



PRACTICE MAKES PERFECT?
THE EUROPEAN UNION'S ENGAGEMENT
IN NEGOTIATIONS ON A POST-2015
FRAMEWORK FOR DEVELOPMENT

Adam Moe Fejerskov and Niels Keijzer

DIIS REPORT 2013:04

This report has been prepared in collaboration with

European Centre for Development
Policy Management

ecdpm

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Cover photo: © Zhou Lei/Xinhua Press/Corbis

Layout: Allan Lind Jørgensen

Printed in Denmark by Vesterkopi AS

ISBN 978-87-7605-538-7 (print)

ISBN 978-87-7605-539-4 (pdf)

Price: DKK 50.00 (VAT included)

DIIS publications can be downloaded

free of charge from www.diis.dk

Hardcopies can be ordered at www.diis.dk

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This publication is part of a larger study on EU Development Cooperation at DIIS, funded by the Danish Ministry of Foreign Affairs. The contents of this publication are the sole responsibility of the authors, and should in no way be taken to reflect the views of the Danish Ministry of Foreign Affairs.

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Contents

Summary	4
Introduction	7
1. Strengths and weaknesses of the Millennium Development Goals	10
1.1 Shortcomings in design and content	11
2. Emerging Positions on the Post-2015 Framework	16
2.1 The global South	16
2.2 Global civil society	18
2.3 OECD members	19
2.4 Emerging areas of consensus in the High-level Panel	22
3. Past successes and challenges in EU contributions to international negotiations	25
3.1 Appreciating opportunities and challenges	25
3.2 EU engagement in selected international negotiations	28
3.2.1 The 2008 Doha conference on Financing for Development	28
3.2.2 The 2008 Accra High Level Forum on Aid Effectiveness	30
3.2.3 The 2011 Busan High Level Forum on Aid Effectiveness	32
3.2.4 The 2012 Rio+20 Conference on Sustainable Development	35
3.3 Comparing EU engagement in recent international negotiations – key findings	40
4. What can the EU bring to the negotiations?	43
4.1 Making policies coherent within a global post-2015 framework	43
4.2 Climate change and sustainable development	44
4.3 A value-based approach	46
4.4 The limits of current indicators of economic performance and social progress	47
4.5 The processual inclusion of the four issues	48
Conclusions	50
Literature	53

Summary

This paper explores the role of the European Union in the post-2015 negotiations for a new framework for development. To establish a basis for discussing the post-2015 framework, it starts by recalling and analysing the shape, content and process of developing the existing Millennium Development Goals. It subsequently explores the emerging positions of the OECD and EU members, the global South and the G77, and global civil society.

To maximise its influence in the post-2015 process, the EU will have to learn from past experiences. Thus, the paper systematically analyses five key multilateral events (the High-Level Forums on Aid Effectiveness in Accra (2008) and Busan (2011), the 2008 Doha conference on Financing for Development, the 17th COP in Durban in 2011, and the 2012 Rio+20 Conference on Sustainable Development), and in doing so finds that:

- i) It seems that the EC's approach to preparing EU positions has become more exacting and time-consuming over time, which requires careful planning to finalise positions promptly.
- ii) Detailed position documents can generally be expected to hamper the EU's flexibility (or at least its ability to act on the basis of a joint position) in the case of unforeseen circumstances or strong shifts in the negotiations of other countries.
- iii) In two cases (Doha and Busan) EU joint positions were concluded so close to the start of the respective international events that one can only assume this to have hampered their usefulness in terms of preparing and guiding the EU negotiations.
- iv) Due to the more inclusive nature of conferences and new communication tools, the EU's actions are more visible and transparent, making it easier to expose cases of EU Member States acting unilaterally.
- v) The cases seem to point to the importance of the EU's engagement in being 'accountable' for the results achieved after the end of international meetings, which is important for managing expectations of the EU's contribution to future events. Here a balance needs to be found between self-critique and optimism in terms of the increase in independent reporting by media and Civil Society Organisations (CSOs) during and after such meetings.

- vi) While both environment and development policy are shared competencies in EU legislation, it seems that this legal status is more respected in reality in the case of climate change negotiations, given that development cooperation meetings show stronger tendencies of EU member states operating on their own or in like-minded coalitions.

Lastly, the paper presents and discusses four areas that the EU may choose to bring to the post-2015 negotiations that may be deemed *European* in that the EU has devoted extensive political attention to them or that they have their point of departure in Europe and in EU-related efforts:

- (i) Work towards coordinating policy areas, making a wide range of issues complementary to maximise impact and effectiveness.
- (ii) Climate change and sustainable development
- (iii) A strong set of values in the areas of human rights, democracy, rule of law etc. and finally,
- (iv) An alternative approach to measuring social progress as advocated by the Commission on the Measurement of Economic Performance and Social Progress.

Introduction

2015 is the deadline by which the 193 UN Member States have committed to achieve the Millennium Development Goals, and when discussions on a possible future framework will have to be concluded.¹ Since the MDGs were designed in the 1990s the world has witnessed profound changes. The negotiations towards 2015 are set to take place in a context marked by resource scarcity and financial restraints, and where the barriers to change and progress, as well as the opportunities, have changed significantly – a context that observers consider much less favourable compared to when the MDGs were negotiated (Sumner & Tiwari, 2010). A number of substantial shifts and alterations have changed the world's political, social and economic balance, and international development cooperation as we know it today in terms of actors, resources and issues is incomparable with the setting of the 1990s.

The ascension of the emerging economies entails consequences for the global poverty landscape and significant changes in the global power structures, central to the negotiations on a new framework for development cooperation after 2015. During the 1990s China was not even a top-ten global economy, while today it is the second largest. India and Brazil have also assumed significant political positions in the international community, and these three can be expected to wield great influence on the negotiations in the UN in the run-up to 2015. Whereas the OECD members played a leading role in negotiating the MDGs, today no one considers an OECD-led process possible or desirable. Despite the growing influence of emerging countries, recent negotiations have shown that some countries resist accepting that declarations adopted at UN level adequately reflect or act on the changing relations and global balance of power.²

The economic and financial crisis from 2008 has led to long periods of financial and political instability in several EU Member States – a development in stark contrast to the strong economic growth the majority of these countries experienced up through the 1990s. The Official Development Assistance (ODA) budgets of EU Member

¹ The publication benefitted from comments on earlier drafts from a steering group in the Ministry. The authors are also grateful to Lars Engberg-Pedersen and Christel Rasmussen, Danish Institute for International Studies, for comments on draft versions.

² For instance during Rio+20 emerging countries insisted on significant financial and technical resources being transferred from the North to the South. See: <http://www.scidev.net/en/science-and-innovation-policy/science-at-rio-20/editorials/after-rio-20-developing-countries-must-take-the-lead.html>

States and the European Commission together suffered a cut of €500 million in 2011. Some observers consider the prospect of Italy and Spain reducing their budgets by 38% and 53% respectively in 2012 (Concord, 2012) as hinting towards a more inward-looking EU with a diminishing capacity – and perhaps even interest – in projecting global influence.

The developing world is affected more severely by the negative consequences of climate change than the developed, and the importance of the environment not only runs in climate change, but equally in the matter of resources – both in their consumption, but just as much in access and acquisition, especially in the developing world where the competition between both internal and external actors is fierce and has consequences for the food security, livelihoods and security of millions. Beside the need for making economic growth more sustainable and less harmful to the environment, recent political instability and revolutions in Northern Africa and the Middle East have also emphasised that there is a need for development to be both inclusive and sustainable.

The post-2015 framework is encouraged by different actors to adequately reflect these changes, both in terms of process and of substance, and will have to conceptually build upon a much more complex understanding of poverty and development relating to growing inequality, vulnerability to natural and man-made disasters and crises, and national as opposed to global distribution efforts.

For the European Union to maximise its influence in the negotiations leading up to 2015, it will have to learn from its past performance in international negotiations. Delivering a comprehensible and influential message in the UN, with political support from both EU and non-EU Member States, will entail a delicate process of internal coherence, gaining political support and building alliances. It can be distinguished into three phases:

1. *Preparing a joint position:* the EU will have to prepare and design an appropriate and politically feasible joint position, making sure that Member States are not tempted to exclusively push national agendas once they reach the final rounds of negotiations in the UN. Merely accumulating Member State views like baubles on a Christmas tree will not be sufficient. The position will, rather, have to capture and draw up a distinctive European approach to the new post-2015 framework.
2. *Promoting its joint position and building alliances:* the EU will have to build strong alliances beyond its 27 Member States to advance its agenda. These do not

necessarily have to be confined to other traditional donors or OECD countries, as the paper will illustrate.

3. *Engaging with the media and informing the general public about how the EU performed*: when communicating the results to the media and public, ensuring that the role of the EU in the finished negotiations and in the final outcome is stressed.

This paper discusses the potential for EU influence in a post-2015 process that is, at its core, UN-led. To fully comprehend the discussion of a post-2015 framework for international development cooperation, understanding the MDGs is an obvious prerequisite. In so doing it will seek to complement an *analysis* of the possible substance of a post-2015 framework (a subject evidently covered in current policy discussions and recent studies), with an analysis of the EU's ongoing and future *engagement* in the process of negotiating such a framework. The latter aspect is not covered in detail in most of the ongoing research on post-2015 processes and this paper explores to what extent useful lessons can be drawn from an analysis of the EU's engagement in recent EU negotiations. While the analysis of the past and present of the MDGs is based on an analysis of relevant literature published on the topic, the analysis of EU negotiations has been 'reconstructed' on the basis of preparatory documents and written records of discussion among EU member states as well as on available media coverage and analysis from civil society and political actors.

The first section discusses the strengths and weaknesses of the MDGs as they have been debated since their inception in 2000. The second section explores emerging positions on the new framework, from OECD members, the global South and civil society. These positions are dynamic and likely to go through alterations as we approach the political negotiations in the UN, and the common challenge for all actors is to balance between what is ideal and what is politically feasible in order to maximise their political influence. To achieve this, the EU specifically needs to learn from past experience in international negotiations. The third section of this paper will discuss EU experiences in key international events: the High-Level Fora on Aid Effectiveness in Accra (2008) and Busan (2011), the 2008 Doha Conference on Financing for Development, the 2012 Rio World Conference on Sustainable Development and the 17th Conference Of Parties (COP) in Durban in 2011. The fourth and last section draws conclusions and makes recommendations that could inform the EU's engagement in negotiations for a post-2015 framework, both on substance and process.

I. Strengths and weaknesses of the Millennium Development Goals

The Millennium Development Goals are one of the centrepieces of global development assistance efforts. The translation of a range of global development paradigms from the Millennium Declaration into a structured framework of goals, targets and indicators, represented a hard-won consensus that was over a decade in the preparation (Manning, 2009).

