collection and the analysis.

Process-tracing can be applied as a tool to make up for the shortcomings of a controlled comparison. When it is impossible to find cases that meet the basic requirement of controlled comparisons (cases similar in every respect but one) process-tracing can be used to identify the effect of different variables, both as part of the investigated causal mechanism as well as others that affect the result of the analysis (George & Bennett, 2005: 205-232). The circumstances and the context in which the processes took place have of course changed from the 1990s to 2015. The circumstances and the context could for instance be the amount of media coverage, the international focus on development as well as changes in international relations between countries. It is therefore not possible to keep all variables constant. Applying process tracing allows us to uncover how variables, other than the enactment of the Lisbon Treaty and the change of the EU's mandate at the UN, might have affected this relationship. We will highlight when contextual factors seem to be at play, in order to determine how these factors have affected the relationship between the EU and the Member States. The first part of the analysis presents the empirical findings and relate the findings to the PA theory, whereas the second part of the analysis examines the differences and changes from the MDG case to the SDG case combined with insights from PA theory. The discussion then considers the findings from the analysis in relation to the insights from the literature review.

The time perspective also influences our interviews, especially in the MDG case. It can make it more difficult for us to find the people involved in the processes, but this does not necessarily have an effect on the finished thesis. However, more importantly, the interviewees might remember the events differently now. They may have forgotten something that could be important or their recollection of the events could be distorted by later events irrelevant to us. However, this can be somewhat rectified by leaning on academic sources and documents generated during the two processes, which will be

elaborated in the next section. The first issue could make it more difficult for us in getting in contact with the people we want to interview, whereas the second issue makes it more important for us to have the interviewees confirm statements raised in previous interviews.

4.3 Reliability, replicability and validity

We have previously touched upon issues of validity and reliability, and we will now discuss them in more detail in order to explain how we will deal with these issues throughout the thesis.

Internal validity is whether the results are accurate and basically whether we investigate what we want to investigate and we get results that are useful (Bryman, 2012:47). It is therefore vital that we ensure the results are valid and we do this by making sure our methods (semi-structured interview and case comparison) measure what we want it to (the relationship between the EU and its Member States) (Bryman, 2012:47). The questions in the interview guides are therefore linked to the concepts in PA theory and we make sure to explain our reasoning in the analysis.

The results we can achieve rely on who we interview and it is for this reason we interview multiple people so we can compare the answers they give and avoid relying on single sources for the conclusions we make.

Given this thesis' focus on case study and qualitative interviews external validity (Bryman, 2012:47-48) is not the primary concern, but we will relate our findings to existing literature and previous studies to see how our results contribute to the study of the EU in IOs. However, our main objective is to make sure this thesis' results are accurate and useful and not that the results can be used to make general predictions of the EU's involvement in the UN or other IOs.

Reliability is whether the method is reliable and replicable, meaning that the same method used repeatedly will produce the same results and another researcher can use the same method to get the same results (Bryman, 2012:46-47,390). Although low replicability is not uncommon in social research (ibid:47) we make the thesis as replicable as possible, by giving the sources for insights gathered elsewhere, in case someone else wants to test our research or conduct their own.

The interview guide is essential to maintain reliability as it allows others to use the same method we have used, to try and replicate our results. However, considering our research is focused on two cases and is based on interviews, the researcher would have to ask the exact same questions to achieve the same results and the researcher would also have to interpret the answers the same way we have.

One issue regarding the transparency of our interviews is that we have chosen to make the list of interviewees anonymous, though the thesis examiners will receive the open list for their review. Keeping the interviewees anonymous was a choice we made because we are interviewing elite persons involved in diplomacy. We are studying a negotiation situation where the interactions, positions, and goals which have been discussed are kept secret and not revealed to outsiders in order to hide who 'won' and 'lost'. Furthermore, being anonymous allowed them to answer our questions candidly and not worry that their answers would have an effect on their reputation and future career. Keeping the interviewees anonymous thereby provide us with better data. Although using sources that would not insist on being anonymous, would have increased the replicability of the thesis, there would have been a trade off in terms of data quality. It would have been almost impossible to get the central actors in the processes to participate in interviews, and their answers to questions on for example how they viewed other actors, would not have been straightforward, as they would risk other actors reading what they had said and potentially be offended by their answers.

It is unlikely that another researcher can replicate our research, given the emphasis on qualitative interviews (with anonymous sources) as the main source of empirical data, but this is why it is important that we use the most thorough argumentation possible, so another researcher can replicate our analysis, if not our data collection. Relying on anonymous sources also makes the transparency of the other sources in the thesis important, as this will be one of the ways the reader can check a piece of information or an argumentation. We will be citing academic sources as well as documents generated in the MDG and SDG processes throughout the thesis. This should make it possible for the reader to investigate the foundation for the thesis' conclusion. The interviews are also transcribed and put in Appendix 3, so the examiners can interpret the data themselves and the fact they are transcribed does not change analytical results (Bryman, 2012:398). We have been as transparent as possible, given the thesis' focus on intergovernmental negotiations.

4.3.1 Other Sources

Our analysis will be based on a variety of sources. The information gained through the interviews will be the most prominent, but will not stand alone. Beside the interviews, we will use official Commission documents to gain an insight into which kind mandate the Commission had when negotiating the MDGs and the SDGs. We will also use documents drafted in the Open Working Group and the intergovernmental negotiation in the UN in order to support the information we gain through

the interviews and to nuance the analysis. These documents can also prove useful if the information we get from one interview is at odds with information we already got from another interview. In that case the documents might help in determining what happened.

4.4 Analytical strategy

This chapter has raised many relevant methodological issues and presented multiple tools that enable us to answer our research question. We now have both the theoretical knowledge and the method in place and we will now briefly summarise how the two are combined to form our analytical strategy.

4.4.1 Operationalizing the theoretical concepts as analytical indicators

In the theory chapter we defined and discussed the theoretical concepts that will be applied in the analysis. Previously in this chapter we explained that we conduct a structured and focused controlled case comparison study. This entails asking the same theoretically derived questions of our two cases. We will now discuss how we will operationalize these questions using indicators developed from the theoretical concepts in the way prescribed in the structured and focused controlled case comparison approach to study the relationship between the EU and the Member States. Table 1 on the following page visualise how we answer our research question and how the different parts of the analysis are linked.

The first set of indicators we will use to assess the relationship between the EU and the Member States are the control mechanisms available to the Member States. We have derived two types of control mechanisms from the theory: ex-ante and ex-post. The ex-ante control mechanism will be centred around establishing the EU's rights and mandate at the UN, to establish their formal role and involvement. The ex-post control mechanism that will be used as an indicator consists of the oversight procedures and the sanctioning capabilities available to the Member States.

The second set of indicators, used to assess the relationship, will be the moral hazards that the EU experienced. The theoretical concepts of shirking and drifting will be used to assess if the EU did more or less, in the processes of developing the MDGs and SDGs, than the Member States wanted. We will assess all instances of shirking or drifting to determine if this is a result of slippage. Using these theoretical concepts from the PA-theory will allow us to identify and understand key elements in the relationship between the Member States and the EU.

Question	Theory/Key concepts	Data
<p>How was the EU involved in the creation of the Millennium Development Goals and what determined that involvement?</p>	<p>Ex ante control mechanisms are the precautions the principal takes to limit the negative effects from delegation (Pollack, 1997: 108-109)</p> <p>Ex post control mechanisms are the tools that let the principal interfere in the workings of the agent (Miller, 2005: 211, Niemann & Huigens, 2011: 432, Pollack, 1997: 108-109)</p> <p>Shirking happens if the agent does not put in the effort that the principal expects of it (Damro, 2007: 886, Eisenhart, 1987: 61)</p> <p>Drifting: happens if the agent acts in a way that is more in accordance with its own interests rather than its principals (Eisenhart, 1987: 61) to the detriment of the principal (Billiet, 2009: 439, Damro, 2007: 886, Pollack, 1997: 108).</p>	<p>Interviews with Member State representatives involved in the process of developing and negotiating the MDGs</p> <p>Interviews with people who worked in the Commission that was involved in the process of developing and negotiating the MDGs</p>
<p>How was the EU involved in the creation of the Sustainable Development Goals and what determined that involvement?</p>	<p>The same theoretical concepts as above will be applied in this section</p>	<p>Interviews with Member State representatives involved in the process of developing and negotiating the SDGs</p> <p>Interviews with people who worked in the for the EU institutions that were involved in the process of developing and negotiating the SDGs</p>
<p>How and why has the EU involvement in developing the agreements changed?</p>	<p>The same theoretical concepts as above will be applied in this section</p>	<p>The insight from the first two analytical question will be compared in order to determine, if, how and why EU involvement in the two processes differ</p>

As shown in Table 1 our approach to answer analytical question one and two are identical. This, as mentioned previously in this chapter, is because we aim to do a controlled comparison case study to

compare the MDG and SDG cases and therefore need to analyse them identically. This entails asking the same kind of question to each case and use the same type of data to answer these questions. In working question one and two we will be drawing on theoretical concepts from PA theory such as control mechanisms, shirking and drifting. We interviewed people directly involved in the two processes in order to determine what kind of control mechanisms were established and if any drifting or shirking took place. We interviewed both civil servants in the Commission and the EEAS as well as officials who represented the Member States in the two processes. In the third analytical question we do the controlled comparison of the cases in order to discover in what respects the relationship between the EU and the Member States were similar and in what respects they differed.

Working Questions

We have developed some working questions that will enable us to answer the research question as well as develop a coherent structure throughout this thesis. The questions are made on the basis of table 1 and further develop the structure of the analysis. Question 1 is for the MDG case and question 2 is for the SDG case. Each have the same four sub-questions with question a) examining the formal role and involvement of the EU, b) control mechanisms, c) moral hazards. The third question is the comparison of the cases.

1. How was the EU-Member States relationship in the creation of the Millennium Development Goals and what determined that relationship?
 - a. How did the EU and the Council agree on a common EU position?
 - b. What control mechanisms did the Member States have in place to ensure that the EU acted in accordance with its mandate?
 - c. Which possibilities did the EU have to act beyond the mandate and did it act within it?
2. How was the EU-Member States relationship in the creation of the Sustainable Development Goals and what determined that relationship?
 - a. How did the EU and the Council agree on a common EU position?
 - b. What control mechanisms did the Member States have in place to ensure that the EU acted in accordance with its mandate?
 - c. Which possibilities did the EU have to act beyond its mandate and did it act within it?

3. How and why is the EU-Member States relationship different when developing the MDG and the SDG agreements?
 - a. What were the differences in the process in terms of involvement, control mechanisms and moral hazards?
 - b. How do these findings correspond with our theoretical preconceptions?
 - c. What were the factors to the EU-Member States relationship that could not be explained by the theoretical framework?
4. How do our analytical findings relate to previous studies that examined the EU in IOs?

As a result of these working questions, the analysis has been divided into two parts. The first part consists of questions 1 and 2 and examines each case separately. Part two of the analysis is question 3 and consists of a comparison of the two questions with contribution from the insights gained in the section on *PA in EU-studies* in the *theory* chapter.

5. Analysis part 1

In the chapter on theory we described how and why we would operationalise theoretical insights from the principal-agent theory to study the MDG and the SDG processes. In the methods chapter we presented how and why we conduct a structured, focused controlled case comparison. It is on the basis of these choices that this chapter will investigate the role and interaction between the EU Member States and the EU institutions during the processes. The MDG process will be investigated in the first part of the chapter. The SDG process will be investigated in the second part of the chapter focusing on the relationship between the EU institutions and the Member States in that process.

5.1 MDG

In this subchapter we will investigate the relationship between the EU institutions and the Member States in the MDG process. We will establish the EU institutions' role in the negotiations of the goals, as well as which control mechanisms were available to the Member States if the Commission drifted, shirked or slipped in the negotiations.

5.1.1 Formal role and involvement

The Commission had a limited formal role in the MDG process and was not very much involved (Interviews: F, I 6-22, Y, I, 37-44). DG DEVCO, which would have been the DG most likely to be involved, was disorganised and without a driving vision until the early 2000s (Interviews Y, I 84-87, F, I 154-167) and the top Commission officials, therefore, had the attitude that it should not involve itself in external affairs until its own “house was in order” (Interview F, I 332-334). According to one Commission representative the Commission would have liked to be involved if it could (Interview F, I 154-167), but it would have lost trust if it tried to get involved without solving its internal problems first, and the first priority was therefore to fix their own problems and regain the confidence of the Member States (Interview F, I 132-147). Furthermore, the Member States did not make a request to involve the Commission (Interview F, I 332-334), questioning their willingness to have an agent in the first place. It seems the Commission as well as the Member States viewed the MDGs with a fair bit of scepticism, they were not sure if the unbinding goals would have any effect (Interview Y, I 74-81), which further limited the reason for involving the Commission.

In a previous chapter on the MDG process we discussed the fragmented process in which the MDG goals were developed. The roots of the process were the UN conferences in the 90s and the OECD

DAC's creation of the *Groupe de réflexion* also in the 90s (Hulme & Scott, 2007), which were both before the Commission had restructured DG DEVCO, and they were, therefore, ill-equipped to participate, even if they had wanted to. Our interviews show that the process was mainly driven by the donor countries (Interview Y, l 37-44) and DESA (Department of Social and Economic Affairs) in the UN (Interview Y, l 37-44), as well as Kofi Annan and Mark Malloch-Brown who were the driving forces in the UN process (Interview G, l 18-29). Because the substance of the policies had already been negotiated and agreed upon at the UN conferences, the amount of negotiation necessary was reduced and it allowed Kofi Annan and Mark Malloch-Brown to rather quickly make the countries agree on the Millennium Declaration (Interviews: Y, l 37-44, G, l 18-29).

The Commission, at the time, had a distant relationship to the UN (Interview Y, l 51-61) and was not part of the General Assembly or the committees, but It could vary from one policy area to another (Interview Y, l 148-153). The Commission would facilitate coordination meetings in New York for the EU Member States. These meetings were formally led by the EU Presidency and not the Commission, although the Commission would sometimes provide papers that worked as the foundation for the discussions (Interview Y, l 148-153). Even though the Commission facilitated the coordination meetings with the Member States the MDGs were not discussed in detail, and the Commission was not directly involved in the development of the MDGs (Interview Y, l 64-66). Furthermore, the EU Member States, perhaps unconsciously, acted more like UN Member States than EU Member States and thereby made it harder for the Commission to perform its coordination role (Interview F, l 31-47).

However, the Commission was involved in developing the foundations for what later became the MDGs. The Commission was involved in the "women conference" in Cairo in 1994 and the "social conference" in Copenhagen in 1995 both of which laid the foundation for what later became the MDGs (Interviews: Y, l 51-61, H, l 37-54, F, l 31-47). Although, It was primarily the EU Member States who were in the driving seat, there was coordination between them, involving the Commission (Interviews: Y, l 51-61, H, l 76-90). As mentioned previously the EU was also involved in the DAC in the OECD which took the conclusions from the UN conferences in the 1990s and formulated seven development goals in the *Shaping the 21st century: the contribution of development cooperation* report. These goals would later be merged together with the goals presented by Kofi Annan's "*we the peoples*" report (Hulme & Scott, 2007). This is where we find the agent impact of the EU in the MDG process, as

the EU helped the Member States coordinate and find common positions during the UN conferences in the 1990s (H, 176-90).

The institutional framework was not suited for Commission involvement when it came to negotiating the conversion of the DAC and UN goals into the MDGs. There were several reasons for this: The MDG policies themselves did not align very well with the Commission's focus at the time. The policies in the MDGs were mainly focused on the developing countries' problems (Interview Y, 146-48), which reduced the relevancy of Commission involvement. Poverty reduction was an essential part of the MDGs and it was a subject that did not have much attention in the Commission at the time (Interview Y, 169-71). To add even more to this discrepancy, the task of managing development aid was divided among the Commissioners responsible for different geographical areas (ec.europa.eu 2, visited 10.06.16).

5.1.2 Control mechanisms

As we have examined in a previous section on *Control mechanisms* there are many different ways a principal can control or limit the actions of her agent. The control mechanisms (Billiet, 2009: 440, Damro, 2007: 889, Niemann & Huigens, 2011: 438, Pollack, 1997: 108-109) can be divided into two categories *ex-ante* (Pollack, 1997: 108) and *ex-post* (Miller, 2005: 211, Niemann & Huigens, 2011: 432, Pollack, 1997: 108-109), the former is the mandate given to the agent and the rules she must adhere to, the latter is the oversight procedures and the sanctions available to the principal. There were actually control mechanisms in place, even though the Commission's involvement in the MDG process was limited.

Ex-ante

The MDG process happened before the Lisbon Treaty and it was therefore up to the Member State that had the Presidency to relay the EU's opinion at the UN (Interview H, 1273-274), which meant the rules limited how the EU institutions could get involved, by having the Council Presidency as a gatekeeper, with direct control over how the Commission could be involved. Furthermore, as shown previously, the Member States did not create a mandate enabling the Commission to get involved in that process.

Ex-post

Even if the Commission managed to get the Presidency to present a Commission opinion or a common position for the EU Member States, all the Member States were present in both the OECD and the UN, making the oversight very direct and ensuring the Commission would not be able to act outside of their mandate. It is very likely the Commission would be sanctioned and lose trust (Interview F, l 332-334) if it acted in a way the Member States did not authorise it to.

5.1.3 Moral hazard

Principals delegate authority and responsibility to an actor if that actor can perform the given tasks more efficiently, but delegation of authority can lead to the unintended side effect *moral hazard* (Eisenhart, 1987: 61, Miller, 2005: 205), namely *drifting* (Billiet, 2009: 439, Damro, 2007: 886, Pollack, 1997: 108), *shirking* (Damro, 2007: 886, Eisenhart, 1987: 61), and *slippage* (Billet, 2009: 439). We will in the following sections investigate if aspects of moral hazard occurred even though, as we showed previously, the EU's involvement was limited and even if it took a more active role in the MDG process it would be almost impossible to manoeuvre, because the Commission would constantly be watched by the Member States, as they were present in all relevant fora.

We have not identified any asymmetry in preferences between the EU and its Member States in the MDG process. In addition, given the control mechanisms limiting the EU's involvement in both the OECD and the UN during the MDG process, it would be extremely unlikely for the Commission to intentionally drift, shirk, or slip, as the Member States most likely would discover it immediately and thereby make sanctioning a real possibility.

5.1.4 Summary

The EU was not directly involved in the development of the MDGs, the EU coordinated with its Member States in New York and at several UN conferences in the 1990s, which laid the foundation for what later became the MDGs. The EU was also present in the OECD DAC, where they were part of adopting the results from the UN conferences in the 1990s into seven goals for development. In that process the Commission was subject to extensive control mechanisms. In both the OECD and the UN the control mechanisms severely limited its ability to shirk, slip, and drift, because EU Member States were present at all of the UN conferences, the New York coordination meetings and in the DAC. This meant that the Commission was almost certain to lose trust if it drifted or shirked and did not follow the wishes of the Member States.

It therefore seems that there is barely any evidence to suggest that the EU institutions acted in a way that conflicted with the wishes of the Member States in the MDG process. The EU was also involved differently before, during and after the MDG process, which fits with the notion that the Commission's role varies over time (Billiet, 2009: 439).

Theory derived area of interest	Findings
The EU - Member State relationship in the MDG process	
EU Involvement	The EU was not involved in the actual negotiation of the MDGs, it did however have a coordination role at the UN conferences in the 1990s that was the foundation of the MDGs. There are several reasons for the lack of EU involvement in the MDG negotiations. DG DEVCO felt it was not appropriate to participate, as they lacked the trust of the Member States and would be unwelcomed, the MDG goals were concerned with developing countries and focused on poverty reduction, which were areas that were not a priority for the Commission.
Control mechanisms	Ex ante: EU was given no formal mandate and was represented by Council President Ex post: If the EU had decided to participate in the MDG negotiations it would have been subject to direct oversight and possibly sanctions as EU Member States are present in all the relevant areas.
Moral Hazard	Given the strong oversight and possible sanctions it would be extremely unlikely for the Commission to intentionally drift or shirk, as the Member States most likely would discover it immediately.

5.2 SDG

The previous sub-chapter 5.1 MDG has given us our starting point for analysing the change in the EU-Member State relationship at the UN. We have determined the Commission's role in the negotiations, the control mechanisms available to the Member States and the risk of drifting, shirking and slippage. We now look at the same themes for the SDG negotiations, so we can compare the two processes and determine the change in the relationship.

5.2.1 Formal role and involvement

Our interviews as well as the council conclusions shows the formal role of the EU was loosely defined.

The council defined the EU's role in a Council conclusion:

"The EU and its Member States commit to playing an active and constructive role in all on-going processes and to support their convergence in order to achieve a single overarching post 2015 framework." (...) The EU and its Member States will continue to further develop priority areas, taking into account the proposals outlined in the Commission Communication and proposals by other partners. The Council will continue to follow and engage in the international processes and define and adapt, as necessary, the position of the EU and its Member States towards an overarching post 2015 agenda." (Council of the European Union, 2013

This suggests that the contract between the Member States as principals and the EU as the agent was not a result of the ultimatum bargaining described in the section on theory, where the agent is presented with a take-it or leave-it offer. The Council conclusion binds the EU to be active in the process and thus is incapable of leaving the offer on the table.