At the UN General Assembly in September 2000 a great majority of the world's leaders agreed to the terms of the Millennium Declaration. The declaration was a broad agenda for action with almost no timeframe, yet it addressed a long range of fundamental values and principles relating to peace, security and disarmament, development and poverty eradication, the environment, human rights, democracy and good governance – in the pursuit of a prosperous, peaceful and just world. It spoke in wide terms of high ideals and how *'we have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level'* (United Nations, 2000). As such, the consensus may both be perceived as a sign of willingness to seek convergent solutions to global problems, and as an easily agreeable accord because of its limited controversial nature and directions (Manning, 2009).

Three months from the September meeting, a road map was identified with the purpose of implementing the declaration by designing the Millennium Development Goals. The process of doing so has been described as consisting of UN-wide consultations and discussion with third parties (the World Bank, the IMF and the OECD), but also as a process of design that was based more on improvisation than strategic and focused choreography³, with the document being drafted by a very small set of individuals. In the end it set out a list of eight goals: (1) eradicate extreme poverty and hunger; (2) achieve universal primary education; (3) promote gender equality and empower women; (4) reduce child mortality; (5) improve maternal health; (6) combat HIV/AIDS, malaria and other diseases; (7) ensure environmental sustainability; (8) develop a global partnership for development.

³ <http://www.guardian.co.uk/global-development/2012/nov/16/mark-malloch-brown-mdgs-nuclear?INTCMP=SRCH>

The structure includes 21 targets and 60 indicators, with a specific timeframe for their achievement, except for Goal 8 that remained vague compared to the other goals. The baseline for progress is 1990 for most of the MDGs, and they are connected to the decades of international development initiatives and conferences that preceded them, and especially the series of UN conferences from 1990 to 1995 (Jomtien in 1990 on education; Rio de Janeiro in 1992 on the environment; Vienna in 1993 on human rights; and Copenhagen in 1995 on social development). The purpose of the framework can be described as encouraging “*sustainable pro-poor development progress and donor support of domestic efforts in this direction*” (Manning, 2009) and holds a global agenda in that it is perceived by the UN to be *universal*, embracing “*not only all countries but also people within each country*” (United Nations, 2008).

1.1 Shortcomings in design and content

The MDGs constitute a normative consensus in the development community (Ziai, 2011), and have achieved much greater visibility than previous attempts to organise and incite progress on development at the global level (Manning, 2009). They boast simplicity of design, quantitative targets, and indisputable good intentions, all structured in an easily comprehensible fashion for the non-specialist public. They have spurred global momentum, but also influenced action on the ground in terms of shaping national budgets, reforming domestic policies and generating public support for development assistance (Vandemoortele, 2011).

But they have also been an object of strong criticism: (i) accountability is difficult to ensure and responsibility for reaching the targets seems to lie with governments in the South as the original global scope is distorted in national and regional assessments of progress; (ii) the simplicity of the framework is both its greatest strength and its biggest weakness, as it may be seen to represent a reductionist view of development, perhaps reinforced by the unavoidable trade-off made between obtaining political support and achieving what is theoretically the optimum result; (iii) the narrow content fails to address the complexity of development including activating the productive sectors and tackling inequality; and (iv) they fail to acknowledge the political nature of development, potentially casting development as a technical exercise and failing to address structural and political change (Maxwell, 2004). These four critiques are described in more detail below:

- (i) On paper the MDGs create a framework of accountability by setting quantitative targets in a defined timeframe, allowing for performance measurement. In

practice however, accountability has been largely absent from both national and international reporting and planning processes, with a monitoring regime set up only on a voluntary basis (OHCHR/CESR, 2011). The framework addresses global accountability through the conception of *global partnerships* in goal 8, but this goal also has the least explicit targets, and the lack of any place for responsibility in the framework (Poku & Whitman, 2011) leads to a failure to ensure that donors are held accountable for their actions (Davis, 2011).

The accountability gap is also mirrored in the distortion of the global and collective nature of the MDGs through global/local assessments of progress. Rather than contextualising and adapting the collective targets to fit the priorities and bases of national points of departure, countries have been assessed against an inappropriate set of global goals that were never intended for a direct transfer to the national level. The intention of the Millennium Declaration was not for the targets to be national but, rather global, yet the roadmap argued that the MDGs should become national goals and “*serve to increase coherence and consistency of national policies and programmes*” (United Nations, 2000).

As such, contrary to what is often portrayed, regions such as Sub-Saharan Africa, for example, cannot perform below par (Vandemoortele, 2011). Rather they have different (lower) starting points than most other regions and will, as such, not reach the global targets. But as these have been set for the world, only a misinterpretation of the MDGs as a directly transferable framework to compare national and regional performances would enable such a conclusion. Global targets naturally function as encouragement towards accelerated progress, but can only be achieved or not achieved at one level – the global. But by directly assessing national progress, responsibility for achieving results also shifts towards national governments, creating an imbalance between goals and commitments for countries in the South and in the North – the main responsibility for achieving goals and setting targets resting with governments in the South, with the North is only being held vaguely accountable in goal 8.

- (ii) The strength of simplicity and good intentions can also be said to be the greatest weakness of the framework: it will naturally remain a site of contestation through its wide scope and audience; the structure tends to separate areas in an artificial way, and there could be greater synergy between the various goals, as these overlap and progress is interrelated; it is appropriate for improving public understanding, but less useful in deciding what investments should be given priority (Manning,

2009); some argue that it is arbitrarily designed to measure progress against poverty, that it makes Africa look worse than it really is (Easterly, 2007); and that it holds an implicit assumption that one-size-fits-all (Nayyar, 2012).

Some of the goals are proportional (reduce the proportion of people who live in poverty or hunger by one-half), some are set out in terms of completion (universal primary education), and some are merely intentions (reduce loss of biodiversity). Some goals connect these different shapes. Goal 1 *inter alia* with the overall aim of eradicating extreme poverty and hunger holds two targets of reducing both by half. As such the goal and the targets both differ in shape and are incoherent – the stated intention cannot be achieved by reaching the two set targets. The critique of these design-choices says that progress on targets that seek a proportionate reduction is not linear, and depends on the initial basis of measurement; that the outcomes of universal access targets are binary, making it difficult to differentiate whether there is little of substantial progress; and finally that progress on the targets of intentions is a subjective assessment meaning different things to different people (Nayyar, 2012).

The MDGs clearly specify outcomes, but do not focus on the process of achieving these objectives, on separating ends from means, and have been criticised for focusing on reaching a desirable state from a current undesirable one without giving much thought to the path and transition of change (Nayyar, 2012). However, deciding on common means of achieving the MDGs in all countries would be both naïve and inappropriate. Naïve as it is no way politically feasible that all the world's leaders should agree on a single strategy for achieving these, and inappropriate as no single macroeconomic policy or institutional framework would ever be able to address the differing issues, initial conditions and requirements of all the world's countries in an effective way – such a framework would be reductionist to the point of ignorance.

- (iii) The framework is perceived by some to be a limited interpretation of development by a number of bilateral donors (Davis, 2011), which fails to capture the complex nature of development in its simplistic framework and narrow content; e.g. it does not coherently address the relationship between inequality and poverty, or education and employment creation, puts little focus on the productive sectors, and presents development as a technical fixing process, in which an increase in schools and health is taken for granted to be the catalyst of social and economic progress. As such, the limited scope, narrow focus on social sectors, quantitative

nature, distance from the Millennium Declaration in terms of content (no inclusion of freedom, tolerance, equality etc.), and its lack of ability to address the complexity of the issues included, imply a reductionist view of development (Vandemoortele, 2011).

This view relates to the argument made that a money-centric, narrow, growth narrative has distorted the MDGs by assuming the implicit understanding that economic growth, more foreign aid and better governance will naturally equal the attainment of the goals. In this perception, money remains the prime ingredient and the notion of partnership between North and South is distorted in favour of a donor-centric perspective on development cooperation and progress towards achieving the MDGs, based on the understanding that Western society should be the primary model for development (Vandemoortele, 2011).

- (iv) Simplicity of design also links up to content and the choices made on which issues are included in the framework. The criticisms contained in this discussion refer to blindness to distribution of income, land and assets (Martens, 2010). The framework is criticised for being far too focused on the social sectors, with no emphasis on employment and productive sectors (Saith, 2006), and no separate goal on economic growth (Dercon, 2008; Chang, Ha-Joon, 2008). It does not directly address relative poverty, with the goal of absolute measure of extreme poverty having little influence on income inequality; there is a little importance put on global public goods such as minimising the negative consequences of climate change and, lastly, rights, empowerment and good governance do not figure, giving the MDGs a service delivery flavour (Manning, 2009). Inclusion and exclusion of issues remains a political undertaking that may give rise to intense criticism, but in the end also helps to secure widespread political and public support. A 'Christmas tree' approach, with the inclusion of all potential issues, would surely have watered down both the political consent and the public support, rendering the framework incoherent and inappropriate.

In all facets of the framework, obvious trade-offs have been made between obtaining political support and achieving the theoretical optimum. Trade-offs have formed the basis for both the praise and the disapproval of the Millennium Development Goals, and in the end may be impossible to negotiate in ways that evade discontent from one side or another (Manning, 2009). However most observers would agree that the biggest achievement of the MDGs and the UN Millennium Declaration from

which they were (partly) derived are that they were in fact adopted and still provide important guidance to countries' actions to promote development.

2. Emerging Positions on the Post-2015 Framework

Ultimately, the post-2015 framework will have to be negotiated and agreed by 193 UN Member States with individual interests and differing degrees of political leverage. Until that final stage of discussion, it is interesting to take a closer look at three different groups and their evolving positions on the future framework, which they plan to advocate or bring to the negotiations.

(i) *The OECD members* to some extent dictated the formulation of the current MDGs and will play a central role in the formulation of a new framework. However, the current framework was negotiated under power asymmetries and conditions radically different than those dominating development cooperation and international power structures today. In this regard, the positions of (ii) *the global South* are expected to carry more weight than they did in the MDG negotiations. It is impossible, though, to talk of these two groups as coherent entities speaking with one voice, and the post-2015 negotiations are sure to reveal fundamental differences between e.g. Sub-Saharan Africa and the BRIC countries, and the EU and the US. (iii) *Global civil society* will have no formal influence on the final stage of negotiations in the UN, and as such their main arena for exerting influence will be the process leading up to this juncture, attempting to push both of the two aforementioned groups in directions that fit various of the multitude of opinions in this also diverse group of actors that potentially spans the entire globe.

2.1 The global South

The group of emerging powers (BASICs countries and other members of the G20 – South Korea and Indonesia) all participate in the UN process and the High Level Panel on the post-2015 development agenda. We know little of their individual priorities yet the work done in the G20 seems to favour economic over social aspects of development, advancing an agenda of innovative financing and economic growth focusing on trade and infrastructure, employment and vocational education. This approach is likely to be carried over into the post-2015 process and will be consistent with a demand to move beyond what some of these countries perceive as *intrusive* aid relationships, potentially with a greater focus on economic indicators than on ones tracking poverty.

African countries have been more vocal. During a consultation organised by the Economic Commission for Africa (ECA), African Member States responded

on the future post-2015 framework with priorities that included: urbanisation and migration; trade and aid; foreign and domestic investment; infrastructure development; agriculture and food security; governance; peace and security; skills development; regional integration and intra-continental trade barriers; climate change; economic growth; and employment creation (ECA, 2012). This multitude of suggestions would be, of course, politically unfeasible were they to individually account for new goals, but a synthesis of priorities was made focusing on three areas that may be able to encompass the different development outcomes and enablers suggested:

- *Promote transformation and sustainable growth*: focusing on employment creation; inclusive growth; value addition of primary resources; food security; expanding trade, markets and regional integration and investment; sustainability and green economy initiatives.
- *Promote education and technological innovation*: strengthening the quality of education; investing in secondary, tertiary and vocational education; promoting technology transfer; and investing in research and development.
- *Promote human development*: Promoting gender parity/empowerment of women; equitable access to quality healthcare, drugs and medicines; protecting human rights; assuring justice and equality; access to social protection; empowering the disabled; and prioritising disaster risk reduction.

For the framework itself, amending the MDGs seems to be the preferred option for the African states, retaining the current policy areas of the MDGs while adding new ones. Providing guidelines for funding mechanisms and measuring results both in terms of quantity and quality were also central priorities, with the design process towards 2015 being more inclusive and participatory than the formulation of the original MDGs was.

In the UN, all the African countries will be negotiating through the G77, and their influence on the final positions of this group has historically been somewhat weak due to, *inter alia*, low capacity at mission level to the UN and weak communication links between their missions to the UN and the respective capitals. As such, unless this group is broken up, African countries' positions cannot be expected to constitute the weightiest of the contributions. In the same vein, countries that assumed a lead on the processes up to and during Rio+20 can be expected to retain some of their momentum, as the inclusion of SDGs is likely to weigh heavy in negotiations. This mainly applies to Brazil and other Latin American countries.

Furthermore, the G7+ group may exercise some influence, despite their limited numbers, as they seem to have a few points supporting their case. One is the fact that both Liberia and East Timor are represented on the UN High-level Panel, with Liberia being one of the co-chairs. This may prove beneficial, as many of the issues will be examined in this context before their inclusion in the negotiations, but also because of the fact that they may influence the report of the Panel, which is one of the first contributions towards the actual UN negotiations. The second point promoting their case is that they have already formulated a range of *peace and state-building goals* in the *New Deal*. The somewhat existing consensus around these may prove to be a very effective tool to get them included at a later stage in negotiations or in the High-level Report, as opposed to other goals and issues that are to be started from scratch.

2.2 Global civil society

For the time being, global civil society represents as many differing priorities for the new framework as there are potential issues to include. One attempt to organise the different voices is the Beyond 2015 global civil society campaign that brings together more than 500 organisations from 66 countries. This campaign is still drafting its contributions to the international advocacy efforts, but its members are united behind one vision: *“That a global overarching cross-thematic framework succeeds the Millennium Development Goals, reflecting Beyond 2015’s policy positions”*, and that, *“the process of developing this framework is participatory, inclusive and responsive to voices of those directly affected by poverty and injustice”*⁴

One way to comprehend the concerns of civil society is through the global online consultation conducted by the UN Non-Governmental Liaison Services (NGLS) in October 2012 that gathered 239 contributions from 118 civil society actors for consideration by the High-level Panel. Seven key recommendations emerged from this for the post-2015 development agenda to: 1) adopt a human rights-based approach; 2) address growing inequality and mainstream equity; 3) promote social protection; 4) involve and lead to participatory processes and decision making, 5) prioritise capacity building and local management of development, 6) protect Earth’s ecosystems and equitable access to resources, and 7) enable job creation and investment in the poor and marginalised. Recent reports and inputs from, among other events, the high level meeting in London in November 2012, have revealed many other perspectives on

⁴ See <http://www.beyond2015.org>

the post-2015 framework including: strengthening national and global tax systems to raise funds for development and stop illegal capital flight from the developing world; agriculture as an essential sector and engine for food security, incomes and growth; climate and disaster resilience; more stable trading systems; health and food security; and addressing accountability gaps by setting up effective governance and accountability mechanisms for managing global challenges such as climate change and food security.

Most of the focus for civil society thus far seems to have centred on content more than methodology or design. One issue continuously stressed, though, has been that the future framework should be global in scope and apply to all countries, but with different responsibilities for different countries based on conditions. Part of this framing is to address issues of global governance by having developed countries' policies aligned with and not negatively affecting the developing world, but also to ensure that developed countries are leading by example, not promoting policies abroad that they do not reflect at home.

The most challenging task for global civil society, it seems, is the need for clarity – to create a focused approach to the negotiations in terms of demands. It will be a challenging undertaking to move from the current *Christmas tree* approach to a narrower message that is both coherent and comprehensive yet focused and politically feasible.

2.3 OECD members

From June to September 2012 the EU held a public consultation to inform the preparation of an EU contribution to the UN-led process. This public consultation was organised by the Commission's Directorate General for Development and Cooperation – EuropeAid (DEVCO) – and resulted in contributions from a wide variety of EU and non-EU stakeholders.⁵ In October a separate public consultation was organised by DG Environment to inform a Commission proposal for an EU position on the follow-up to the 2012 UN Conference on Sustainable Development (i.e. 'Rio+20'), which would include gathering ideas on Sustainable Development Goals which were committed to in Rio+20 and which are strongly linked to the post-2015 agenda. In October the EU also sent a non-paper as an input to meetings

⁵ For more information see: http://ec.europa.eu/europeaid/how/public-consultations/towards_post-2015-development-framework_en.htm

of EU ministers in the Environment and Foreign Affairs Council configurations, in which it outlined some of the directions considered, and explained how the Commission had organised itself to be able to coordinate on its views for post-2015 and post-Rio; the EU's legislative work programme for 2013 attaches strong importance to developing a joint position for both processes. In the words of the Commission, the EU strives to "*put forward coherent EU positions bringing together the Millennium Development Goals, the post-2015 development agenda and Rio+20*" (EC, 2012). An informal EU Foreign Affairs Council is planned for 11 and 12 February 2013 in Dublin to continue the discussions on how to bring together these two processes, while similar discussions may be expected to continue in the Environment Council.

In addition to the EU's own process, the Commission has also delegated its Development Commissioner to the Secretary-General's High-level Panel on post-2015, which besides the Commissioner includes five other European members including the British prime minister as co-chair. Commissioner Piebalgs has been vocal about his opinion on the new framework a few times. In November 2012 he proposed building a three-pillar framework upon the underlying objective, 'a decent life for all' and with a timeframe of 2030.⁶ The framework should be (i) a modernised and updated version of the MDGs in the form of a set of basic human development goals ensuring minimum living standards for all (furthering an *MDGs Plus* view.); (ii) it should have a second pillar focusing on equity, justice and human rights; and finally (iii) it should integrate the wider sustainability debate following Rio+20 and focus on *good stewardship* of natural resources, but also include issues to do with population growth and food security.

Simultaneously with the Commissioner, Co-Chair of the UN High-level Panel British Prime Minister David Cameron, has also voiced his preferred approach to the 2015 agenda. By referring to a *golden thread* of development, Cameron sets out what he believes is a radical new approach to supporting conditions that enable open economies and open societies to build upon the rule of law, the absence of conflict and corruption, and the presence of property rights and strong institutions.⁷ This approach would tie together economic, social and political progress, strengthening the vital institutions in developing countries that allow citizens to claim their rights.

⁶ c.f. http://europa.eu/rapid/press-release_SPEECH-12-707_en.htm

⁷ c.f. "Combating poverty at its roots" by David Cameron in the Wall Street Journal: <http://online.wsj.com/article/SB10001424052970204712904578090571423009066.html>

This means utilising aid as a catalyst to progress, and driving accountability and transparency forward to ensure results and effectiveness.

In addition to Piebalgs and Camerons' emerging views on the agenda, as well as the many public and internal debates that will be held in the next few months, EU Member States also recently discussed post-2015 during the High-level Meeting of the OECD's Development Assistance Committee in November 2012. This meeting benefited from a background document drafted by the DAC that suggested ways

Table 1. Timeline of Key Moments in the Post-2015 Process

<i>When</i>	<i>What</i>
January–June, 2013	Irish Presidency of the EU
February 2013	European Commission Communication on the post-2015 agenda
February 2013	UN High-level Panel reports to the UN Secretary-General
February 2013	Informal Foreign Affairs Council meeting on post-2015 and SDGs, as well as planned publication of the European Commission Communication on post-2015
March 2013	UN High-level Panel meeting in Indonesia
Q2 2013	European Commission Communication on Rio+20 Follow-Up
Q1 or 2 2013	European Parliament own-initiative report on MDGs and post-2015
May 2013	Council Conclusions on the post-2015 agenda communication (unclear whether adopted by the Foreign Affairs Council on the basis of the post-2015 Communication or together with Environment Council and including the Rio+20 follow-up Communication)
May 2013	Last UN High-level Panel meeting in New York
28 May 2013	Meeting of the Foreign Affairs Council
31 May 2013	Launch of the UN High-level Panel's report to the UNSG
Q2-3 2013	The UNSG will launch his own report in the UNGA 2013
Q3-4 2013	UNGA MDG review High Level Special Event (No negotiated outcome)
September 2013–September 2014	UNGA Open Working Group on SDGs to develop more detailed proposals for SDGs
Q4 2015	UNGA Post-2015 summit
1 January 2016	The new framework for development comes into force

in which the DAC and its members could potentially contribute to the post-2015 agenda and framework, both in terms of substance and commitments (OECD 2012). The communiqué adopted at the meeting noted that “(...) *participating governments welcomed the Rio +20 commitment to integrate sustainable development goals in the post-2015 agenda*”, included a few agreements on the substance and commitments of a future framework, and mandated the OECD’s Secretary-General to engage with the UN HLP on areas within the mandate of the OECD as described in the OECD Strategy on Development.⁸

2.4 Emerging areas of consensus in the High-level Panel

Comprising 27 leaders from governments, the private sector and civil society, the UN High-level Panel of Eminent Persons on the Post-2015 Development Agenda forms a key ground for identifying emerging areas of consensus that will be central to the negotiations towards UNGA 2015. The role of the panel is to present a vision for the post-2015 development agenda to the Member States in the first half of 2013.

The process of formulating the original MDGs did not directly benefit from a UN High-level Panel (HLP) as the post-2015 agenda does. Still, two concrete pre-Summit outcomes did greatly influence the final formulation: the International Development Goals (IDG) set out by the OECD in 1996 and the *‘We the Peoples’* report prepared by the UNSG staff. The IDGs were seven goals set out in the report *Shaping the 21st Century* prepared by the OECD that formally made good progress by being endorsed at OECD ministerial meetings in 1996, 1997 and 1998, yet with little traction in member states except for in the *like-minded group* of Sweden, the Netherlands, Norway and Denmark (Hulme, 2007). The *‘We the Peoples’* report was informed by formal and informal meetings conducted from mid-1999 on and led by UNSG Annan’s senior advisor, John Ruggie.