Because of this loosely defined formal role of the EU it is important to note that there were two phases in the SDG negotiations. There was the OWG sessions where, according to our interview with a Member State representative, the EU only got involved if it was specifically asked or if the subject was related to an EU exclusive competence (Interview B, l 218-234). However, the EU would, according to our findings from the interviews as well as from written statements in the OWG, make an opening or a closing statement at each session of the OWG (Interviews: A, l 215-225, C, l 188-192, D, l 271-276) in order to present the general EU position (see for example sustainabledevelopment.un.org 3, visited 28.06.16).

The other track was the intergovernmental negotiations that followed the work done in the OWG where our interview with a Commission official showed the EU was very much involved and spoke on each of the goals in the SDG (Interview A, 1 173-175). This could merely be the case of the EU having a different role in the two different phases, but our interviews indicate there is a disconnect between how the EU explained its role and how a Member State representative explained it. The main difference between the two stories lies in the explanation of the agreements made in internal EU negotiations in Brussels and the EU's role at the UN. Both an EU official and a Member State official we interviewed indicated there was agreement on the purpose of the SDGs and agreed on the main objectives with the agreement (Interviews: A, 1 170-83, B, 1 170-79). Though they also mentioned that there were aspects of the SDGs that not all Member States were in favour of (Interview B, 1 150-169) and some disagreed with the prioritisation of the goals (Interviews: A, 1 233-236). However, there was a minor discrepancy regarding the foundation of the negotiations, with Member State officials saying the Commission followed the lead of the Member States (Interviews: B, 1 286-289, D, 1 36-59) and a Commission official saying it was the Commission, who originally proposed the issues of environmental sustainability and development aid be combined in the SDGs (Interview A, 1 31-55). This is true, but it seems to be an omission that it was the Member States who first proposed the combination (Interview A, 1 31-55), if not in writing then verbally. This raises the question of *observational equivalence*. Meaning, did the Commission behave as the Member States wanted it to, because it shares its interests or because the control mechanisms worked. Nonetheless, our interviews indicate that the Commission follows the wishes of the Member States (Interviews: A, 1 31-55, B, 1 286-289).

The process was the following: There were negotiations in Brussels organised by the EU where the Member State representatives discussed the SDGs together with the EU officials. The Member States and the EU also met in New York before the actual UN meetings to finalise their approach (Interviews: A, 1 156-167, B, 1 112-119, C, 1 153-179, D, 1 224-232, E, 1 430-433). It is the result of the meetings in Brussels and the following actions of the EU that varies somewhat in the interviews. According to Member State representatives as well as an EEAS official, the EU wanted the Union to stand together and negotiate from a common position in the OWG sessions (Interviews: B, 1 150-169, C, 1 188-207, E, 1 141-144), but the representative pointed out that the Member State ambassadors had more experience and knew such an approach would be counterproductive for the OWG sessions, as it would lead to bloc building. The Member States should, therefore, negotiate more individually, but

coordinate and agree on the priority of the issues (Interviews: B, 1 150-169, C, 1 44-49, E, 1 414-417).

Whereas, the EU official stressed that it was their role to present a combined standpoint for the EU at the UN and they spoke on all SDG issues, not just the ones related to an exclusive competence (Interviews: A, 1 181-199, 1 173-175, C, 1 188-207, D, 1 319-326, E, 1 124-142).

Furthermore, there was also disagreement on aspects of EU involvement, especially contact with non-EU countries. A Commission representative, an EEAS official, as well as some Member State representatives, said the EU conducted informal meetings with non-EU countries, all within the mandate given by the Member States, although given the nature of the meetings they had to take liberties and bend the mandate (Interviews: A, 1 204-206, C, 1 483-490, E, 1 351-352), but they always reported back to the Member States on what had been said at the meetings (Interviews: A, 1 197-199, C, 1 455-467, D, 1 606-607). When asked a similar question another Member State representative answered “no no no no no” (Interviews: B, 1 247), but this discrepancy in the two accounts could be a consequence of interviewee B misunderstanding the question or remembering the incidents incorrectly, compared to the others.

It seems that the EU’s role during the process is quite fuzzy, as there is disagreement about the Commission’s actions. However, there are many similarities in the answers the interviewees gave about the EU’s involvement. We have identified four areas in which the EU had an agent impact.

As a coordinator. All of the interviewees explained that the EU helped the Member States by ensuring and facilitating coordination (Interview A, 1 181-199 B, 1 218-234, C, 1, D, 1 224-332 & E, 1 101-102). Most EU Member States, which were part of the OWG, were represented in a troika with other UN Member States and often also with non-EU countries, as there were more countries that wanted to be part of the OWG than there were seats (Interview E, 1 22-26). Denmark was for example in a troika with Ireland and Norway. In this diffuse process where EU Member States cooperated with non-EU countries in troikas, the EU delegation in New York coordinated and facilitated a process where the EU Member States agreed to a common position with the other EU Member States. The Member States went back to their troika and was trusted to present and defend that position (Interview E, 1 222-225).

As information gatherer. The EU functioned as an information centre for its Member States during the OWG. The EU would analyse the text proposals from the OWG co-chairs and supply Member States with an analysis. This lessened the workload for the Member States considerably and was instrumental for getting the SDGs passed (Interview D, 1 331-341).

Combined EU voice in intergovernmental negotiations. As mentioned above the EU's role in the negotiations changed from the OWG to the intergovernmental negotiations. Whereas the EU had a less prominent role in the OWG, it had a quite prominent role in the intergovernmental negotiations. In the intergovernmental negotiations the EU coordination became stronger, and the EU pushed to ensure that the EU and the Member States were speaking with one voice during the negotiations (Interview E, 1 580-583). This indicates that the institutional change from the OWG to intergovernmental negotiations altered the Member States' strategic preferences towards stronger EU coordination. As discussed in the theory, the institutional setting can influence the agent's incentive structure (Scharpf 2000: 770-771).

Presence at informal meetings. The EU would, as mentioned previously, sit in on informal meetings with other important actors in the UN. Here the EU representatives would negotiate based on the EU position but with some room to manoeuvre (Interviews: A, 1 2004-206, C, 1 483-491, E, 1 351-352). It is in this role as negotiator on behalf of the EU we find the fourth EU agent impact. The EU had many representatives present at the intergovernmental negotiations, which enabled them to sit in on almost all the informal meetings (Interview C, 1 455.467) and then report the positions of the outside countries, as well as the possible compromises, back to the Member States.

This suggests that the EU Member States delegated tasks to the EU for several reasons. The first reason is continuity. The EU is responsible for coordination and facilitates that the Member States find a common position especially in the intergovernmental negotiations. This makes the EU (and its Member States) a more effective negotiator (Interview E, 1 202-205). If the Member States had one position during the OWG, where they were in troikas with other countries, and another position during the intergovernmental negotiation, they would lose credibility. This also highlights the second reason for delegating authority and responsibility to the EU - their independence. It is accepted by most Member States that the EU's task is to coordinate and develop common positions. If a Member State performed this task they might be able to do it, but the other Member States might be less willing to let that happen, because they would fear that the coordinating Member State would use that position to advance their own interests. This is quite similar to one of the reasons Pollack (1997) mentioned for delegating to an agent in order to get independent regulators. In this case you delegate

to an actor you believe to be credible and independent and would have little incentive to favour one party over another (Pollack 1997: 104).

Another reason for the Member States to delegate tasks to the EU is because it is more efficient for the Member States to delegate the task to one actor, rather than for all of them to do it themselves. One example of this is that the EU conducted an analysis of a text proposal by the OWG co-chairs that at least one Member State saw as crucial to the SDGs becoming a reality (Interview D, 1 430-433). Another example is the facilitation of the whole coordination process. It would be more resource demanding for the Member States if they had to talk to all the other Member States individually to learn about their positions and then attempt to develop a common position. The same is true for gathering the positions of the other countries in the process. Member States would of course meet with representative from non-EU countries during the negotiations, but the EU would do that as well and then spread the information to the Member States (Interview C, 1 455- 467). Especially in the informal negotiations this seems to be the case. As mentioned previously the EU had enough representatives present in the negotiations to participate in many of the informal discussions that many of the Member States could not participate in (Interview C, 1 455- 467). By negotiating through the EU, many Member States would still be part of the final negotiations, who might otherwise have been considered too small or insignificant. These situations can be seen as a result of a *resource asymmetry* between the EU and the Member States as the EU had more diplomats present at the intergovernmental negotiations, which enables them to participate in more informal meets than the Member States (Interview C, 1 433-442) and they have the manpower to make a quick and thorough analysis of the text proposal from the co-chairs of the OWG (Interview D, 1 331-341). This resource asymmetry translates into an information asymmetry, which can be limited by control mechanisms.

5.2.2 Control mechanisms

We will be investigating which control mechanisms were in place during the SDG process in the same way that we did it in the section on control mechanisms in the MDG process. This means that we will examine the ex-ante control mechanisms first and then proceed to look at the ex-post mechanisms afterwards.

Ex-ante

The EU's involvement at the UN and the EU-Member States relationship is not a classic example of principal-agent dynamics, at least not regarding control mechanisms, because the delegation of authority and responsibility is not formally and specifically defined beforehand. The Council conclusion proposes that the EU should have an active and constructive role in the process (Council of the European Union). This becomes relevant when we examine how the ex-ante control mechanisms (Pollack, 1997: 108) for the EU involvement in the SDG negotiations are made. There was not a formal agreement between the EU and the Member States outlining specifically how the EU should act and what the limits to their involvement should be. But it is important to distinguish between the OWG meetings and the intergovernmental meetings as our analysis has shown the EU involvement was distinctly different in the two processes.

In the OWG meetings the mandate and the rules were quite simple; the EU could present its opinions if the subject was an exclusive EU competence (Interview B, l 218-234) as well as in opening or closing statements during the OWG session (Interviews: C, l 188) or if it was asked to do so by others in the OWG (Interview B, l 218-234). What the EU presented was a common EU position on behalf of the Member States (Interviews: A, l 156-167, C, l 188-207, E l 124-147). The EU representative started their statement in the second OWG meeting by saying: "The EU and its Member States are currently elaborating their position on the post-2015 agenda, including on SDGs" (sustainabledevelopment.un.org 3, visited 28.06.16)

However, the Member States stretched this common position in their statements to align it with their own interest (Interview A, l 163-167, C, l 188). Although the EU hosted coordination meetings in Brussels the Member States were grouped in troikas together with non-EU countries, in the OWG, which complicated this effort and frustrated one EU official (Interview E, l 132-134). The EU therefore mainly had the role of observer, coordinator and presenter of a common EU position for the EU countries in the OWG meetings.