Until the report of the HLP is prepared, it is impossible to determine the exact outcomes of the process. Nevertheless, some of the emerging areas of consensus between the panellists were revealed in high level meetings in September 2012 following the UNGA in New York and the first of three co-chair hosted meetings which was held in London in the beginning of November 2012. It seems the panel centres on ending poverty and supporting the building blocks of sustainable prosperity, with possible

⁸ See paragraphs 8–10 of the communiqué: <http://www.oecd.org/dac/HLM%20Communique%202012%20final%20ENGLISH.pdf>

focal areas being education, health, jobs and livelihoods. The panel is clear that its role is to set out broad parameters to inform the Secretary-General's report, and to support a Member State-driven process, not necessarily to suggest specific goals.

Emerging areas of consensus and shared priorities include: women and girls' rights; access to energy and renewable energy; infrastructure; job-creating growth; reaching those who have been left behind/inequality; creating conditions and an enabling environment for empowerment and growth; quality of data; using accountability and transparency to drive implementation and partnerships, including with the private sector.

On the design of the new framework, the panel acknowledges that future goals should be technically feasible and affordable, not just aspirational, and that the framework must be global, not just relevant to a small number of countries. What is meant by 'global' however clearly requires more discussion, as this is where the panel must seek a strong connection with or input to later discussions on Sustainable Development Goals. It is also clear that while some European Panel members would be expected to plead for a strong ambition here (e.g. the French member Jean-Michel Severino who in the past has called for 'global public policies'), other members such as the UK co-chair and the EU Development Commissioner have, in recent statements, mostly spoken of a reorientation and refocus in the development cooperation budget as we know it today (Severino & Ray, 2009).

Still, it remains unclear whether the HLP can be expected to be truly influential in guiding the negotiations. A point against this expectation is the relatively low impact the HLP had on global sustainability, when it was set up in advance of the Rio +20 meeting.⁹

In all, the strong focus on social sectors evident in the current MDGs seems to be replaced by support for the inclusion of economic growth, employment and the private sector as drivers of poverty reduction. Equity and human rights are likely to play a larger role in the new framework, though probably not in the shape of a permeating and mainstreaming Human Rights-Based Approach (HRBA), and it still remains difficult to identify from where a strong focus on income distribution and inequality should originate in terms of political will, although and perhaps because the issue would have a global outlook, implicating all the world's countries. As for

⁹ http://www.un.org/gsp/sites/default/files/attachments/GSP_Report_web_final.pdf

the framework, the 'MDG plus' approach of an updated version of the current design and methodology seems to prevail between the developing and developed countries, and as civil society has yet to propose any solid alternatives to such an approach it is unlikely that we will see any fundamental changes in design and methodology.

3. Past successes and challenges in EU contributions to international negotiations

3.1 Appreciating opportunities and challenges

A recent paper analysing the European Union's negotiations during the 17th Conference of Parties (COP) to the United Nations Framework Convention on Climate Change that took place in Durban in 2011 posited that the EU is "*more than a coalition but less than a state*" (Van Schaik, 2012). The EU has a very strong influence on the realisation of the goals set out in the Millennium Development Goals and plays several roles in this regard (ERD, 2012):

- A significant consumer and producer
- A worldwide trade and investment partner
- A major provider of development cooperation
- A global player affecting global processes

While the Member States of the EU no longer have a decisive influence on the world when acting alone, together the members can potentially be more than the sum of their individual parts. Effective European action in these areas, however, faces challenges related to ongoing 'sectoralisation' and the level of Europeanisation in the policy area concerned.

Sectoralisation: While it originated as a means for six countries to pool and trade in coal and steel, the European Union has been becoming more and more complex over time and promotes European cooperation and integration in numerous and diverse areas (ERD, 2012). In keeping with this expansion, the European Commission, the executive body of the Union, has grown over time and currently has 33 Directorates-General (DGs) – many more than the average number of ministries in the EU Member States. Many DGs are in charge of a specific 'policy sector', and prepare policy proposals that are discussed by EU Member State Heads of State and Ministers in ten Council Working Groups,¹⁰ as well as with one or more of the 20 standing committees of the European Parliament (EP).

¹⁰ The work in these ten Council configurations is prepared or co-ordinated by the Permanent Representatives Committee (COREPER), made up of the Member States' permanent representatives and their assistants. COREPER's work itself is prepared by more than 150 committees and working groups consisting of delegates from the Member States. More info: <http://www.consilium.europa.eu/council/council-configurations.aspx?lang=en>

Europeanisation: in some policy areas decision making is centralised at the EU level ('supra-national decision making'), while in others the EU member states have powers of veto and decisions are legally difficult to enforce (intra-governmental decision making) (Egenhofer et al., 2011). The Treaty on the Functioning of the EU (TFEU) distinguishes between three types of legal competences in EU policymaking:¹¹

- *Exclusive competences*: the EU alone is able to legislate and adopt binding acts in these fields. The Member States' role is therefore limited to applying these acts, unless the Union authorises them to adopt certain acts themselves;
- *Shared competences*: the EU and Member States are authorised to adopt binding acts in these fields. However, Member States may exercise their competence only insofar as the EU has not exercised, or has decided not to exercise, its own competence;
- *Supporting competences*: the EU can only intervene to support, coordinate or complement the action of Member States. Consequently, it has no legislative power in these fields and may not interfere in the exercise of these competences reserved for Member States.

While the first type falls under supra-national decision making, policies that have the second and third type of competence fall under intergovernmental decision making (Egenhofer et al., 2011).

European development and environment policies, the two main policy areas in the post-2015 discussions, have two things in common: both are self-standing policy areas with shared competences between the EU and its member states, and both try to 'discipline' other policies in terms of respectively becoming more coherent towards overall objectives for the Union's development and environment policy.¹² It is also safe to say that in both areas the EU's engagement in international negotiations is challenging, and that negotiations in both areas are politically sensitive in the sense that in principle they can cover both the actions of EU governments and those of citizens 'at home' as the EU's external support to third countries.

¹¹ Adapted from http://europa.eu/legislation_summaries/institutional_affairs/treaties/lisbon_treaty/ai0020_en.htm (accessed 12 December 2012)

¹² Article 37 of the TFEU requires that a 'high level' of environmental protection and improvement of the environment is promoted by all EU policies, while Article 208 states that the EU shall take account of the objectives of development cooperation (i.e. the reduction and, in the long term, the eradication of poverty) in the policies that it implements which are likely to affect developing countries

The European Commission recognises the challenge posed by the upcoming negotiations on post-2015 in terms of potentially bringing together two different discussions. It has formulated that it will, in its 2013 Legislative Work Programme, “put forward coherent EU positions bringing together the Millennium Development Goals, the post-2015 development agenda and Rio+20”.¹³ A similar ambition was expressed by EU ministers during a Foreign Affairs Council (FAC) meeting on the 15th of October 2012: “Many ministers also touched upon the importance of agreeing a common EU position on the post-2015 development agenda and the Rio+20 follow-up.”¹⁴

European engagement in international negotiations can be distinguished into three phases: (1) preparing a joint position to bring to the international meeting, (2) organising and negotiating the joint position during the meeting and (3) engaging with the media and general public on the extent to which the EU has successfully negotiated after the meeting.

As part of the analysis of documents conducted for this paper a comparison was made of recent negotiation processes for the purpose of comparing these with regard to key elements and defining moments in the EU’s performance. In view of the similar challenges faced by the EU in contributing to international negotiations on climate change and development cooperation, as well as important differences between Member States in terms of interests and mix of motivations for action, section 3.2 presents an analysis of the EU’s engagement in four negotiation processes:¹⁵

1. The EU’s preparations for the 2008 Doha conference on Financing for Development;
2. The EU’s preparations for the 2008 Accra High Level Forum on Aid Effectiveness;
3. The EU’s preparations for the 2011 Busan High Level Forum on Aid Effectiveness;
4. The 17th COP in Durban in 2011.

¹³ http://ec.europa.eu/atwork/pdf/cwp2013_en.pdf

¹⁴ http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/132896.pdf

¹⁵ It is noted that members of the European Parliament have adopted Own Initiative Reports to influence the positions of the EU in these meetings, but because the EP has no formal influence on the positions pursued by the EU – which are adopted by the EU Council – these have not been included in the analysis made for this paper.

It should be noted that the comparison was made on the basis of publicly-available information, which was not equal for all negotiations studied. Out of the three phases that we analyse in relation to each conference least information was identified in relation to phase 2 (negotiating a joint position during the conference), and as a result the descriptions on how the EU organised itself during the negotiations are not as detailed.¹⁶ Additional information would have to be collected through other sources and means if one wished to obtain a complete overview and assessment of the EU's preparation, performance and accountability in these four negotiation processes. In its present form the information available for all events was, however, deemed sufficient to allow for a meaningful enough comparison to be made to inform the EU's engagement in the post-2015 discussions.

3.2 EU engagement in selected international negotiations

3.2.1 The 2008 Doha conference on Financing for Development

Phase 1. Preparing a joint position to bring to the international meeting

On 26 and 27 May 2008 the EU's General Affairs and External Relations Council discussed and adopted a number of detailed sets of Council Conclusions on Europe's engagement in the follow-up meeting to the 2002 Monterrey Financing for Development Conference that would take place in Doha from 29 November until 2 December.¹⁷ The input from the Commission that provided the basis for the Council's position was not a formal 'Communication', but instead a brief proposal that was based on the responses from Member States to the Monterrey questionnaire and was included in a Staff Working Document from the Commission.¹⁸

The EU's position was subsequently discussed in more detail between the Commission and Member States until the official EU position was adopted on the 11th of November 2012, relatively close to the date of the event.¹⁹ The position has a total of 18 pages

¹⁶ E.g. during the Copenhagen Conference there were EU briefings each morning at 8.00am: http://resource.wur.nl/en/organisatie/detail/unbearable_frustration_in_copenhagen/ Similar regular coordination moments are also planned during other international meetings.

¹⁷ See <http://register.consilium.europa.eu/pdf/en/08/st09/st09907.en08.pdf>

¹⁸ See <http://ec.europa.eu/transparency/regdoc/rep/2/2008/EN/2-2008-432-EN-1-0.Pdf>

¹⁹ See <http://register.consilium.europa.eu/pdf/en/08/st15/st15480.en08.pdf>

and follows the structure of the meeting's draft outcome document that was available at that time.

The start of the economic and financial crisis a few weeks before the conference greatly reduced the impact of the conference (and the EU's contribution to it), as it simply became overtaken by events. It may also have led to prolonged discussion that might explain why the position became available relatively close to the date, which some CSOs have suggested testifies to the low priority the EU attached to influencing an ambitious outcome.²⁰

Phase 2. Organising and negotiating with that joint position during the meeting

One important element of the EU's negotiation approach was a speech by the President of France on behalf of the European Union on the opening day of the meeting, intended to convey key points from the EU's position as well as the importance the EU attached to the meeting.

One report on the negotiations described the EU's engagement during the next day of negotiations as follows: "*everyone was caught by surprise when later that same day in the main committee negotiating room, the EU said they were ready to accept the full text as proposed by the General Assembly. Given the unexpected developments, G-77 and China as well as Norway said they could not proceed without consultation at ministerial level*". Other countries also joined this position the next day, which together with CSO lobbying put the US in a relatively isolated position and thus resulted in a relatively ambitious proposal.²¹

Other reporting claimed that the Dutch and German ministers for development cooperation who attended the meeting played a strong role in persuading the US to accept the outcome document.²²

Phase 3. Ex-post engagement with the media and general public

There is relatively little ex-post analysis available on the role of the EU in the meeting, as most reporting focuses only on the adoption of the outcome document – with many CSOs pointing to a lack of ambition beyond reaffirming what was agreed in Monterrey in 2002.

²⁰ See <http://eurodad.org/3100/>

²¹ See http://web.igtn.org/index.php?view=article&catid=3%3Atrade-negotiations-spotlights&id=3%3A-gender-issues-in-japan-philippines-economic-partnership-agreement-jpepa&option=com_content&Itemid=125

²² See <http://eurodad.org/3188/>

3.2.2 The 2008 Accra High Level Forum on Aid Effectiveness²³

Phase 1. Preparing a joint position to bring to the international meeting

On 26 and 27 May 2008 the General Affairs and External Relations Council adopted four key priorities for the High Level Forum in September that year. With a view to preparing the EU's contribution for Accra, the Council also recommended ten 'ingredients' for the Accra Agenda for Action that mainly reflected these four priorities. These ten key priorities formed the basis for Council Conclusions that were adopted on 22 July 2008, a detailed 22-page document in which the EU stated the priorities to particularly push for in Accra, and named which were the areas where the Union felt it could make a difference and have an added value.²⁴

In the May Council meeting it was noted that cooperation would be sought with local stakeholders and CSOs, but that they were not involved directly in the preparation of the EU position. The structured and timely preparation of the EU position was partly motivated by the EU's strong contribution to the negotiation of the Paris Declaration on Aid Effectiveness three years earlier. There, though, the EU had decided to form an 'impromptu' joint position for Paris based on an 'EU Action Plan on Harmonisation and Alignment' that had been endorsed by the Council in November 2004 and thus was seen as a good basis for the EU position.²⁵

The Accra HLF took place under the French Presidency of the EU. In terms of news coverage both the French minister and the EU Commissioner managed to attract some attention from the media before going to Accra for the negotiations.²⁶

Phase 2. Organising and negotiating with that joint position during the meeting

While there are not many publications available which analyse the negotiations during the high level forum in Accra in detail, some observers noted that various ministers arriving the night before the last day of the forum found that negotiations as led by their technical staff had reached a deadlock, which was reflected in a text that lacked in ambition.²⁷ The EU at that time allegedly let the rumour get out that

²³ Unless indicated otherwise, the information and analysis on this meeting has been adapted from Keijzer 2011.

²⁴ <http://register.consilium.europa.eu/pdf/en/08/st12/st12080.en08.pdf>

²⁵ The Council Conclusions are available here: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/gena/82773.pdf

²⁶ <http://www.europolitics.info/in-accra-commission-urges-better-aid-coordination-artr150811-75.html>

²⁷ E.g. <http://blog.caritas.org/2008/09/02/accra-summit-blog-entries/>

they would issue a separate statement at the end of the Forum, to demonstrate their willingness to go beyond a too weak AAA on specific issues, particularly their four priorities.²⁸

It was thus agreed just before the ministerial dinner that negotiations would be reopened, given that many ministers were unhappy with the current text and the lack of room for political manoeuvre. It was reported that negotiators subsequently stayed at the table until 3.00 am and met again early in the morning to work on the text. CSO observers subsequently heard the French representative of the EU Presidency express his content and optimism, and the then European Commissioner for Development Louis Michel was reported as saying that *“With this Accra Agenda for Action, we have an operational framework that will allow us to turn our promises into concrete actions”*. The resulting final text was widely considered to be more ambitious than earlier drafts of the Accra Agenda for Action, and was considered a success for the Union.

Only three days after the adoption of the AAA, on 7 September 2008 the US Treasury decided to place the enterprises Fannie Mae and Freddie Mac under conservatorship, while eight days later the Lehman Brothers filed for bankruptcy. One month later, on the 13th of October, individual EU Member States announced plans to renationalise or otherwise recapitalise large banking enterprises.

Phase 3. Ex-post engagement with the media and general public

There was limited media coverage of the EU’s performance, which definitely did not attract much attention outside the ‘development sector’ due to its rather technical focus.²⁹ The start of the economic and financial crisis later in 2008 gave some observers the impression that the EU had perhaps been too ambitious in its negotiations, as the Accra Agenda for Action has not led to many concrete initiatives with the International Aid Transparency Initiative being one important exception.

Europe’s own attempts at improving its collective effectiveness in the area of development cooperation, as reflected in EU Treaties since 1992, have been regarded as an important driving factor in what has been referred to as the ‘aid effectiveness agenda’ or even the ‘new aid paradigm’. Europe has particularly contributed to setting

²⁸ While partner countries showed a lack of coordination and divisions among themselves, Brazil reportedly also tried to get other partner countries of Latin America to sign a common separate statement.

²⁹ See some references to articles provided here: <http://www.eurostep.org/wcm/archive-eurostep-weekly/344-accra-agenda-for-action-adopted.html>

a high level of ambition in discussions on aid effectiveness and pushing others to do so, for instance by including additional targets on aid effectiveness in the 2005 European Consensus on Development which go beyond what was agreed in Paris. The EU has thus to a large extent tried to follow a ‘first mover’ approach in the area of aid effectiveness.

3.2.3 The 2011 Busan High Level Forum on Aid Effectiveness³⁰

Phase 1. Preparing a joint position to bring to the international meeting

Compared to its preparations for Accra, the EU was late in 2011 with adopting a timeline for agreeing on its own priorities for the Busan forum, quite unlike its preparations for the Accra forum when it published its priorities a few months in advance. By summer 2011 no formal discussions had yet taken place in the Council, while some Member States (including Germany and the Nordic group) had by that time already submitted bilateral contributions to the OECD/DAC with their views on the zero draft.³¹

Progress in Europe in moving towards a joint position on Busan (and hence a strong influence in the direction of the debates) is seen as having been hampered by:

1. A rather *reactive stance* in most EU capitals towards the preparatory process, where policymakers were in a ‘*waiting mode*’ anticipating the proposals from Paris (a generalisation which does not do justice to ongoing debates in a minority of Member States);
2. A process of gradual ‘*depoliticisation*’ of the EU debate on aid effectiveness following the adoption of the AAA in 2008, with the exception of budget support which has been the subject of a more polarised debate. This depoliticisation is partly a result of attempts to operationalise political commitments made, during which perhaps insufficient efforts were made to avoid the agenda becoming overly technical, given the obvious political aspects associated (e.g. issues of national sovereignty implied by division of labour);
3. *Disagreement between Member States* on what should be the focus in Busan. Some were in favour of Busan concentrating on the essence of the Paris Declaration – and hence the core of the present ‘aid effectiveness agenda’ – while other Member

³⁰ Unless indicated otherwise, the information and analysis on this meeting has been adapted from Keijzer 2011.

³¹ Letter addressed to ‘Members of the Working Party on Aid Effectiveness’, dated 29 April 2011 (referred to in Keijzer 2011).

States wanted to fundamentally ‘open up’ this agenda by bringing in new actors, interests, funding sources and/or policies.³²

What was also particular about the preparation of the EU was the choice to first put forward a formal Communication by the Commission proposing what the EU’s position could be, a marked change from preparations for Accra where this rather time-consuming step was not taken but the Council proceeded more proactively in suggesting and detailing its position. The 13-page position was eventually adopted on 14 November, with only two weeks left until the Busan forum took place.³³

The EU chose to take a politically visible role in the post-Accra work by delegating its previous Director General for EuropeAid, Mr Koos Richelle, as co-chair of the Development Assistance Committee (DAC) Working Party on Aid Effectiveness following the adoption of the AAA, who was succeeded in mid 2011 by former Netherlands Minister for Development Cooperation Mr Bert Koenders.

Phase 2. Organising and negotiating with that joint position during the meeting

Compared to Accra, the Busan forum was more accessible and reported on by journalists and CSOs, also in part due to the increased communication possibilities (e.g. Twitter was still hardly used in 2008). One observer suggested that the EU was not promoting its position that strongly and, specifically, did not want to be too strong in its negotiations with China and other BRICS (Finland is mentioned as an exception for promoting human rights). Some observers explained this soft stance with reference to ongoing talks on possible Chinese support to the Eurozone.³⁴

After the opening plenary meeting in Busan, the co-chairs met with the Working Party Bureau and agreed that a ‘Sherpa’ group would take responsibility for negotiating the final outcome document. Following a first proposal for the DAC to delegate three Sherpas, it was later agreed that the DAC would get five seats in the group of eighteen. Three out of these five were European DAC members: France,

³² It should be noted that this disagreement is not only seen in the EU, but also in WP-EFF discussions. Moreover, there is both disagreement and also a high degree of indecisiveness between (groups of) countries. The same can be found within individual countries – both for the agenda as a whole but also for individual components.

³³ See: http://consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/126060.pdf

³⁴ See: <http://www.viceversaonline.nl/2011/12/veranderende-machtsverhoudingen-in-busan/>

the EC and the UK, which was expected to represent the ‘Nordic+’ group and thus also promote the interests of Canada, New Zealand and Australia (Atwood, 2012).³⁵ It thus appeared that not all Member States were convinced of the added value of negotiating as an EU bloc,³⁶ and one document explicitly noted that the French Sherpa consulted with other DAC donors but did not feel bound by the EU’s position.³⁷ One analysis went even further by presenting the EC as a separate negotiator.³⁸ Piebalgs’ blog after the meeting also mainly sought to profile two new EU development cooperation initiatives.³⁹

External stakeholders also argued that the EU did not negotiate strongly and was fragmented in the sense of not appearing to be led by the joint positions they had adopted.⁴⁰

Phase 3. Ex-post engagement with the media and general public

One observer noted that there has not been a formal endorsement process of the outcome document as negotiated by the Sherpas:⁴¹ there “*does not seem to have been a formal signing or endorsement process. There is no public list of countries and organisations that have endorsed the document, as exists for the Paris and Accra outcome documents. No procedure or timetable for signing up has been announced. Do we take it that the document has been accepted formally by all 3000 delegates in Busan, and the many hundreds of Governments and organisations they represent? Or are people free to pick and choose from among the 36 paragraphs?*”

Different European media did refer to the outcome of the conference, but not so much to the EU’s role in making that outcome happen. This could be explained by the main ‘spin’ put on it by EU member states that the main outcome was to ‘enlarge the tent’ of development cooperation to the BRICS, as expressed by the EU Development Commissioner on different occasions.⁴²

³⁵ Germany had also expressed its wish to be part of the group, but France got the seat due to being the host of the upcoming G20 Summit.