As with the OWG negotiations, our interviews show the intergovernmental negotiations also involved numerous meetings in Brussels to establish the common position for the EU and what the EU should work for. Furthermore, the EU also held meetings with the Member States in New York before the UN meetings where the strategy and objective for the UN meetings was finalised. This means the mandate

could be different from one UN meeting to the next. Although the rules were the same for the formal intergovernmental meetings.

The EU would, at the UN meetings, present the common EU position, agreed upon at the coordination meetings in Brussels and the meetings in New York, and they would speak on all issues, not merely the ones concerning exclusive competences. Their statement was written beforehand and was the result of a compromise made between the EU and the Member States, to ensure the EU could speak on behalf of the Member States.

However, the participants were aware that the UN negotiations could span many days and it would not be possible to prepare for every possible occurrence. Boundaries were, therefore, created for how the EU could act, but the EU representatives had room to manoeuvre and the possibility to improvise (Interview A, l 204-206). This raises a problem for the Member States: How to ensure the EU would not act outside of its mandate in situations that were not planned for? This problem can be somewhat solved by implementing both oversight procedures and sanctioning possibilities, which are both ex-post control mechanisms (Miller, 2005: 211, Niemann & Huigens, 2011: 432, Pollack, 1997: 108-109).

Ex-post

Ex-ante control mechanisms (Pollack, 1997: 108) are not the only control mechanisms (Billiet, 2009: 440, Damro, 2007: 889, Niemann & Huigens, 2011: 438, Pollack, 1997: 108-109) available to the principal, there are also ex-post, which can be particularly effective if the mandate and the rules of delegation of authority are vague or inadequate. These ex-post control mechanisms, as discussed in the theory chapter on *Control mechanisms*, are methods with which the principal can oversee the workings of the agent and sanction the agent in case the agent does not fulfil its responsibilities (Miller, 2005: 211, Niemann & Huigens, 2011: 432, Pollack, 1997: 108-109).

Through our interviews we have found that especially the oversight procedures have been used intensely in both the OWG sessions and the intergovernmental meetings. All our interviewees in the SDG process, both EU and Member State representatives, have stressed the importance of coordination meetings between the EU and the Member States (Interviews: A, l 112-130, B, l 218-234, C, l 288-310, D, l 223-232, E l 449-452). This enabled the Member State representatives to immediately react to EU suggestions and prevent actions they did not agree with. An example of this is present in the discussion on gender equality and sexual rights. The Member States were divided on these issues (Interviews: B, l 324-330 C, l 473-479), D, l 95-114, E, l 291-292) and discussed them with the EU at the

coordination meetings so they, before the OWG meetings, could ensure that the EU did not present a position that all the Member States could not agree with (Interview A, 1 181-199). This could be understood as an ex-ante control mechanism considering the Member States could decide on the role of the EU going into the UN negotiations, but we identify it as an ex-post mechanism. The EU had been given a mandate to act as coordinator for the Member States and this mechanism is therefore ex-post, because it monitors how the EU perform the task of coordinating.

Most of the disagreements in the coordination meetings before the OWG sessions was on negotiation strategy. The EU and the Member States had different views on how to proceed, but as a Member State representative put it: “ we just said no, so you know, they did not do that” (Interview B, 1 286-289). This dispute about negotiation strategy is the only area where we have identified an asymmetry in preferences between the EU and the Member States. This form of control seems to be a form of immediate sanctioning. If the EU propose a policy issue or strategy the Member States disagree with, they can immediately discard it and decide on what the EU mandate should be. One of the outcomes of sanctioning mentioned in section on *Control mechanisms* is exactly the changing of the *ex-ante control mechanisms*; the mandate (Pollack, 1997: 109).

Another widely used oversight mechanism is that whenever the EU presented the common EU position in the UN, or simply spoke at UN meetings, the Member States were present (Interview A, 1 294-300 C, 1 188). This has nothing to do with the way the delegation of authority between the Member States and the EU is set up, because it is how the UN works, but it brings an interesting aspect to the way the EU could act on behalf of the Member States. It meant the Member States would intervene immediately, as with the coordination meetings, when the EU failed to perform its agreed tasks and as one Member State representative said:

“you could see always see in the room next to the EU seat I was kind of up in the back of the room you could always line of EU member state delegates who were standing in line to talk to the EU colleagues who were seated in the seat before and after and sometimes during a statement while the statement was being read out because they might have missed something that was agreed at the very last moment and the it wasn't read out or something and you had added in the end of the statement but of course it is also something that happens during negotiations because you have all EU member states the calling and texting and emailing you and sometimes things are just missed.” (Interview C, 1 320-327).

The formal meetings in the OWG sessions and the intergovernmental negotiations were not the only avenue available to the EU. There were “plenty and plenty of informal meetings” (Interview A, l 197) where the Member States were not present at all or at least to a lesser degree than the formal meetings (Interviews: A, l 181-199, C, l 524- 530). There were two kinds of meetings that we talk about when we mention ‘informal’ meetings. There were the meetings in the breaks during the UN meetings (C, l 524-530) and the meetings between the EU and non-EU countries (Interview A, l 181-199). It is reasonable to assume the oversight mechanism in the meetings with a few Member States present, functioned similar to the large meetings with all Member States present. However, the oversight for the meetings with no Member States present had to be different. For these meetings the EU official would debrief the Member States and tell them what had been said at the meetings (Interview A, l 181-199). In this case the Member States had to trust that the information the EU reported back to them was comprehensive. This exposed the EU to moral hazards, as the Member States will not get all the relevant information from the meetings unless the EU provides it to them.

5.2.3 Moral hazard

Through our analysis of the data gathered, we have found that the EU had the role of presenting proposals to the Member States, coordinating the Member States, and presenting their common position at the UN. We also found that the Member States established the rules and mandate for the EU through ex-ante control mechanisms (Pollack, 1997: 108) and they ensured the EU followed the rules and mandate, by setting up ex-post control mechanisms (Miller, 2005: 211, Niemann & Huigens, 2011: 432, Pollack, 1997: 108-109). We will now consider whether this prevented the EU from drifting (Billiet, 2009: 439, Damro, 2007: 886, Pollack, 1997: 108), shirking (Damro, 2007: 886, Eisenhart, 1987: 61), or being the subject of slippage (Billet, 2009: 439).

Drifting

The results of the interviews show that on the surface there is not much room for the EU to act outside of its mandate. Its main role is coordination among Member States and for the EU to drift it would have to do more than coordinate, meaning it would either have to decide on the EU position without consulting Member States, make deals with non-EU countries without the consent of the Member States, or make deals directly at the UN. The latter is impossible since the EU is only an observer and therefore cannot vote. The other two are a bit trickier to analyse because their mandate was somewhat loosely defined and varied from the OWG sessions to the intergovernmental negotiations.

Nonetheless, we have found that it was the Member States who decided the common EU position (Interviews: A, l 181-199, B, l 286-289, D, l 416-425) although during the intergovernmental negotiations the EU would analyse UN documents and provide suggestions for the common position (Interview D, l 331-341)). As shown previously there was disagreement between the EU and the Member States regarding strategy. The situation was that the EU proposed that the Member States should act as a bloc. The Member States, however, wanted to limit bloc building in the OWG and therefore discarded the EU's bloc strategy.

One area where the EU had a more active role was when the policy in question concerned an exclusive competence, then the EU would be more involved in determining the common position (Interview A, l 173-175), but this cannot be classified as drifting, because it is within the given mandate that the EU is supposed to be more active in developing a common EU position when it concerns its exclusive competences.

When examining the EU's opportunity to drift, when conducting meetings with non-EU countries, it seems that the oversight mechanisms worked well and ensured the EU would not make unsanctioned deals, because it would have to report back to the Member States (Interview A, l 181-199). The control mechanism seems to have worked well because (1) the EU would have no incentive to intentionally drift and present positions that were too far from the agreed EU position, considering the EU's negotiation mandate was dependent on how much the Member States trusted the EU. If it presented a position that was unacceptable to the Member States in the negotiations and it did not report it correctly the EU risked getting caught as the Member States could talk to the other participants in the meeting. (2) The EU had no formal power to coerce the Member States to vote for an agreement they did not like as the Member States can decide on their own how to vote in the UN. Furthermore, it did not have the power to make binding agreements with outside countries. However, the control mechanism then relies on the honesty of the agent, but it does not seem likely the EU would have gained much by being dishonest, because as mentioned previously it could not make binding agreements with non-EU countries.

Shirking

Whereas drifting is the term for the agent doing something more or something different than the principal intended (Billiet, 2009: 439, Damro, 2007: 886, Pollack, 1997: 108), shirking is when the agent does not do what the principal wants it to do (Damro, 2007: 886, Eisenhart, 1987: 61) to the detriment

of the principal (Billiet, 2009: 439). Through our analysis we have identified three areas with the possibility for the EU to shirk.

When the EU organised coordination meetings, when it presented the common position at the UN (both OWG and intergovernmental sessions) and when the Commission analysed UN documents for the Member States.

We know the Member States were very satisfied with the EU's efforts to coordinate the Member States and help them come up with a common position (Interviews: A, 1 112-130, D, 1 430-433, E, 1 316-320). It was only the subject of "sexual and reproductive health and rights" (SRHR) for women where the EU did not take an active role, but this cannot be considered shirking, because the Member States wanted to deal with the controversial issue themselves (Interviews: B, 1 324-330, C, 1 473-479, D, 1 95-114, E, 1 291-296). We have therefore found no evidence of the EU shirking in the coordination meetings, nor have we found a motive for the EU to shirk.

As shown in the section on *control mechanisms* the EU representatives sometimes failed to present the common position in the UN to the satisfaction of the Member States. However, we think this was unintentional for a number of reasons. First of all, the Member States were present at the meetings and could intervene and 'force' the EU to correct its omission and the common position was also distributed in writing, making the EU's chance of avoiding a subject almost impossible. It is therefore very unlikely the EU would even try to shirk given the control mechanisms and a Member State representative said when it happened it was unintentional and a result of fatigue in the long meetings (Interview C, 1 315-327).

Finally, is the EU's analysis of UN documents, which could provide an opportunity to shirk. Just like the Commission could chose to overemphasize one issue and make that analysis more thorough they could de-emphasise another issue. However, this is a theoretical speculation and there has been no evidence of this. What is possible is to give a reasonably estimation of why the Commission would do it. It seems unlikely that the Commission would willingly do a poor analysis of a subject, because if the Member States suspected anything, they could do the analysis themselves and the Commission would lose their trust. However, they could perhaps present fewer suggestions for the subjects they thought were less important. Our interviews showed the subject of SRHR for women divided the Member States (Interviews: B, 1 324-330, C, 1 473-479, D, 1 95.114, E, 1 291-292). The Commission might be less inclined to suggest something several Member States would disagree with. This could be mistaken for shirking but as mentioned earlier, this cautious approach was in line with the Member States' wishes.

Slippage

Slippage, being caused by the institutional framework surrounding the agent (Billet, 2009: 439), is quite different from drifting (Billiet, 2009: 439, Damro, 2007: 886, Pollack, 1997: 108) and shirking (Damro, 2007: 886, Eisenhart, 1987: 61) as it is the incentives provided in the institutional framework that distorts the actions of the agent, instead of the agent's own interests (Billet, 2009: 439). What we found in the OWG sessions is that the troika framework limited the EU's ability to coordinate the Member States, which some of them preferred (Interviews: B, l 150-168, E, l 579-580), but the EU representatives did not like it (Interview E, l 71-80). This did not occur in the intergovernmental negotiations and besides being able to coordinate the Member States the EU also had no problem being part of informal meetings with non-EU countries (Interviews: C, l 411-413, A, l 181-199). Furthermore, we have not found any empirical evidence that the ex-ante control mechanisms 'force' or incentivise the EU to act to the detriment of the Member States or itself.

5.2.4 Summary

It has been shown in the analysis that the EU had the mandate to coordinate and help the Member States agree on a common position that the EU would present at the UN. The mandate was different from the OWG sessions to the intergovernmental negotiations. In the OWG the EU would present the common position, but their coordinating task was made more difficult because of the troikas. The intergovernmental negotiations were quite different as it allowed the EU to be more efficient in coordinating the Member States because the troikas were dissolved, and there was an acceptance from the Member States that the EU should act as a block in the negotiations.

Oversight procedures were the main control mechanism used, they prevented the EU from drifting and shirking. When the EU proposed something like a different strategy in the coordination meetings, the Member States could and would discard that suggestions and decide on their own on the issue. Furthermore, the Member States were in the same formal meetings as the EU, which ensured drifting or shirking could be discovered and corrected immediately. The EU also had to report to the Member States on its informal meetings with non-EU countries, limiting its ability to drift or shirk. It does not seem like the EU had many possibilities for not fulfilling its role to the satisfaction of the Member States and the interviewees from the Member States also stressed that they were very satisfied with the EU's involvement in the process and thought it was instrumental in achieving a result the Member States were happy with (Interview D, l 430-433).

Theory derived area of interest	Findings
The EU - Member State relationship in the SDG process	
EU Involvement	<p>EU had the mandate to coordinate and help the Member States agree on a common position that the EU would present at the UN. In the OWG the EU would present the common position, but their coordinating task were made more difficult because of the troikas. The intergovernmental negotiations were quite different as it allowed the EU to be more efficient in coordinating the Member States because the troikas was dissolved, and there was an acceptance from the Member States that the EU should act as a block in the negotiations</p>
Control mechanisms	<p>Ex ante: the EU was given a mandate to coordinate and help the Member States agree on a common position that the EU would present at the UN and negotiate on their behalf in the intergovernmental negotiations.</p> <p>Ex post: EU was subject to direct oversight for most of the process and when it was not it had to report back to the Member States.</p>
Moral Hazard	<p>The EU's moral hazard seems to be limited, as the Member States were able to reject a negotiation tactic they disagreed with and when the EU neglected to presented the position of the Member States in the negotiations would be able to make the EU to add the omitted content in the end or in the written statements submitted to the Co-chairs.</p>

6. Analysis part 2

The previous chapter answered questions on the two cases in terms of the EU's involvement, which control mechanisms were in place and whether the EU acted in accordance with the Members States' interests. The answers to these questions allow us to conduct a controlled comparison between the two cases, as we asked the exact same questions to both of them. The first part of this chapter will present the results of the controlled comparison. The chapter's second part will discuss these findings in regard to the existing academic work using PA theory to understand the foreign policy aspects of the EU. Followed by a section that examines the findings that do not conform with the theoretical preconceptions. Last is a summarisation of the most important results of the chapter.

6.1 Differences between the MDG and SDG processes

Chapter 5 on the MDG and SDG processes showed that the EU was part of both processes but to different degrees. These differences in the EU's involvement and relationship with its Member States yield some interesting findings when examined closer.

The EU was tasked with coordinating the Member States in both processes (Interviews: A, l 181-199, B, l 218-234, C, l 288-310, D, l 224-232, E, l 71-118, H, l: 76-90, Y, l 148-153). The EU had a more structured and formal coordination mandate for UN meetings during the SDG process. The EU's involvement in the SDGs was more structured because the process itself was more structured. The Commission, as well as the Member States, did not expect the results of the UN conferences in the 1990s to be converted into specific operationalised development goals (Interview H, l: 175-186), while the intentions of the OWG clearly was to develop the SDGs.

The EU was more directly involved in the SDG process and although the EU was also part of developing common positions for the UN conferences in the 1990s, it did not present those common positions and represent the Member States as in the SDG process. The EU was also less directly involved in the MDG process because it had to have the Council Presidency presenting the common positions and did not conduct informal meetings with non-EU countries (Interview H, l 75-76). This is partly because the EU Member States wanted the EU institutions to be part of the SDG process and thought they were vital in getting the SDGs passed (Interview D, l 331-341), while the EU institutions would have been unwelcomed if they were very active during the MDG process, as the Member States did not completely trust the competences of the Commission in development matters (Interview F, l

332- 334). The Lisbon Treaty also seems to play a part in the different degrees of involvement as the Lisbon Treaty changed who should represent the EU at the UN. Prior to the Lisbon Treaty the EU would be represented by the Council Presidency, while after the Lisbon Treaty the EU would be represented by the Commission or the EEAS (Guimarães, 2015). The treaty also clarifies that it is the EU's responsibility to undertake a coordination role in IOs (Article 34 TEU).

Replacing the Council Presidency with a representative from the EU institutions required that EU got its UNGA observer mandate upgraded, so that:

“The EU can now participate in the general debate of the General Assembly, (...) and (is) able to speak at the end of any morning or afternoon session taking into account the level of the EU representative. (...) the arrangements also give the EU delegation the right to be inscribed in the speakers list of formal UN meetings among representatives of major groups. In effect, this allows EU representatives to replace the rotating presidencies, present EU positions in formal meetings” (Guimarães, 2015: 99).

This has increased the EU's legitimacy when participating in the work in the OWG and in the following intergovernmental negotiations in the eyes of both EU Member States as well as non-EU countries, with the OWG co-chairs requesting more EU coordination, echoed by some Member States towards the end of the intergovernmental negotiations (Interview E, l 559-603). The EU representatives would have been seriously limited in speaking and participating in meetings at the UN if the EU's observer mandate in the UNGA had not been enhanced. The EU representative would only have been allowed to speak at the end of meetings and would not be invited to speak in the general debates (Guimarães, 2015: 88-89). With the establishment of the EEAS and the EU delegation in New York, the EU more than doubled its manpower in New York (Interview G, l 110-124) dealing with the UN, which has also helped the EU become more active in the SDGs, as they were able to participate in almost all of the informal meetings during the intergovernmental negotiations.

The responsibilities, which DG DEVCO now has, was in the Santer Commission (1995-1999) split up on several commissioners (aei.pitt.edu, visited 28.06.16), and EU aid was based on some Members States' interests instead of best practices. EU aid was before then seen in a post-colonial light (Interview F, l. 71-81). This meant that DG DEVCO was struggling to win the trust of the Member States and therefore chose to reorganising its programmes (Interviews: F, l 284-305, Y, l 84-87). So DG

DEVCO was ill equipped to take an active role in the MDG negotiations and thus stayed out. For the SDG case however, EU aid had become more consensual and DG DEVCO had regained the trust of the Member States and gotten its house in order, which meant that it fulfilled the prerequisites for getting involved in the process.

Considering the discussion above it seems as if the EU had the means to have a stronger involvement in the SDGs compared to the MDGs because the Lisbon Treaty clarified the EU's role at the UN, the EU institutions represented the EU instead of the Council Presidency, and strong EU-coordination was considered legitimate by both Member States and outside partners. Furthermore, the EEAS got more staff at the UN and DG DEVCO got its own house in order and regained the trust of the Member States. This showed that the EU had the means to take a more active role in the SDGs but did it also have the motive?

We have identified three motives for the EU institutions to have taken a stronger role in the SDG than in the MDG process. The first motive is the policy content of the SDGs. The policy content was more relevant to the EU than in the MDGs. This is because the policy content in the MDGs were focused on poverty reduction, which was not a grave concern in the EU (Interview Y, 1 69-71) whereas the policy areas where the EU is heavily involved, like environment and energy, had a more prominent role in the SDGs (Interview F, 1 93-113). The EU countries also have to fulfil SDG goals, while the MDG goals centred on developing countries, which meant that the goals were also relevant for many EU policies, which is the second motive for the EU institutions being more interested in the SDGs than the MDGs. The third motive is that development issues and poverty reduction has become more prominent issues in the Commission's work since the development of the MDGs. The Commission used the MDGs to structure a lot of its development programmes and policies (Interview F, 1 227-336), this means that the goals that are going to replace the MDGs become important, because they are going to influence the Commission's and the EEAS' development policies and programmes (Interview F, 1 227-336).

6.1.1 Control mechanisms

Although we found distinct differences in the involvement of the EU in the two processes, the control mechanisms that were in place are quite similar in their function if not in their use and effect. There

were ex-ante (Pollack, 1997: 108) and ex-post (Miller, 2005: 211, Niemann & Huigens, 2011: 432, Pollack, 1997: 108-109) control mechanisms in both cases, though not to the same extent.

Ex-ante

The main difference in the control mechanisms between the two cases were the ex-ante control mechanisms. Whereas the EU had no clear mandate in the MDG process, except pre-MDG, it had a clearly defined mandate in the SDG process, where it was tasked with coordinating the Member States, presenting the common position at UN meetings and it could also negotiate with non-EU countries. Although the mandate was clearly defined it could vary from one meeting to the next and from the OWG meetings to the intergovernmental meetings, it was not stable or stagnant. In the OWG meetings the EU's role was quite similar to its role in the MDG process in the way it could coordinate the Member States, but it could also present the common position. In the intergovernmental meetings negotiations between regional groups had increased and the EU had a more active role in negotiating on behalf of the Member States, although the Member States had well established ex-post mechanisms to control the EU's actions.