³⁶ Atwood (2012) noted that Scandinavian countries, Ireland and the Netherlands were happy with the job the UK did in representing them, while especially smaller EU Member States (including those not in the DAC) preferred the European Commission to represent them.

³⁷ See: http://www.ukan.org.uk/fileadmin/user_upload/HLF4Update_Nov2011.pdf

³⁸ See: <http://www.intrac.org/data/files/resources/727/Briefing-Paper-29-The-Busan-Partnership.pdf>

³⁹ See: <http://blogs.ec.europa.eu/piebalgs/a-view-from-busan/>

⁴⁰ See: <http://aidwatch.concordeurope.org/blog/post/europe-could-have-done-more-in-busan/>

⁴¹ See: <http://www.simonmaxwell.eu/blog/wrapping-up-busan.html>

⁴² See: <http://aidwatch.concordeurope.org/blog/post/blog-from-development-commissioner-andris-piebalgs/>

In 2012 the EU played a strong role in the so-called Post-Busan Interim Group and in the discussions on putting in place the Global Partnership on Effective Development Cooperation that eventually replaced the DAC Working Party on Aid Effectiveness in June 2012. This Group mainly consisted of the same Sherpa group who had negotiated Busan, while Germany replaced France, Sweden joined as representative of Nordic+ and Canada represented the group of Canada, Australia and New Zealand (Atwood, 2012). The European Commission also represents the EU in the Steering Committee of the new Global Partnership, while reportedly a few EU Member States requested to get an additional place at this Steering Committee during the Global Partnership's first meeting during the December High Level Meeting of the DAC in London.

3.2.4 The 2012 Rio+20 Conference on Sustainable Development

Phase 1. Preparing a joint position to bring to the international meeting

The Rio+20 UN Conference on Sustainable Development was held two decades after the milestone conference in Rio De Janeiro, Brazil, which was informally known as the Earth Summit and led to the adoption of the Rio Declaration on Environment and Development.⁴³ In February 2011, the European Commission launched a public consultation to gather inputs for a proposal that should create a basis for a coordinated EU position.⁴⁴ On 20 June 2011 the European Commission issued its Communication (entitled *'Rio+20: Towards the Green Economy and Better Governance'*), intended to prepare the ground for the EU's position at the Rio+20 conference.

The Commission's Communication was viewed by many as problematic because of its seemingly great focus on sustainable development as a solely environmental issue, and relative neglect of its social dimension. The Commission answered by arguing that the communication was only the first step in the EU negotiation process in establishing a common position for Rio+20.⁴⁵

The EU's first proposed comprehensive position then was initially discussed at the Council meeting in October 2011. European Council conclusions on Rio+20 were

⁴³ The Declaration is available here: <http://www.jus.uio.no/lm/environmental.development.rio.declaration.1992/portrait.a4.pdf>

⁴⁴ See: http://ec.europa.eu/environment/consultations/un_2012.html

⁴⁵ <http://www.eurostep.org/wcm/archive-eurostep-weekly/1671-looking-to-rio20-commission-argues-the-green-economy-is-just-one-aspect-of-sustainable-development.html>

adopted on March 2nd and Council conclusions (Environment) on March 9th. Both in the Councils and at member state level, environment-related ministers took the lead, as opposed to how it was in the preparations for the Johannesburg conference ten years earlier, where development ministers had led the processes (Stocchetti, 2012).

In this period, the EU was also strongly involved in the UN High-level Panel on Global Sustainability, which was co-chaired by Finnish President Tarja Halonen and South African President Jacob Zuma and produced the report 'Resilient People, Resilient Planet: A Future Worth Choosing'. In addition to the Finnish co-chair, Member State representatives from Spain and Sweden, as well as the EU Commissioner for Climate Action participated in the High-level Panel, whose report, however, is widely seen as not being highly influential in shaping the outcome of Rio+20.

As the common position was taking shape in the spring of 2012, the Danish EU presidency recognised that ambitions among EU countries were beginning to wane, particularly with regard to concrete action on water, marine environment, land use and biodiversity, sustainable energy, resource efficiency and waste management.⁴⁶

By the 2nd of May, the original 19-page draft had grown to just under 200 pages with supplementary texts. After the final talks however, the EU and its Member States submitted a 31-page document to the Rio+20 conference bureau.⁴⁷ The United Kingdom did submit an additional national position, based on government evidence to a UK Parliamentary Select Committee enquiry into the Green Economy, which specified that this submission was "*(...) intended to be complementary to the contribution by the EU and its Member States, which the UK fully supports*".⁴⁸

Developing the EU position also involved civil society, and the European Economic and Social Council (EESC) held the hearing 'European civil society on the road to Rio+20' on 7 July. The development of the EU's position was thus a rather intensive, but also inclusive and detailed process that took over half a year to produce. On 14 June 2012, the ACP-EU Council moreover adopted a separate set of political conclusions in which the group of over 100 countries pledged a commitment to "*(...) working constructively during the Conference to ensure an ambitious and action oriented outcome*

⁴⁶ <http://www.euractiv.com/sustainability/rio-observers-fear-weakening-ear-news-512439>

⁴⁷ The position is found here: <http://www.uncsd2012.org/index.php?page=view&type=510&nr=240&menu=20>

⁴⁸ See: <http://www.uncsd2012.org/index.php?page=view&type=510&nr=442&menu=20>

that would advance the sustainable development agenda in a comprehensive manner, taking into account the three dimensions of sustainable development”.⁴⁹

A broad view on sustainable development through the concept of a green economy roadmap became the central element of the EU's position, a roadmap that it sought to promote with specific goals, objectives and actions at international level. The adoption of sustainable development as a core value in the Lisbon Treaty was upheld in the preparations to Rio+20 as the EU greatly supported multilateral efforts by playing a constructive and proactive role in the 'Future We Want' agenda setting (Stocchetti, 2012).

Phase 2. Organising and negotiating with that joint position during the meeting

Before the conference, EU leaders criticised the proposed Rio+20 Outcome Document for its lack of clear targets, with British Deputy Prime Minister Nick Clegg accusing China and other developing countries of blocking progress on sustainable development goals.⁵⁰

The structure of the UN zero draft meant that negotiations were set to deal with three areas: i) the green economy, ii) upgrading of environmental institutions for better governance and finally, iii) agreement on future objectives for better governance. The breadth of the sustainable development agenda itself implied a great challenge for the EU in negotiations as it remained difficult to control and coordinate Member State interests.

The conference itself did not start until Wednesday June 19th, but the Brazilian hosts pushed through an outcome before then. An agreement was made at 2.00 am Tuesday morning, and the text was presented before the plenary convened at 10.30 am. When the preparatory committee's last official meeting had come to an end the week before with still more than half of the text disputed, no one had expected this pace as the Brazilian government was asked to lead in the remaining informal pre-negotiations. Eager to secure agreement, Brazil reportedly either dropped or greatly weakened the parts of the negotiated outcome that had been under intense debate, resulting in a document reflecting only the lowest common denominator (Beisheim et al., 2012).

⁴⁹ See: http://www.acp.int/sites/acpsec.waw.be/files/RioDeclaration2012_EN.pdf

⁵⁰ http://www.upi.com/Business_News/Energy-Resources/2012/06/25/Disappointed-EU-cites-Rio20-bright-spots/UPI-27011340620200/

EU visibility at Rio was secured by a high-level delegation comprising the leaders of the EU institutions, and the EU also tried but failed to push for negotiations to continue among ministers, with a view to producing a more substantial agreement with some ambition. It seems it may have been too late to ramp up the ambition at this final stage of negotiation.⁵¹ The EU's room for securing influence in the final stage of the negotiations was perhaps also somewhat limited by the decision to cancel plans to send a delegation of MEPs to the summit, due to increases in the estimated costs of attending.

As negotiations started in New York in the spring of 2012, normal UN procedures were upheld and negotiations only took place from 10:00–13:00 and again from 15:00–18:00. As negotiations intensified and the summit approached, these were expanded to nightly sessions as well. This implied three daily coordination meetings for the EU, covering morning, midday and evening. During this time, a new departure for EU negotiations saw the light in the form of a new *core group* consisting of the Commission, the EEAS, the EU mission to the UN and representatives from the Danish Presidency. Negotiating responsibilities were split among these four actors, with Denmark having the lead on the institutional framework and sustainable energy (as part of the broad agenda of a *green economy*), and the Commission/EEAS/EU mission to the UN responsible for negotiating on the issue of a *green economy*, including the SDGs.

In practice, all the lead EU negotiators were supplemented by representatives from all parts of the core group and by member states during the negotiations that would provide inputs in the form of '*diplomatic whispering*', and a flowing form of coordination between the involved EU actors thus also occurred. The initial negotiations in Rio were held in a comprehensive fashion in a single room, but as time passed and the negotiations turned more specific, negotiators spread out across several rooms. This meant a process of parallel coordination for the EU.

These forms of EU coordination were present at diplomatic level right up until the opening of the summit, from when on coordination was performed at ministerial level, where Danish Minister for Environment Ida Auken would lead the meetings with Commissioner Potocnik.

Though the outcome was largely considered a failure of global political commitment, a significant result of the negotiations for the EU remains the ability of the EU

⁵¹ <http://www.greens-efa.eu/rio-20-diary-7635.html>

negotiators to have the ‘green economy’ recognised as important in the final agreement, though it did not include the more far-reaching ambitions of a roadmap with timetables and indicators, as was attempted in the negotiations (the *roadmap* was first weakened into a *mechanism* and then only adopted as a “*nonbinding, unspecific invitation to the ‘UN system’ to coordinate a ‘matching’ process upon request, in which states are provided with information on possible partners, toolboxes, best practices, and models or good examples of policies*” [Beisheim et al., 2012]). What has also since been perceived as an important EU achievement was the commitment to develop and adopt Sustainable Development Goals by 2015. On these ‘SDGs’, the Outcome Document stated that they should include measurable targets, be universal in scope, and that the process for developing them should be coordinated and coherent with the processes to consider the post-2015 development agenda.

Phase 3. Ex-post engagement with the media and general public

The final 53-page document was “*endorsed by all and pleased no one*”,⁵² and was essentially the same as that announced before the ministers had arrived. In the end, though, the agreement was perceived to be better than nothing by the European Commission and the Member States.⁵³ The EU “*failed to get the goals and timelines it was seeking included in the declaration*”, and Commissioner Potocnik himself underlined that the “*thing which is missing is the part that would give a clear sense of how this should be done – some concrete steps or timelines*”,⁵⁴ blaming a lack of political will for the inability to reach this. As such, the initial response was one of disappointment, with Connie Hedegaard, EU climate commissioner, tweeting “*Nobody in that room adopting the text was happy. That’s how weak it is*”.⁵⁵ Later though, the EU reiterated the response, saying that it welcomed the outcome despite failing to achieve what it had hoped.