Ex-post

In the MDG process we found the control mechanisms to be almost entirely ex-post consisting of oversight procedures that deterred the Commission from getting involved in the MDG process, as the Member States were present throughout the whole process. The Commission was involved pre-MDG and post-MDG, but it did not involve itself in the MDG process itself, because it was certain to be caught doing so and it would lose trust if it was caught since the Member States did not want it to be involved. The ex-ante control mechanisms consisted of the rules surrounding the EU Presidency, but there was no mandate for the EU in the MDG process. The SDG process mainly used the same ex-post mechanisms, relying heavily on oversight procedures that enabled the Member States to monitor the EU's actions in most situations. They were present in the fora where the EU presented the common position and they were informed of the informal meetings the EU representatives had with non-EU countries. Similar to the MDG process a failure to follow the given mandate would result in sanctions, most likely the loss of trust or a narrowing of the mandate. We did identify one incidence of sanctioning in the SDG process, when the EU proposed a different strategy than the Member States wanted and in this case the Member States specifically told the EU to follow their chosen strategy (Interviews: B, l 150-169, E, l 71-118).

An important reason for why there were more control mechanisms, especially ex-ante, is the enactment of the Lisbon Treaty. It gave the EU a more authoritative and legitimate reason to be involved and more control mechanisms followed as a consequence. The EU Member States have always been present in the UNGA, so direct oversight there is not something new, but the EU's increased role in informal meetings with non-EU countries required better ex-ante and ex-post control in the form of a clear mandate and the possibility to monitor the EU's actions and sanction if necessary.

6.1.2 Moral hazards

Unlike the previous sub-chapters, which followed the structure of chapter 5, this sub-chapter will only examine the moral hazards drifting (Billiet, 2009: 439, Damro, 2007: 886, Pollack, 1997: 108) and shirking (Damro, 2007: 886, Eisenhart, 1987: 61), since we have found no evidence of slippage (Billet, 2009: 439) in either the MDG or the SDG case.

Drifting

Drifting is the moral hazard with the biggest difference between the two cases. Not only did the EU have better opportunity to drift in the SDG case than the MDG case, but it also had incentives to do so. In the SDG case the EU had a more prominent role than in the MDG and this affected drifting in a number of ways. First of all, the EU had a mandate that allowed it to perform informal meetings and although there were oversight mechanisms that required it to report back to the Member States, there is no guarantee it disclosed all the relevant information. But the structure of delegation prevented the EU from signing agreements with non-EU countries and as is the case with some of the other possibilities to drift, there seems to be very little reason for the EU to intentionally drift, considering the gains are very low compared to the risk and consequence of getting caught.

The Commission also analysed UN documents on behalf of the Member States in the SDG process, something we did not find in the MDG process. This presented the opportunity to drift, as it gave the Commission the ability to present suggestions that might be the best solutions for itself, but not for the Member States. This is a risk when the agent has an information or resource advantage compared to the principal and should be mitigated by the control mechanisms. We found that at least some of the smaller Member States lacked the resources to perform this kind of analysis and therefore greatly appreciated that the Commission performed this task (D, l 331-341). We did not find any evidence that

the Commission used this advantage to drift, but this is difficult to detect, unless the Commission was caught.

We did find one attempted case of intentional drifting in the SDG case. The attempted drifting was the negotiations strategy. Here the Commission proposed a strategy that was better suited for itself, but it did not suit the Member States and was summarily discarded.

In the MDG case we found no incidence of drifting. The direct oversight mechanism (the fact that the Member States were present) deterred the EU from drifting in both the MDG and the SDG cases.

Shirking

We have found almost no motive for the EU to shirk in either of the two cases. The incentive for the EU to be involved has been somewhat the same in the two cases, it wants trust and legitimacy and in the case of the SDG also a greater voice at the UN (Interview E, 1 458-517). To achieve these goals, it must be involved and it would therefore be counterproductive to be inactive. Although the EU's role in the MDG case was very small, thereby reducing the possibility to shirk, we did find a hypothetical scenario where they could shirk. We have not found any indication that the Member States wanted the EU to have a greater role in the MDG process, but a Commission official stated the Commission did not want to be part of the negotiations before it had solved its internal problems first. The hypothetical could therefore occur if the Member States requested the EU be part of the negotiations, when the Commission did not yet want to be part of the negotiations.

In the SDG case we found one instance of the EU shirking, when they failed to convey the EU common position satisfactory, but it seems to be unintentional given the effective oversight mechanisms and the issue of fatigue (Interview C, 1 315-327). The Member States intervened immediately in the meetings if the common EU position was not presented in a satisfactory way. The common position was also distributed in writing, further reducing the EU's possibility to avoid certain subjects.

As with the subject of drifting, the Commission could also shirk when it analysed documents for the Member States, by not disclosing suggestions that would be good for the Member States but unfavourable for itself. Just like with drifting we did not find any evidence of this, but it would also be hard to detect unless the Commission was caught.

6.2 Similarities with our theoretical preconceptions

The theory chapter examined studies by Billiet (2009), Damro (2007), Niemann & Huigens (2001) and Nedergaard & Jensen (2014) that had applied principal-agent theory to study the EU in IOs. We will now reflect upon how our findings correspond with those studies. First, we will consider the rigorousness of control mechanisms.

The PA theory stipulates that an agent will make ex-ante (Pollack, 1997: 108) and ex-post (Miller, 2005: 211, Niemann & Huigens, 2011: 432, Pollack, 1997: 108-109) control mechanisms to limit the negative side effects from delegation, but only to the degree that it makes economic sense (Pollack, 1997: 108-109). We have in our thesis found very strong control mechanisms and very few moral hazards, which fits the theoretical expectation. Ex-post mechanisms, which we have found to be very prevalent in the EU-Member States relationship, are used to reduce information asymmetry and reward or punish the agent based on behaviour. There were information asymmetries in some areas of the SDG case, with the EU conducting meetings with either no or few Member States present. The EU also did analysis on behalf of the Member States with which they potentially gained an information advantage. It therefore makes sense to find oversight procedures in these areas. The EU had to report back regarding the meetings and the Member States could potentially redo parts of the analysis, although some of the Member States might lack the necessary resources. An interesting deviation from the theory is the presence of oversight in the UNGA, where all the Member States are present while the EU acts on its behalf. It would be illogical from an economic viewpoint to have all principals present to monitor the agent. However, the institutional framework for the EU's and the Member States' involvement in the UNGA help explain why it makes sense to have all principals present. The Member States have to be present whether the EU acts on their behalf or not. They can voice their own opinions and elaborate on the parts of the common position they think are underrepresented (Interview C, 1 188- 207) and they also have to be present to vote, something the EU cannot do for them. Furthermore, the fact they have to be present in the UNGA in the first place means it is an inexpensive control mechanism, as they would have to use resources to be present even if the EU was not. It therefore makes sense to have this oversight instead of for example delegate it to another institutional actor.

In both cases it would seem the control mechanisms are rather inexpensive, which is a bit surprising when the theory expects especially ex-post police patrol mechanisms to be expensive (Pollack, 1997: 108-109). However, in our cases the principals are already present in the fora where the agent is inserted and they would therefore have to withdraw from the UNGA to reduce the cost of oversight,

but this raises further problems of making another control mechanism and losing direct influence in the negotiations, since the EU's presence adds to the voice of the Member States instead of replacing it.

We are not the first to use PA theory to analyse the EU's involvement in an IO. In the theory chapter we examined existing research to get insights into what others had found when studying the EU in IOs. Some of our findings are in accordance with previous research while other parts are contradictory.

Damro (2007) found that the policy issue had an important effect on the delegation of authority, with the principal less likely to delegate on politicised issues (Damro 2007). Our findings are in agreement with Damro. In the SDG case the EU were not given much autonomy at all, but especially the issue of SRHR was heavily debated and the EU therefore took a more passive role on the issue and did not involve itself as much in the debate, as on other issues.

What Billiet (2009) found in his study of the EU in the WTO was that the institutional setting had a significant effect on the Commission's ability to drift, with a strong institutional setting (rule-oriented) favouring the Commission (Billiet, 2009). It is outside the scope of this thesis whether the UN is rule-oriented or power-oriented and thereby a strong or weak institutional setting, but it could be examined by looking into greater detail about how the actual meetings are conducted in the UN to see if the members were given equal time to speak, equal treatment and whether the small countries could seek redress in cases of dispute. The analysis has shown that the EU had few possibilities to drift and if Billiet's findings also apply to the UN, then it would suggest that the UN is not a strong institutional setting.

Niemann & Huigens (2011) presented a couple of interesting findings in their study of EU involvement in the G8. The EU was a good consensus builder and the lack of legally binding rules made the Member States less inclined to control the agent (Niemann & Huigens, 2011). We have found that the EU representatives actually favoured a bloc strategy and therefore did not act as a neutral mediator, but as an agent of the Member States. Furthermore, we found that even though the SDGs are not legally binding, there were still strong control mechanisms. However, it is important to notice Niemann & Huigens' study examined a much longer time period compared to our study of the SDGs and the long time period was part of the explanation why the Member States, not involved in the G8, stopped controlling the Commission's involvement.

Nedergaard & Jensen (2014) found that the EU's role in coordination had been strengthened as a result of the Lisbon Treaty, but with some resistance chiefly from the UK (Nedergaard & Jensen, 2014). Our findings seem to support that conclusion. Our analysis concluded that the EU undertook a much greater involvement in the SDG process (after Lisbon) than in the MDG process (prior to the Treaty). The Lisbon Treaty replaced the Council Presidency, as the EU's representative at the UN, with the EEAS and the Commission (Guimarães, 2015). The Lisbon Treaty clarifies that it is the Commission and EEAS' responsibility to undertake a coordination role in international organisations (Article 34 TEU). This new, clarified and stronger role gave the Commission and the EEAS the legitimacy to have more central roles in EU coordination at the UN.

6.3 Differences with our theoretical preconceptions

Not everything we have found in our analysis can be explained by the theoretical framework of PA theory. We found other factors that affected the EU-Member States relationship in the two cases, which cannot be explained by PA theory. The three factors we found that also had an effect, were the internal structure of the Commission, the personality of the people involved, and the rewards sought by the EU for being the agent.

In the MDG case we found that DG DEVCO was ill equipped to be part of the MDG negotiations even if the Member States had wanted it to, which they did not and the Commission's involvement differed in the pre-MDG, MDG and post-MDG periods.

The fact that the Commission was undergoing a restructuring that according to Commission officials meant they could not involve themselves in the MDGs, affected our results. The Commission was, therefore, at the time not even inclined to be an actor for the Member States in the MDG process. This is probably the reason why the Commission was more engaged and involved in the processes leading up to and following the MDG agreement as they took place before and after the restructuring.

The personality of the people involved and the division of the SDG negotiations into two different phases seems to have a large effect in the SDG case.