In view of the rather dynamic if not sometimes chaotic negotiation process in the run-up to and during the conference, one may wonder whether the EU’s position with its 31 pages and rather concrete issues to push for was not too detailed and, as a result, was not sufficiently flexible to adapt to the evolving negotiation circumstances? At the same time, a striking difference (and perhaps post-Copenhagen reality in the field of environment) was that whereas in Accra EU ministers were able to take a

⁵² <http://www.bloomberg.com/news/2012-06-27/lack-of-political-will-limited-rio-20-eu-commissioner.html>

⁵³ http://europa.eu/rapid/press-release_SPEECH-12-551_en.htm

⁵⁴ <http://www.bloomberg.com/news/2012-06-27/lack-of-political-will-limited-rio-20-eu-commissioner.html>

⁵⁵ Connie Hedegaard@CHedegaardEU #rioplus20 telling that nobody in that room adopting the text was happy. That’s how weak it is. And they all knew. Disappointing#Rio20

joint stand and push other countries to be more ambitious, such a ‘push’ could not effectively be made by the EU in Rio+20, hence the frank reactions of disappointment from the two EU Commissioners.

3.3 Comparing EU engagement in recent international negotiations – key findings

A couple of main observations can be made when comparing the preparation, negotiation and ex-post communication efforts of the European Member States and the Commission for the four international meetings as analysed:

- A first key observation is that it seems that the EC’s approach to preparing EU positions has become more exacting and time-consuming over time: whereas in the case of Paris, Accra, Busan and Durban no formal Communications were issued, this was done both for Busan and Rio in 2011 (and currently for post-2015 and Rio+20 follow-up). Communications tend to be more time-consuming to produce due to inter-service consultation requirements and translation, which thus should be taken into account in the planning of the EU’s participation in the negotiations.
- The length of the EU’s joint positions ranged from eight pages in the case of Durban to 31 pages in the case of Rio. These differences in length can be explained by the changes in approach for the international meetings: for meetings where few outcome document texts had been drafted in working groups in advance a shorter text was required, while for other meetings detailed draft outcome documents are made available some time in advance. Detailed position documents can, however, generally be expected to hamper the EU’s flexibility (or at least its ability to act on the basis of the joint position) in the case of unforeseen circumstances or strong shifts in the negotiations of other countries, as well as simply because the full details of what the EU wants are revealed to all.⁵⁶
- In two cases (Doha and Busan) EU joint positions were concluded so close to the start of the respective international events that one can only assume this will have hampered their usefulness in terms of preparing and guiding the EU’s negotiations.
- Accra, Durban and Doha can be regarded as reasonably successful negotiation outcomes for the EU due to a strong coordinated approach, but the approach to

⁵⁶ During Rio+20 the EU continued to push for the inclusion of specific SDGs with targets and timelines as per its negotiation mandate, which were collectively turned down by the G77: <http://www.iied.org/five-things-we-ve-learned-rio20>

coordination was planned in different ways. Busan did not see much evidence of attempts to negotiate as an EU bloc which might be explained by the Sherpa approach to negotiation. Beyond the specific examples examined here, media coverage of the recent 18th COP in Doha also showed that lack of unity in the EU's position and engagement seriously hampered its effectiveness.⁵⁷

- The comparison shows that due to the more inclusive nature of conferences (i.e. greater access for researchers, journalists, etc.) and with new communication tools (blogs, twitter) the EU's actions are more visible and transparent, making it easier to expose cases of EU Member States acting unilaterally or when there is disagreement between Member States. Given the trend of more open and inclusive international negotiations this has now become a fact of life.
- Finally, the examples discussed here seem to point to the importance of the EU's engagement being 'accountable' for the results achieved after the end of the international meetings, which is important for managing expectations for the EU's contribution to future events. Here a balance needs to be struck between self-critique and optimism in terms of the increase in independent reporting by media and CSOs during and after such meetings.
- While both environment and development policy are shared competencies in EU legislation, it seems that this legal status is more respected in reality in the case of climate change negotiations, given that development cooperation meetings show stronger tendencies for EU member states to operate on their own or in like-minded coalitions.⁵⁸ This may also be related to the (geo)political stakes being higher in the case of climate change.

The preparation for the EU's post-2015 position can be regarded as following the trend of a rather heavy and long preparation process, revolving around the use of EC Communications as the basis for a proposed position. These Communications in turn are prepared with the help of public consultations for respectively post-2015 and Rio+20 follow-up, which were managed separately by DEVCO and DG Environment, while the EC is committed to bringing these positions together in 2013. In view of the timeline for the Communications that will both come out in early 2013,⁵⁹ it is no longer expected that the position can have much formal influence on the UN High-

⁵⁷ As reported here: <http://euobserver.com/environment/118464>

⁵⁸ This may in part be explained that it is only after the Lisbon Treaty entered into force in December 2009 that it was enshrined in EU law that the EU's and its member states' policies on development cooperation complement one another, whereas earlier the EU's policies and actions were expected to complement the Member States one-directionally.

⁵⁹ The post-2015 consultation was closed in October 2012 while the Rio+20 follow-up consultation closed on the 15th of January 2013.

level Panel (including its European members) that will by that time have had several meetings and is expected to publish the first draft of its report in March 2013.⁶⁰

It can, however, be expected that the EU's position on post-2015, which may be given first or full shape not earlier than the Foreign Affairs Council meetings in May 2013, may nonetheless have an important influence on the EU's contributions during and beyond the special event to follow up on efforts made towards achieving the Millennium Development Goals and to discuss the possible contours of the Post-2015 Development Agenda during the sixty-eighth session of the General Assembly in September 2013.

⁶⁰ See: <http://www.guardian.co.uk/global-development/2012/oct/31/post-2015-development-agenda-explained>

4. What can the EU bring to the negotiations?

There can be different views as to what exactly a *European approach* to the post-2015 framework could imply. Looking beyond what we know of the Commissioner's suggestions in relation to a new framework, four areas of interest emerge either where the EU has devoted extensive political attention or which may be deemed *European* in that they have their point of departure in Europe and in EU-related efforts: (i) Work towards coordinating policy areas, making a wide range of issues complementary to maximise impact and effectiveness. This is naturally most evident in the Policy Coherence for Development Agenda of the Union, but also relates to approaches to development cooperation with a strong focus on economic cooperation, linking aid, trade and investments etc.; (ii) climate change and sustainable development; (iii) a strong set of values in the areas of human rights, democracy, rule of law etc. and finally; (iv) the alternative approach to measuring social progress advocated by the Commission on the Measurement of Economic Performance and Social Progress.

It should be noted that this is not a list of options but that these different areas are linked and *together* could make up a strong European position, for example in the form of further EU discussions on measurement. An overly economic interpretation of development under the first area of interest (i.e. policies need to support and not undermine developing countries' economic growth) could conflict with a more value-based approach (e.g. what should the EU do in countries that manage to grow economically but where the EU's values are not promoted, or are but at the expense of social equity). All in all these areas show not that 'anything goes', but that there is a need for an overall post-2015 vision to guide all UN members in their pursuit of development, which would require hierarchies between policy areas to be clarified and made explicit (i.e. what balance between short-term costs and long-term gains is required?)

4.1 Making policies coherent within a global post-2015 framework

For some time now the EU has advanced policy coherence for development (PCD), an agenda for making complementary policies that go beyond development efforts to ensure that these do not negatively influence developing countries. Both the intended and the unintended potentially negative effects on economic growth and social progress coming from policy areas in the EU beyond that of development

cooperation, have been known for some time now (the areas currently focused on in the EU are trade and finance, climate change, food security, migration and security).⁶¹ By implementing institutional mechanisms, the intention is to screen existing and proposed policies for any negative influence on developing countries.

The chief interesting perspective of this concept for the post-2015 agenda is its truly global scope and approach to development that could potentially alter the explicit distinction between developed and developing countries evident in the MDGs. Firstly, by abolishing that the main effort of donors is to mobilise financial resources in a transfer to developing countries, it recognises the responsibility of donors to align policies across areas to ensure that they do not negatively influence the developing world. Should the EU choose to bring this policy concept to the post-2015 framework, it could be perceived as the MDG goal 8 being materialised in a global partnership for development. Secondly, it would challenge the developed/developing country distinction in the MDGs.

Doing so would ensure the global nature of the framework, distributing responsibility and accountability across all countries. At present, however, the EU is having severe problems aligning just its own policies affecting the developing countries, and it may not seem politically feasible to expect a complete dissemination of the idea to non-EU donors and the emerging powers from the global South.

4.2 Climate change and sustainable development

Filling the gap caused by the US' early disengagement from UN climate change talks and resistance to the Kyoto protocol, the EU has traditionally been perceived as being at the forefront of global climate change negotiations for the last decades. The combined political influence of the member states and their strong faith in multilateralism has made the EU pursue global action to address the negative consequences of climate change. It is '*leading global action to 2020 and beyond*' in its own words (European Commission, 2009), a view widely supported by academia (Kilian and Elgström, 2010). It is praised for the consistent adoption of ambitious greenhouse gas reduction targets, implementation of the world's first CO₂ emissions trading scheme,⁶² and being the driving force behind the Kyoto Protocol (cf. *ibid.*).

⁶¹ Cf. Council Conclusions on Policy Coherence for Development, 14 May 2012, adopted during the Danish EU Presidency.

⁶² See <http://www.shapingtomorrowworld.org/latterEU.html>

Still, the leading position of the Union was threatened in 2009 when the Copenhagen Accord was negotiated without major EU input resulting from the (re)entry of the US and China onto the global climate change stage. The position was also shot down by the Polish Environment Minister shortly before the round of UN talks in Doha in 2012,⁶³ eventually proving to be disappointing to the point of some deeming it necessary for the EU to rethink its climate policy.⁶⁴ Still, the EU record in international climate negotiations remains one of many positive outcomes and achievements in which it has been able to align the interests of its member states, allowing it to appear coherent and legitimate and providing it with enough political leverage to achieve a high degree of influence.

The cross-thematic views on the post-2015 development agenda presented earlier in this paper underline the support towards integrating sustainable development and potentially Sustainable Development Goals (SDG) into the framework. The SDGs were proposed by Colombia, Guatemala and Peru in 2011, then went on to become a central part of the Rio+20 outcome, and an Open Working Group has been formed with the purpose of submitting a proposal to the 2013 UNGA. The process thus runs somewhat parallel to the post-2015 process of renewing the MDGs.

Though the Rio+20 outcome made no mention of how to integrate the endeavours into the post-2015 agenda, there is extensive agreement about the need for coherently running a two-track process that integrates both. Such integration would potentially make up for the missing ability of the MDGs to comprehensively link economic, social and environmental development in a way that acknowledges the interdependence of these and the complexity of sustainable development entailing that it cannot be understood only as an environmental issue (ECE et al., 2012).