Our findings show that the personality of the EU officials selected to be part of the processes were important for how much influence and involvement the EU had. One Member State representative said the Commission representatives' inexperience was an issue in the OWG sessions (Interview B, 1 186-196) and it was the reason why they proposed an ill-suited strategy that the Member States then chose to disregard. At the same time a couple of our interviews express the importance of highly

qualified EEAS officials (Interviews: G, l 163-172, E, l 458-507) in the intergovernmental phase of the SDG negotiations. Particularly the EU ambassador was a well-respected figure and a former Member State ambassador, which gave him and the EEAS instant legitimacy in the eyes of the Member State representatives (Interviews: E, l 458-507, G, l 163-172). The top EEAS positions were and are prestigious to have and Member States try and get their own people into good EEAS positions (Interview G, l 177-182). The OWG sessions limited the EU representatives' ability to fulfil their responsibility of coordinating the Member States (Interview E, l 43-66). Despite this frustration at the process, it was an EU official who encouraged the Hungarian Ambassador to take the role of co-chair of the OWG sessions (Interview E, l 43-66) once more highlighting the ability of certain individuals to influence the process.

We also found that the issues of trust and legitimacy were very important to the EU in both cases. In the MDG case the Commission was concerned about losing trust if it acted before it could gain legitimacy by restructuring DG DEVCO and implement best practices (Interviews: Y, l 84-87, F, l 332-334). Whereas in the SDG case the EU's main objective, besides achieving a good outcome in the negotiations, was to gain the Member States' trust. This brings into question one of the core assumptions of PA theory that agents are inherently untrustworthy. According to the theory, agents will drift or shirk if they can, in order to maximise their own material gain and are only constrained by the principal's control mechanisms (Billiet, 2009:438-439). This narrow focus on material rewards fails to take into account more immaterial rewards, such as legitimacy and trust. If an agent's goal is to obtain the principal's trust, then it would be a waste of resources to treat them as inherently untrustworthy and make control mechanisms to monitor them. This is not to say a principal should not have control mechanisms, but she should probably take the agent's goals into consideration, both material and immaterial. The traditional perception that an agent has different preferences than its principal presumes that if given the chance the agent will pursue those interests to the detriment of the principal (Miller, 2005: 204). However, it does not necessarily affect the principal negatively, if the agent's primary preference is to gain the trust of the principal. Another key assumption in the theory is that the principal needs to transfer some of his risk to the agent and offer rewards as compensation for the risk sharing to limit moral hazards (Miller, 2005: 204). If the principal does not properly understand the preferences of her agent she cannot offer the best rewards. An example could be that the EU institutions, if motivated by issues of trust and legitimacy, would prefer a reward such as an official statement that acknowledge its part in the result, which would have an effect on how the EU is

perceived. On this basis we would join Barnett & Finnemore (2004) in arguing the assumptions in PA theory for delegating and acting is too narrowly focused on efficiency and material gain (Pollack, 2007: 18-19). Focusing only on material gains underestimates the need of some agents to have trust, legitimacy and to be recognised by others as an important actor.

6.4 Summary

The analysis has shown that there are some similarities between the two cases, but also many differences. The EU's involvement was substantially different in the SDG case than it was in the MDG process. In the MDG case neither the Commission nor the Member States wanted the EU to participate, whereas in the SDG case, both the EU and the Member States wanted the EU to be more involved and present the common position. Furthermore, the EU also performed informal negotiations with more freedom than the formal UN negotiations. This increase in the EU's role also led to more control mechanisms. In the MDG case there were few ex-ante control mechanisms, more specifically there was a lack of ex-ante control mechanisms as the EU had no established mandate or rules to follow. This changed in the SDG case, where the increased role of the EU necessitated ex-ante control mechanisms in the form of specific mandates and rules. The ex-post control mechanisms were similar in the two cases, with the EU Member States having direct oversight through their own representation at the UN and in the coordination meetings. However, the EU's mandate to conduct informal meetings meant the Member States established control mechanisms that required the EU representatives to report on the meetings. Moral hazards were almost non-existent in both cases, with the EU having almost no reason to intentionally drift or shirk. The only possible case of intentional drifting we found was in the SDG case, with the EU representatives proposing a different strategy than what the Member States preferred.

Our results are primarily consistent with the theoretical preconceptions. We have found that strong control mechanisms reduce the risk of moral hazard, but we have also found that strong control mechanisms are not necessarily expensive or established on economic reasoning. Like Damro (2007) we found that on the more politicised subject of SRHR the EU had even less autonomy than on other issues. Contrary to what Niemann & Huigens (2011) found, our results indicate the EU is not a neutral negotiator in the UN, but a representative of the Member States. Lastly, our results also show the EU has a stronger coordination role as a result of the Lisbon Treaty, which is in line with Nedergaard & Jensen's (2014) findings.

The third part of this chapter presented some factors that could not be explained by the PA theory, but nevertheless influenced the EU-Member States relationship. The first factor we found was that DG DEVCO was being restructured and EU Member States questioned its effectiveness during the MDG process. This meant that DG DEVCO stayed out of the process even though it would have liked to participate if the restructuring was done. The second factor we found was the importance of individuals in terms of skill and experience. Appointing a former Member State UN ambassador to be the EU's representative at the UN, meant that the EU could act more effectively as the EU representative was a familiar face and already knew how to act within the UN system. The third and final finding, which was different from the theoretical preconceptions, was the importance of legitimacy and trust for the EU. Material rewards were not their objective and they sought to gain trust in the eyes of the Member States and legitimacy internationally.

7. Discussion

We have so far mainly focused on how our findings fit with PA theory. In the literature review we examined previous studies that analysed the EU in IOs. Some of the studies also used PA theory and we discussed how our findings correlated with their results in the previous chapter. This chapter discuss how our results fit with the other relevant studies from the literature review, thereby providing a greater picture of how our results fit in the larger context of the EU in IOs.

7.1 Insights from literature review

We have made findings that are similar to the findings in some of the studies we examined in our literature review, even though they used different theories and methods to study other IOs than we have done. This section examines our findings compared to the results of studying other IOs using other methods and theories and how our insights contribute to the understanding of the EU in IOs.

7.1.1 Institutional setting and formal role

The Lisbon Treaty established the legal role of the EU institutions in external relations. But how the EU participate in specific IOs is not necessarily stagnant and unchanging. The EU's method of interacting with IOs can change over time, depending on the internal functioning and policy capabilities of the EU institutions. As Kissack (2014) found in his study of the EU participation in the ILO, this can vary between institutional, horizontal, and vertical consistency (Kissack, 2014). The analysis has shown that in the MDG process the EU mainly downloaded the policy and implemented it into its development policy after the MDGs. This is similar to Kissack's findings that when the EU lacked expertise, comparable to the ILO, it sought institutional consistency by recommending ILO policies for the Member States to ratify (Kissack, 2014), although in our case it is the EU not the Member States that downloads the policy. In the SDG process the EU has sought to both participate in the development of the policy and implement it, which is similar to what Kissack call institutional and vertical consistency describing a situation where the EU is both downloading and uploading policy to the ILO (Kissack, 2014). For the SDG case it would be the EU uploading policy to the UN. Furthermore, the EU has also sought to merge the issues of development and environmental sustainability, which is similar to Kissack's conceptualisation of horizontal consistency (Kissack, 2014: xx). Overall it seems the EU has gone from seeking institutional consistency in the MDG process to all three kinds of consistency in the SDG, which indicates Kissack's findings might be relevant in other cases than the EU-ILO.

Debaere, De Ville, Orbie, Saenen & Verschaeve (2014) studied how and why the EU's role in IOs changed over time. They divided the EU's potential status into five different categories. They considered the EU a member if it was recognised as a formal member, a participant if it was able to vote - but not legally a formal member - an observer if it was allowed to table proposals or amendments, an attendant if it participated in several meetings, and absent if it did not participate in several meetings (Debaere, De Ville, Orbie, Saenen & Verschaeve, 2014). They investigated the EU's role in the DAC, FAO, GATT, G8, G20, ILO, OECD and the WTO. They found that the EU's role in IOs can change but also that it is quite constant. The EU did not necessarily have the strongest formal role in IOs where their competences are the strongest, instead the EU's role in IOs was dependant on whether the IO was established before or after the establishment of the EC/EU, as well as the acceptance from other members of the IO both EU and non-EU Members (Debaere, De Ville, Orbie, Saenen & Verschaeve, 2014).

If we apply their different possible statuses for the EU in IOs to our analysis it seems that the EU has gone from being an attendant to an observer in the UNGA, as the EU, after the mandate change is able to table proposals. Whereas prior to the mandate change, the EU could only attend meetings and not table proposals. The analysis in this thesis shows that this is not only evident in the legal status of the EU at the UN, but also in the changes in actual involvement of the EU in the MDG and SDG processes. The EU is a more central actor especially in the intergovernmental negotiations in the SDG process, where it presented common negotiation positions and represented the Member States in informal negotiations.

7.1.2 Policy area and competencies

Gehring, Oberthur & Mühleck (2013) found that it was the EU's governance mechanisms in a given area, more than its formal status in the IO, which determined whether it was perceived to be a relevant actor. Our analysis has shown that one of the reasons why the EU has been more involved in the SDGs, is that the policy areas in the agreement are more in line with the EU's policies, than they were in the MDG case. The Commission changed its development policy to focus more on poverty reduction and the SDGs also have more focus on environmental issues compared to the MDGs, which is an issue the Commission emphasises greatly (Interview F, 193-113). Furthermore, a basic tenet of the SDGs is that they apply to all countries and do not merely focus on the developing countries. The SDGs, therefore, have an effect on EU Member States' policies, something that was not the case in the

MDGs to the same extent, which means the EU become affected as well and therefore relevant. As a side note, we found that following the MDGs DG DEVCO restructured its development policy around the goals in the MDGs and it would, therefore, be very likely to be interested in being part of the SDGs since they could have great effect on how the EU is going to structure its development policy in the future. To further support the notion that the policy area and the EU's competences are more important than its formal role at the UN, the analysis showed the EU's involvement in the OWG varied across policy fields, with the EU being asked about its position when it came to issues relating to its exclusive competences (Interview B, 1 218-234). The EU was also able to participate more in the informal meetings in the intergovernmental negotiations than some Member States (C, 1 417-428), which indicates the EU, despite its role as observer, could participate more than some EU Members.

Debaere (2015) studied the EU's involvement in the G20 and did not find that EU involvement depended on its competences, but rather that it depended on the type of negotiations that takes place, arguing or bargaining (Debaere, 2015: 126). When arguing, the actor tries to influence other's preferences and convince them to follow her suggestions. The actors do not have fixed preferences or interests but are swayed by the better argument, which is the determining factor in decision-making (Debaere, 2015: 126). Whereas in bargaining, the actors make use of threats, promises and demands and the actors try to maximise their own utility. Bargaining is most likely to occur when negotiating politicised issues, whereas arguing occurs in "informal, network-like settings based on non-hierarchical relations" (Debaere, 2015: 127). Debaere found that bargaining strengthened the EU's position in the negotiations, because it made the EU members act collectively through the EU institutions and increased the importance of coordination (Debaere, 2015: 128). When the negotiations were dominated by arguing the EU did not represent the EU Member States directly, but acted rather autonomously and based its position on agreed positions and standard policies (Debaere, 2015: 132). The Commission advocated for the EU not acting as a bloc, because it would hinder the negotiations and make a dividing line between the G77 and the G7 (Debaere, 2015: 132).

The analysis in this thesis seems to differ somewhat from Debaere's findings. We have found the EU representatives advocated for the EU to act as a bloc in the OWG sessions (Interviews: B, 1 150-169, E, 1 573-581). This might be due to the fact, that the SDGs would also have to be fulfilled by the EU Member States, which politicised the goals to a greater extent than discussing ways to create growth in developing countries in the G20. The Member States had the opinion that bloc building would hinder the constructive dialog, especially with the G77 countries (Interviews: B, 1 150-169, E, 1 579-580)

and they chose a looser and less restrictive tactic instead (Interviews: A, 1 204-206, B, 1 150-169, E, 1 124-128). This rejection of the bloc building tactic would suggest that the Member States saw the OWG discussions as an arguing process rather than a bargaining process. However, this changed when the SDG process reached the intergovernmental stage. During this stage EU Member States requested more EU coordination and more common EU negotiation positions (Interview E, 1 579-584), which suggests that the intergovernmental negotiations had more bargaining elements. This means that as in the G20, the EU's involvement at the UN is also affected by whether the negotiations are dominated by arguing or bargaining, although the EU did not have more autonomy during the arguing phase.

7.1.3 Lisbon effect on EU coordination at the UN

Our analysis shows that the Lisbon Treaty has given the EU a more central role in coordination at the UN. The EU was coordinating the Member States in a pre-MDG process at the UN conferences in the 1990s, but did not play a major coordination role in converting the result from the conferences into the MDGs (Interview Y, 1 43-44). In the SDGs the EU coordinated with the Member States throughout the process and in the intergovernmental negotiations represented the Member States. This is in part due to the Lisbon Treaty. The Lisbon Treaty replaced the Council Presidency as the EU representative at the UN with the Commission and the EEAS and gave the EU a stronger coordination role in IOs. The clarified and stronger role for the EU at the UN gave the EU legitimacy and acceptance from the Member States to undertake a stronger coordination role. This is somewhat in line with Molnar's (2012) findings. He employed both qualitative (interviews) and quantitative methods (voting statistics) to study if the Lisbon Treaty indeed had increased EU coordination at the UN. The results from the qualitative interviews seem to be in line with our findings. Molnar found that

“the dominant trend has been an increasingly ‘cooperative’ or ‘positive’ approach, and a more smoothly-running coordination process among Member States and EU actors, as well as an improving atmosphere for internal, as well as external collaboration.” (Molnar, 2012: 342).

In the quantitative part of his analysis Molnar examined to what degree the EU Member States voted as a bloc before and after the Lisbon Treaty, when voting in the UNGA. This means that he discarded all resolutions that were passed by consensus (Molnar, 2012: 343-344). He found that for the 65th session of the UNGA the voting cohesion was 70%, which was comparable to some of the sessions prior to the Lisbon Treaty with low EU voting cohesion. For the 66th session Molnar found that EU

voting cohesion was at 80% which is comparable to sessions prior to the Lisbon Treaty with high EU voting cohesion (ibid: 345). He concluded “while Lisbon has changed a great many things, this change is not reflected in how its Parties vote in the UNGA” (ibid. We would add that this quantitative part of Molnar’s analysis has some methodological issues. Molnar discarded all resolutions that were passed with consensus, which he recognized was the norm in the UNGA (ibid: 343-344) and therefore missed a lot of cases where the EU cohesion was 100%. By discarding the normal cases that are passed by consensus, he is left with the cases that could be defined as outliers or special. This method is further vulnerable to a situation where a non-EU country changes position on a certain issue and blocks resolutions being passed by consensus. These issues that previously would be passed by consensus would now be included in Molnar’s sample and thus increase the percentage of EU cohesion, compared to before the non-EU country changed its position. Even though the EU cohesion has not increased in reality, the only thing that has changed is the non-EU country request for a vote. It is therefore questionable to what extent Molnar’s quantitative findings can be used as representing the general level of consensus between the EU Member States when voting in the UNGA.

7.2 Summary

The objective of this chapter was to see how our results fit in the larger context of the EU in IOs. This chapter therefore discussed how our findings relate to the insights regarding the EU in IOs presented in the literature review. More specifically, insights from studies using other theories than PA theory. Our conclusions fit with most of the studies reviewed in this chapter.

We found that the consistency sought by the EU when participating at the UN changed over time in a similar way to what Kissack (2014) found regarding EU participation in the ILO. Using Debaere, De Ville, Orbie, Saenen & Verschaeve’s (2014) terms, we found the EU’s role changed over time from being an attendant to an observer, who can now table proposals. DG DEVCO was restructured and the policy areas in the SDGs affect EU policy more than the MDGs did, which is in line with Gehring, Oberthur & Mühleck (2013) conclusions that it is the EU’s governance mechanisms that determine their involvement, not their formal role.

However, not all our findings are completely in accord with previous studies. Unlike Debaere (2015), our results did not show the EU to have more autonomy when the type of negotiations were dominated by arguing, but it did have a stronger coordination role when the negotiations were dominated by bargaining. Our results show more EU coordination after the Lisbon Treaty, which fit

with what Molnar (2012) found in his qualitative study, but not with his quantitative findings. However, the quantitative results are questionable.

8.0 Conclusion

This thesis set out to investigate the factors of the relationship between the EU and the Member States, which determined EU involvement in developing the Millennium Development Goals and Sustainable Development Goals and how that involvement was affected by the Lisbon Treaty. We studied the EU's involvement in the MDG and SDG processes in order to isolate the effects of the Lisbon Treaty on the EU's involvement in the UN processes. We have conducted a structured and focused controlled case comparison study based on interviews. This research method entails asking the same questions of each case, based on insights from our theoretical framework, the PA theory, especially the theoretical concepts of control mechanisms and moral hazards. These theoretical concepts were further divided to increase their specificity. Control mechanisms were divided into ex-ante and ex-post and moral hazards were split into drifting, shirking, and slippage. Using this approach enabled the analysis to identify several factors that affected the EU's involvement in the MDG and SDG processes.

One factor was the lack of willingness by the Member States to be subject to a strong EU coordination in the processes. In the MDG process the Member States did not trust DG DEVCO sufficiently to allow it to be active. This lack of trust from the Member States was a result of DG DEVCO's previous development programmes being organised according to some Member States' interests, instead of best practices. When negotiations to develop the MDGs took place, DG DEVCO was being restructured so it could regain the trust of the Member States. The willingness of the Member States to be subject to a strong EU coordination was also a factor in the SDG process. Although the Member States wanted to be far more coordinated in the SDG process by having the EU present common positions at the UN, they still resisted the idea of the EU negotiating on their behalf in the OWG sessions.

A second factor that was identified in the analysis was the EU's willingness to coordinate the Member States. During the MDG negotiations DG DEVCO was, as mentioned above, being restructured. DG DEVCO wanted to focus on getting its own house in order, before engaging in external negotiations. This meant that they took a passive role in the MDG negotiations. Whereas in the SDG process, the EU coordinated the Member States and presented common positions in the OWG. Furthermore, EU officials represented the Member States in informal negotiations, specifically to gain their trust.

The third factor was the policy content of the goals. The MDGs were centred around poverty reductions and were to be met by developing countries, while the SDGs combined both development and environment issues. The Commission had already been quite involved with environment issues and have since the agreement on the MDGs restructured its development policy quite extensively. The fact that the content of the SDGs suited the EU better, combined with the fact that the EU countries also promised to fulfil the SDGs, made it more relevant for the EU to be involved.

The fourth factor is the EU's resources. We found that the EU did quite extensive analyses of text proposals from the OWG co-chairs in the SDG process. These analyses were greatly appreciated by some Member States and confirmed that the EU was able to contribute to the Member States' work in the OWG. At the intergovernmental negotiations the EU had sufficient diplomatic resources that it could have representatives present in many of the informal meetings and negotiations.

In our analysis we identified how the EU was affected by the enactment of the Lisbon Treaty. Based on our comparative analysis between the EU's involvement in the MDG and SDG processes we found that the enactment of the Lisbon Treaty meant that the EU could take a more active role in negotiations. This is because the Lisbon Treaty gave the EU a clear coordination mandate in IOs, which is illustrated by the fact that the EU Member States requested more EU coordination in the intergovernmental negotiations and that the OWG co-chairs requested more EU coordination in the OWG. This request for more coordination from both EU Member States as well as outside actors, shows that the EU's coordination role at the UN has become more legitimate, compared to the MDG process, where the Member States did not want any EU coordination. It also seems to have affected the EU's involvement in the process that with the Lisbon Treaty the EU did not have to be represented by the Council Presidency at the UN. Replacing the Council President with the EU's representative in the UN meant that the EU got a new mandate to be able to perform its role at the UN. This new mandate gave the EU representatives the right to speak at the UN and table proposals. This strengthened the EU's coordination capabilities as it can present common positions and common proposals in the UN, without having to go through a Council President from the Member States.

There are two important implications of these findings. The first implication is in relation to the insights presented in the literature review. Results are similar to the findings in Molnar's (2012) qualitative part, Kissack (2014), Gehring, Oberthur & Mühleck (2013), Damro (2007), as well as

Nedergaard & Jensen (2014). However, our results did not fit with the conclusions in Molnar's (2012) quantitative part, Debaere (2015), nor Niemann & Huigens (2001). This implies that, although, there are different methods and theories that are utilised to study the EU in IOs, there are some similarities in the results they produce and the findings made studying one IO can sometimes explain dynamics in other IOs.

The second important implication regards the theoretical assumptions in PA-theory. The chapter on theory presented criticism of PA theory's theoretical assumption especially regarding the narrow focus on efficiency and material gain as motivations for action and inaction (Pollack 2007). Our findings suggest the EU was motivated by trust issues. The EU did not take part in the MDG negotiations as they wanted to focus on getting its own house in order and gain the trust of the Member States. Trust also seems to be an important motivational factor in the SDG process, where many of the actions taken by the EU are motivated by increasing the Member States' trust in their ability to play a central role in the negotiations and defend European interests. With that in mind we suggest that PA theory is adjusted to take into account immaterial rewards and sanctions. It would somewhat alter the way the principal-agent relationship is viewed, especially considering that the core assumption involves differences in preferences, and in our case these differences do not conflict significantly.

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