The EU is clear on the ambition to work towards the adoption of SDGs that “*are coherent and integrated with the post-2015 development framework, and supportive of climate actions*” (European Commission, 2012). As such, the integration of SDGs (or at least notions of sustainable development) into the new post-2015 framework remains a near certainty, given the reports so far and, at the same time, that it is a priority for EU policy action, making it an issue where the EU could potentially

⁶³ See <http://www.rtcc.org/eu-climate-change-leadership-a-myth-says-polish-environment-minister/>

⁶⁴ See <http://www.theparliament.com/latest-news/article/newsarticle/eu-told-to-rethink-its-climate-policy-in-wake-of-disappointing-doha-talks/#.UN1zD6Vn9EI>

benefit from its long experience in international climate change negotiations, if it succeeds in learning from past failures and accomplishments.

4.3 A value-based approach

The European Union is firmly based upon a pronounced set of values. The principles of these values are set out in the Treaty of the European Union (TEU) and in the Charter of Fundamental Rights. Article 1 of TEU articulates these, establishing that *“The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities”*. The Charter of Fundamental Rights is not a treaty, but was nonetheless elevated to the status of being legally binding when the Lisbon Treaty came into force in 2009. It recognises the rights of EU citizens within six groups: dignity, freedoms, equality, solidarity, citizens’ rights and justice. The aim of both documents is not only to ensure the rights of EU citizens; the external promotion of values is explicitly stated in the TEU’s Article 5 where it states: *“In its relations with the wider world, the Union shall uphold and promote its values... It shall contribute to... [p]overty eradication and the protection of human rights...”* As such, its foreign policy and development cooperation instruments should promote these values in both bilateral and multilateral external relations.

One consequence of this focus may be to apply a rights-based approach (RBA) to development. One of the aims of this approach is to establish very clear lines of accountability. By acknowledging the rights of beneficiaries, responsibility for upholding these is given to institutions in society and the aim becomes to simultaneously build the capacity of these institutions to deliver rights to their beneficiaries, while at the same time to empower the beneficiaries to be able to claim these, their acknowledged rights. Adopting a rights-based approach for the post-2015 framework would potentially make up for the failure of omitting human rights in the MDGs, with clear consequences for some, who argue that *“violations of civil and political rights have been related to lower growth rates, efforts to reach excluded communities have been linked to broader economic benefits, and inequalities have been shown to generate violent conflict, undermine growth and poverty reduction, and threaten sustainability”* (OHCHR, 2012).

Emerging areas of consensus in the High-level Panel point towards the inclusion of women’s rights, creating conditions and an enabling environment for empowerment, and addressing inequality by using accountability and transparency to drive

implementation, all of which are central elements in an RBA. Still, it seems unfeasible that rights will be mainstreamed throughout the new framework, given the importance attached to non-interference by many developing countries.⁶⁵

4.4 The limits of current indicators of economic performance and social progress

Former President of France, Nicholas Sarkozy, established the Commission on the Measurement of Economic Performance and Social Progress in 2008. Chaired by Joseph Stiglitz and advised by Amartya Sen, the starting point for the Commission was the gap thought to exist between standard measures of socio-economic variables and popular perceptions of well-being (Manning, 2009). It aimed at discussing the limits of existing indicators of economic performance (especially GDP) and social progress, to assess the feasibility of alternative measurement tools, and to consider the additional information required for the production of more relevant indicators.

The results of the commission were published in a report in 2009. In this, a distinction is made between four types of measurement: (i) production (GDP), (ii) economic well-being (standard of living), (iii) overall well-being, and (iv) well-being of current vs. future generations, i.e. sustainability. Except for the recommendation to shift emphasis from measuring economic production to people's (economic) well-being, items (i), (ii) and (iv) do not present any fundamental recommendations.

On item (iii), however a somewhat radical conclusion (at least emerging from a group of 25 economists) is posited, namely that *“Research has shown that it is possible to collect meaningful and reliable data on subjective as well as objective well-being. Subjective well-being encompasses different aspects (cognitive evaluations of one’s life, happiness, satisfaction, positive emotions such as joy and pride, and negative emotions such as pain and worry): each of them should be measured separately to derive a more comprehensive appreciation of people’s lives”,* and that the *‘types of questions that have proved their value within small-scale and unofficial surveys should be included in larger-scale surveys undertaken by official statistical offices’* (Stiglitz et al., 2009). This position is later in the report supported by the argument that inanimate objects are only of importance through their influence on human lives. As such, growth in GDP is only considered positive as long as it ensures an increase in quality of life for individuals.

⁶⁵ cf. <http://www.guardian.co.uk/global-development/2012/nov/21/human-rights-faultline-development-agenda>

Advocating the use of subjective measures and putting human lives ahead of output growth is a striking move that could potentially have significant implications for the formulation of macroeconomic policy. Not just in developing countries, as is the context for the Commission, but across the developed world as well.

The Commission did not achieve any revolutions of economic measurement, but the perspectives and critiques of current indicators it provided were exceedingly noteworthy. As the post-MDG framework is negotiated, so too will be the current approach to indicators and measurement tools. Should the EU choose to approach this matter with an agenda of revision, many potential insights could be brought to the table from the results of the Commission.

4.5 The processual inclusion of the four issues

The first necessary condition to enable the inclusion of these four issues into the post-2015 framework is naturally the political will and interest of the EU to pursue them. Without backing from member states they will be difficult to include in an EU position and likely to produce splits during the negotiations, hampering the potential of the Union to exercise influence on the final outcome.

Should we see their inclusion in an EU position, at least two disputes will still have the ability to render their inclusion in the final framework impossible: (i) the gap between what countries are perceived as developing and developed and subsequently (ii) the outlook of a global framework in which all countries ascribe to the same demands and levels of responsibility.

Several of the emerging economies are likely to claim their self-perceived position as developing countries. On the other hand OECD members are likely to push for China, India etc. to acknowledge their role as growing economies with enough economic capacity to share the bill with the developed countries, considering these are now fierce competitors for economic growth and trade. These disputes have been manifest in climate negotiations where China and India recently formed the 'like-minded developing countries on climate change' group aiming to promote the *common but differentiated responsibilities approach* in which the responsibility to cut emissions is clearly differentiated for developed and developing countries. If these deadlocks are transferred from climate change negotiations to the post-2015 process, disputes over the degrees of responsibility for different groupings of countries, including who may claim membership, are likely to seriously obstruct negotiations.

This links up to the question of whether a truly *global* framework, applying to all countries, is politically feasible. Universality in that sense will be contentious, especially in relation to the shared global responsibility inherent in policy coherence for development and the intrusive nature of addressing inequality internally in countries. If the emerging economies claim their position as developing countries, it is unlikely that OECD members will suggest building the new framework around stronger responsibility for the developed world in the shape of policy coherence for development and responsibility of developed countries to align their policies to promote economic growth and social progress in the developing world.

Addressing inequality in all countries will also be a contentious issue for both the developing and developed world, should serious talks on this issue emerge. The emerging economies will have difficulty in accepting what may be perceived as interference in internal affairs since addressing income inequality revolves around national distribution issues, and so too will the OECD members, especially the US which, facing grave income inequality, is not likely to allow this issue to be included.

Conclusions

Learning from the recent past and adapting its negotiation approaches to the changing global balance of power is central for the EU to effectively influence negotiations that could result in a post-2015 framework on development. This relates both to the emerging understanding of strengths and weaknesses of the original MDG framework and to the specific approaches of the EU in terms of influencing the outcomes of international negotiations.

Regardless of the ‘Copenhagen trauma’ and the shrinking influence of the EU in the world, the recent international negotiations analysed here show without exception that the influence of the EU significantly reduces when individual Member States distance themselves from previously agreed joint EU positions. This is not to say that the EU can push things on its own, but the success of the Durban COP negotiations suggests that unity in the EU’s position in negotiations – i.e. among 27 states with their own wide-ranging views and interests – is key to being able to convince other countries and regions that the EU’s views and ideas are worth aligning with.

The analysis of preparations and approaches to past international events, have highlighted key preconditions necessary for the EU to ensure influence in the post-2015 negotiations:

- *Prepare well and complete on time:* The EC’s approach to preparing EU positions has become more exacting and time-consuming, has stiffer demands in terms of the levels of translation and inter-service consultation requirements, and thus takes longer to produce.
- *Lengthy positions potentially hamper flexibility:* Wide-ranging positions may be good for their ability to spell out specifics, but detailed position documents in terms of length can generally be expected to hamper the EU’s flexibility (or at least its ability to act on the basis of the joint position) in the case of unforeseen circumstances or of strong shifts in the negotiation positions of other countries. The need for coordination between post-2015 and SDG negotiations – and as desired by the EU their full integration – will definitely require a flexible and non-specific position as the EU and its member states may end up ‘playing chess on multiple boards’.
- *New forms of communication strengthen multilateral action:* The comparison shows that due to the more inclusive nature of conferences (i.e. greater access to

researchers, journalists, etc.) and new communication tools (blogs, twitter etc.) the EU's actions are more visible and transparent, making it easier to expose cases of EU Member States acting more unilaterally.

- *The inclusion of sustainable development goals may help avoid an EU split:* While both environment and development policy are shared competencies in EU legislation, it seems that this legal status is more respected in reality in the case of climate change negotiations, given that development cooperation meetings show stronger tendencies towards EU member states operating on their own or in like-minded coalitions. The potential inclusion of sustainable development goals in the post-2015 framework may favour alliance building and the ability of the EU to negotiate as a block.
- *Back up good arguments with concrete initiatives:* The success of the EU's negotiations has in past years been hampered by a reputed attitude of 'do what I say and not what I do'. The 14 May Council Conclusions on Policy Coherence for Development recognise that lack of concrete results in this area can damage the EU's credibility as a global actor.⁶⁶ Given the possible greater focus post-2015 on areas and actions other than what is financed through ODA (which itself may also change after 2015), the importance for the EU's development-friendly performance in areas such as trade and environment only increases. A focus on concrete and long-term initiatives in the area of sustainable development may particularly help to ensure the support of those developing countries that made strong investments in the Rio+20 negotiations, e.g. the host country Brazil, SDG initiators Colombia and Guatemala, as well as small island states.

As important as *how* to ensure influence is naturally the question of *what* positions to influence with. The paper has accentuated four perspectives and approaches of varying political feasibility that the EU may choose to bring to the negotiations as something embedded in European experience, practice or background: (i) Making policies coherent and notions of a global post-2015 framework; (ii) Climate change and sustainable development (iii) A value-based approach; and (iv) the limits of current indicators of economic performance and social progress. Should we see their inclusion in a EU position, at least two issues will still have the ability to render their inclusion in the final framework impossible: (i) the gap between what countries are perceived as developing and developed and subsequently (ii) the outlook of a global framework in which all countries ascribe to the same demands and levels of responsibility.

⁶⁶ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/130225.pdf

The preparation for the EU's post-2015 position can be regarded as following the trend of a rather laboured and long preparation process, centring on the use of EC Communications as the basis for a proposed position. The position may prove to have an important influence on the EU's contributions during and beyond the special event to follow up on efforts made towards achieving the Millennium Development Goals and to discuss the possible contours of the Post-2015 Development Agenda during the sixty-eighth session of the General Assembly in September 2013.

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